Memorandum



- Date: 29 November 2024
- Re: Mineral Extraction Zone 16: Karamea Lime Quarry

1.0 Notified MINZ

A map of the notified Mineral Extraction Zone (**MINZ**) at Karamea Lime Quarry is included in **Figure 1** below and attached in **Appendix 1**.



Figure 1: Notified MINZ at Karamea Lime Quarry.

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2.0 Submissions

2.1 Oppose

Lanah Hake Tarango (S337.001) seeks to oppose the identification of the entry to Kahurangi National Park/Fenian Track/Adams Flat (aka The Pyramid) as an expanded mineral extraction area. The decision sought is to protect it from further environmental destruction that is now, and increasingly visible, part of the aesthetic character of Karamea, entry to a National Park with notable trees and species and is 30 million year old rock with yet to be assessed protected species, fossils, and caves. This is opposed by Karamea Community Incorporated (FS125.001) and 70 others.

Fernando Tarango (S342.002) seeks to oppose the expansion of MINZ further into "The Pyramid" at Karamea. This is opposed by Karamea Community Incorporated (FS125.004) and 68 others.

Maria McKay (S409.001) seeks to remove Karamea Lime Company MINZ and expansion. This is opposed by Karamea Community Incorporated (FS125.009) and 66 others.

2.2 Amend

Karamea Lime Company (S614.175) seeks to amend the zoning so that Lot 1 DP 483059 is zoned MINZ. This is supported by Linda Brownie (FS130.001) and 50 others.

Geoff Volckman (S563.149) also seeks to amend Lot 1 DP 483059 to Mineral Extraction Zone.

Te Tai o Poutini Plan Committee (S171.024) seeks to rezone the entire Karamea Limestone quarry site as shown on the map included in the submission Mineral Extraction Zone.



Figure 2: Map included with submission S171.024 and seeking Lot 1 DP 483059 to be included in MINZ.

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Chris & Jan Coll (S558.500) and 6 others seek to amend so that Lot 1 DP 483059 is zoned MINZ.

Brian Jones (S525.001) seeks to rezone land for the Karamea Lime Company to MINZ as outlined in their submission.

3.0 Evidence

3.1 Karamea Lime Co Ltd (Submitter No. 614)

Evidence was received from Kate McKenzie, Director and Principal Planner of WePlan Limited, on behalf of Karamea Lime Co Ltd (S614) in regards to the notified MINZ at Karamea Lime Quarry. Ms McKenzie cites that the Karamea Lime Quarry MINZ is authorised under West Coast Regional Council resource consent RC2020-0013 and includes Lot 1 DP 483059. A copy of copy of this consent was provided with her evidence (discussed below).

She provides further evidence that the subject site for RC2020-0013 is inclusive of Lot 1 DP 483059 via the provision of the staff report for the consent application (**Appendix 2**) which cites Lot 1 DP 483059 as part of the Legal Description of the site. Ms McKenzie also provides copies of the 1997 and 2024 Quarry Plans (**Appendix 3**) which outline the area of the quarry inclusive of Lot 1 DP 483059. Ms McKenzie concludes that the notified MINZ applied to the Karamea Lime Quarry should be expanded to include Lot 1 DP 483059.

4.0 Assessment of Information Provided by Council

Information has been provided by Buller District Council and the West Coast Regional Council. The following resource consent was identified as relative to the notified MINZ at Karamea Lime Quarry (**Figure 1** above).

4.1 West Coast Regional Council

4.1.1 RC-2020-0013

This resource consent grants a Land Use Consent and two Discharge Permits associated with limestone quarrying activities at Fenian Road, Karamea. Conditions 30, 32, 34, and 35 cite the property boundary as "Lot 1 Sec 1 and 50 DP 483059 SO 15488 BLK IX OPARARA SD". An aerial image depicting the boundary of the cited legal descriptions was sourced and is provided as **Appendix 4**. This resource consent commenced on 16 July 2020 and has a duration of 35 years. See **Figure 3** below for an approximation of the subject site, (outlined in yellow) in relation to the notified MINZ at Karamea Lime Quarry.

4.2 Summary

Based on an assessment of the available information, RC-2020-0013 confirms that the notified MINZ at Karamea Lime Quarry, and the parcel of land adjacent to the MINZ identified as Lot 1 DP 483059, have authorisation to operate a mining activity (**Figure 3** below). A full copy of the sites with authorisation to operate a mining activity in relation to MINZ at Karamea Lime Quarry is provided at **Appendix 5**.





Figure 3: Map of Authorised Mining Activities in relation to MINZ. Full map at Appendix 5.

5.0 Recommendation

The additional information provided by RC-2020-0013 identifies that the full extent of the notified MINZ at Karamea Lime Quarry has authorisation to operate a mining activity. The evidence provided also confirms that the consented area under RC-2020-0013 includes Lot 1 DP 483059.

It is recommended that the notified MINZ at Karamea Lime Quarry be <u>amended</u>, as outlined in **Figure 3** above and at **Appendix 5**, to include Lot 1 DP 483059 per RC-2020-0013 as discussed above.

