

**STAGE 3 - SPECIFIC PURPOSE ZONE
(BURWOOD LANDFILL AND RESOURCE RECOVERY PARK)**

MEDIATION REPORT 17 NOVEMBER 2015

TO: Independent Hearings Panel - Christchurch Replacement District Plan

FROM: Commissioner J Mills

TOPICS:

The following topics were discussed in mediation:

- Issue 2(a) Areas at Burwood available for earthquake waste processing and disposal within the Burwood Landfill Zone and for how long
- Issue 2(b) Applicability of Natural Hazards, Noise, Transport and Hazardous Substances and Contaminated Land provisions
- Issue 2(c) Burning of earthquake waste and acceptance of hazardous substances
- Issue 2(f) Permitted activity standards relating to the material that can be disposed of or stockpiled
- Issue 2(g) Public access for recreational use in areas where rehabilitation of land has been completed

ATTENDEES:

Burwood Resource Recovery Park (BRRP Ltd) (#3444) - Tammara McKernan (CCC), Tim Joyce (CCC) & Daniel Murray (AECOM)

The Crown (#3721 & FS#5030) - Nardia Yozin & Annabel Ritchie

Christchurch City Council (CCC - #3723) - Kimberley Rolton & Alan Matheson

The mediation noted the following:

1. Submitter PJ Brandon (#3719) in opposition seeking deletion of the proposal did not attend;
2. Submitter Burwood/Pegasus Community Board (#3570) seeking a specific closure date did not attend; and
3. Submitter Environment Canterbury (#3629) did not attend (understood to be satisfied with the updated redline version following conferencing).

The parties to the Mediation have not identified any matters that the Panel will be required to determine. All matters have been agreed between these parties.

Discussion 1 - Issue 2(a) - Areas Available & Timeframe

Kimberley Rolton explained that flexibility has been provided in relation to areas available for earthquake waste related activities within the zone through updates made to the redline version following receipt of submissions which was discussed with all parties at informal conferencing (all parties were generally satisfied with the updates at the conferencing session).

Nardia Yozin noted that additional areas for disposal (Site 'B') are being sought through the Environment Canterbury LURP review and that the Minister's decisions regarding the LURP review for Burwood is expected in the near future.

All parties agreed that no timeframe or specific closure date is necessary.

Agreed Actions - nil

Discussion 2 - Issue 2(b) - Other Chapters

Discussion focused on the applicability of the Natural & Cultural Heritage, Noise and Natural Hazards Chapter provisions.

BRRP's concern with the application of these other Chapter provisions was around future proofing the site and the risk that these provisions may alter the activity status and place unnecessary impediment to the use of the site for recovery purposes.

The Crown and CCC noted that the risks were low, that the ecological values of the 'Site of Ecological Significance' had been confirmed and that although assisting the recovery of the city is the immediate purpose of the zone, the ultimate objective is for the restoration of the land for open space purposes (i.e. the zone is not 'open ended' for waste disposal activities).

CCC noted that due to the lack of up-to-date ground contour information and the inability to undertake flood modelling work within the timeframes, CCC are not able to confirm what the impact of filling in the Flood Management Area within the zone will be.

Parties agreed that the Natural & Cultural Heritage, Noise and Natural Hazards provisions would apply, with the following specific modifications:

- the noise provisions only apply to the extent that the residential standards must be met at the Residential Zone boundary (with an exemption from the Open Space Zone noise standards); and
- filling within the Flood Management Area would be a controlled activity with reserved matters being the need to mitigate effects as they impact flooding, surface drainage and flood storage capacity, including any requirement for compensatory storage.

Agreed Actions:

1. CCC to amend chapter provisions to clarify that the activities are subject to the General Rules Noise chapter, only to the extent that the Residential zone standards apply at the residential boundary and to include a permitted activity standard relating to filling within the Flood Management Area, such that if filling occurs in this location that consent is required for a controlled activity (non-notified/ written comment sought from identified parties). Refer to amended redline version of the chapter attached to this report - Rule 21.12.2.1.1 b, Activity Specific Standard P1 (r) and Matter of Control C1 (e) respectively.

Discussion 3 - Issue 2(c) - Burning of Waste & Acceptance of Hazardous Substances

CCC confirmed that:

1. The Activity Specific Standard relating to the burning of waste has been deleted as this matter is covered by the Regional Air Plan and other statutory planning documents/ legislation; and
2. The definition of 'Earthquake Waste' excluded the acceptance of hazardous and hence that standard has been deleted to avoid confusion.

Agreed Actions - nil

Discussion 4 - Issue 2 (g) - Public Access

CCC advised that new activity specific standard P1 (p) had been included to require a rehabilitation plan to be submitted to Council by September 2016. BRRP advised that the resource consent currently being sought is likely to have conditions covering the preparation of a rehabilitation plan and hence this standard will be met through that process.

Agreed Actions - nil

Attachment - Specific Purpose (Burwood Landfill and Recovery Park) - redline version updated following mediation.

Signatures:

Tammara McKernan

Tim Joyce

Daniel Murray

Nardia Yoizin

Annabel Ritchie

Kimberley Rolton

Alan Matheson

A handwritten signature in black ink, appearing to read 'J. Mills', written over a horizontal line.

John Mills

Environment Court Commissioner - Mediator

8 December 2015