Notified MINZ Area





Evidence of Kate McKenzie - Staff Report



Resource Consent application – Audit of Application and AEE Consent No: RC-2020-0013 Applicant & Location: Karamea Lime Co Ltd

Territorial Authority: Buller ✓ Grey □ Westland □ Cross boundary issues □

Consents required from Local Territorial Authority or Other Agencies (state whether applied for) e.g. building consent. **Would likely need a consent with BDC**

Identify and comment on any strategic policy issues that should be considered, including reference to Regional Policy Statement. Does the application address these issues?

Plan/Policy Statement	Status	Objectives/Policies	Rules
Regional Policy Statement			
Soils & Rivers		O7.1; P7	
Natural Hazards		O11; P11.2	
Air Quality		O13.1, 13.2; P13.1.1, 13.2	
Minerals		O16.1, 16.2; P16.1, 16.2, 16.3	
Proposed Regional Policy Statement			
Use & Development of Resources		O5.1, 5.2; P5.1, 5.2	
Land & Water		O8.1, 8.3; P8.1, 8.3	
Air Quality		O10.2; P10.2	
Natural Hazards		O11.1; P11.1, 11.4	
Regional Air Quality Plan			
To discharge contaminants to air from limestone quarrying and crushing	D	O7.3.1; P7.4.1, 7.4.2	16
Regional Land and Water Plan			
To undertake earthworks, including vegetation clearance associated with quarrying.	D	O4.2.1; P4.3.1	16
To discharge contaminants to land from limestone quarrying and crushing	D	O13.2.1; P13.3.1	91
Resource Management Act section(s)			
Restrictions relating to the use of Land and discharges			S.9, 15

<u>This application is</u>: P – Permitted C – Controlled RD – Restricted Discretionary **D – Discretionary** (or innominate) Pro – Prohibited

Comments on Planning & RMA Provisions

The quarrying works are discretionary activities under Rules 16 and 91 of the Regional Land and Water Plan. The discharge to air is a discretionary activity under Rule 16 of the Regional Air Quality Plan.

Any Relevant National Environmental Standards (NES) or Regulations:

The Resource Management (National Environmental Standards for Air Quality) Regulations 2004 apply and relevant consent conditions will be put in place to ensure these regulations are met.

Tangata Whenua Issues

To complete this checklist it is necessary to refer to 'Statutory Acknowledgements – A guide for Local Authorities'. Also refer to relevant plans for matters of significance to Poutini Ngai Tahu.

(A) Is the application in, near or adjacent to a Statutory Acknowledgement Area? Yes No ✓

(B) Are Tangata Whenua potentially adversely affected by the application? Yes No ✓

(C) List of Ta	angata Whenua		
		To be consulted	potentially adversely affected
	Ngati Waewae		
	Makaawhio		
	TRONT		
()		••	ation address the issues? Give source of urse of action to be taken?

Environmental Effects

Audit of the applicant's AEE

Type of Consents Sought: 1 Land Use Consent and 2 discharge permits

Term: 35 years

Application: To undertake earthworks and vegetation clearance associated with quarrying and discharge contaminants to land and air.

AEE:

- Quarry has been in existence for a long period of time.
- A steep limestone ridge is being utilised for the quarrying activities.
- The total area of land affected by the activities is approx. 2ha.
- Works involve the quarrying of limestone and then crushing it to make fertiliser.
- Up to 10,000m³ will be extracted.
- Will involve removal of some native vegetation but operation is small in scale and will happen gradually over time. Area is already impacted by quarry works and vegetation is not of significance. More significant native vegetation is contained in the nearby national park.
- Overburden will be placed on adjoining pasture land, compacted and planted with pasture species.
- Sediment runoff may be generated during heavy rain but is directed towards paddocks where lime is beneficial.
- The crushing activities are contained in a shed but dust is generated and may fall out on adjacent paddocks where it is beneficial for farming practices.
- Runoff is not directed towards the Oparara River but into adjacent paddocks.

Assessment of any differences between applicant's AEE and council staff

I am in agreeance with the applicant's AEE.

Assessment of any relevant points not covered in the AEE

- There are no Scheduled Wetlands in the area.
- No special circumstances have been identified.

	None	Minor	Reasons
Construction/establishment			
Water ways			
Bed disturbance			
Sedimentation of water			
Bank stability			
Fish passage			
Flora/fauna disturbance			
Waterway capacity			
On land			
Slope stability		✓	Potential stability issues and
Erosion potential		✓	runoff potential. Will be mitigated
Vegetation clearance		✓	by using appropriate quarrying practices.
Runoff/stormwater		✓	
Coastal environment			
Noise			
Public access			
Disturbance			
Structures			
Natural hazards			
Amenity/natural character			
Discharges			
Quantity			Potential runoff and dust discharges
Quality			may impact surrounding farm land but the lime is beneficial for farming
Potential to effect -			purposes and the farm owner will
Water quality		\checkmark	need to sign off as an affected party.
Soakage ability		✓	
Air Discharge		\checkmark	
After/at completion of works			
Flow processes	\checkmark		Quarry will be rehabilitated
Sediment processes	\checkmark		on completion of works
Water Quality	\checkmark]
Fish passage	\checkmark]
Public access	\checkmark		
Slope stability	\checkmark]
Soakage	\checkmark		
Revegetation		\checkmark	
Land rehabilitation		\checkmark	

Notification - Non-Notification Decision Report

Sections 92, 94 & 95 — Resource Management Act 1991 (amended 2009)

A. Details of Application	
Resource Consent Number	RC-2020-0013
Applicant (Consent Holder)	Karamea Lime Co Ltd
Location/Legal Description	Fenian Road, Karamea
Activity Description	Works associated with limestone quarrying.

B. Matters for Consideration

PUBLIC NOTIFICATION

1. Request to Publicly Notify – s95(3)(a)

a. Has the applicant requested that the application be notified?

✓ No..... Go to Question 2

Yes...... Application to be **publicly notify**, state below how applicant advised Council **Comment:**

2. Request for further information – S.92(1) or commissioning a report - S.92(2)

a. Has a request been made and there has been no decision to publicly notify or limited notify the application? – **S.95C**

✓ No...... Go to Question 3

Yes..... Go to Question 2b

b. Has the applicant failed to respond by the deadline specified or refused to provide the information or refused to agree to the commissioning of a report? – **S.95C**

No...... Go to Question 3

Yes..... Application to be publicly notified

3. Notification Precluded

Does a rule or an NES preclude notification for all activities in the application?

✓ No..... Go to Question 4

Yes..... Identify rule/NES below, then **go to** Question 4

Comment:

4. Classification of Activity

What type of consent application is being made?

Controlled.....(if all activities that form part of an application are controlled then application cannot be publicly notified unless special circumstances apply) **Go to** Question 5

- ✓ Restricted Discretionary......Go to Question 5
- ✓ Discretionary......Go to Question 5

5. Residential Activities

Is the application for residential activities only with a Restricted Discretionary or Discretionary activity status?

Question 6.

✓ No Go to Question 6

Comment:

6. Required Notification

Does a rule or an NES require notification?

✓ No..... **Go to** Question 7

Yes...... Application to be **publicly notified**, identify rule/NES below

Comment:

7. Effects on the Environment

Will the activity have adverse effects on the environment that will be, or are likely to be, more than minor? – **s95D**

In forming this opinion (a) to (e) apply:

- (a) we must disregard any effects on persons who own or occupy the land on which the activity will occur or any land adjacent to that land (s95D(a))
- (b) we may disregard an adverse effect of the activity if a rule or NES permits an activity with that effect (s95D(b))
- (c) for restricted discretionary we must disregard any adverse effects that fall outside the matters over which we restrict discretion (s95D(c))
- (d) we must disregard trade competition and the effects of trade competition (s95D(d))
- (e) we must disregard any effect on a person who has given written approval (s95D(e))

Yes..... State reasons below, then **go to** Question 8

✓ No.....State reasons below, then **go to** Question 8

Reasons: (Also identify disregarded effects and specify restricted discretionary rule if applicable)

Effects of earthworks in this area are likely to be less than minor and contained to area of works.

8. Special Circumstances

Is it considered that special circumstances exist in relation to the application that would suggest that the application should be notified?

✓ No..... Go to Question 9

Yes..... Application to be publicly notified, state reasons below

Reasons:

LIMITED NOTIFICATION

9. Protected Customary Rights or Marine Title Groups

Are there any affected customary rights groups or customary marine title groups? S95G

Yes..... details Serve notice on affected groups

✓ No Non-notified

10. Statutory Acknowledgement Areas

a. Is the activity on, adjacent to, or affect land subject to a Statutory Acknowledgement?

Yes..... **Go to** Question 10b

✓ No Go to Question 11

b. Are the effects on the Statutory Acknowledgement holder minor or more than minor?

Yes..... If written approval from holder has not been obtained then limited notify to affected holder.

Or No Go to Question 11

11. Limited Notification Precluded

Are all activities in the application subject to a rule or NES that precludes limited notification?

Yes......Rule/NES_____ Go to Question 12

✓ No...... **Go to** Question12

Comments:

12. Plan Provisions

Does the relevant Plan expressly allow processing of the application on a non-notified basis without the need to obtain the written approval of affected parties?

- ✓ Yes..... State relevant rule and plan, **Go to** Question 14
- No..... Go to Question 13

13. Affected Parties

a. Are there any persons or parties considered to be adversely affected by the activity? **- S.95B(1)**

A person is affected if the activity's adverse effects on the person are minor or more than minor (but not less than minor - S.95E(1))

- In forming an opinion as to who may be an affected person:
- (a) we may disregard an adverse effect on the person if a rule or NES permits an activity with that effect. (s95E(2)(a))
- (b) for controlled or restricted discretionary we must disregard any effects on the person that fall outside the matters over which we reserve control or restrict discretion (s95E(2)(b))
- (c) we must have regard to every Statutory Acknowledgement (s95E(2)(c))
- (d) We must decide that a person is not affected if the person has given written approval and has not withdrawn the approval in writing before the authority has decided whether there are any affected persons. (s95E(3)(a)) (NB: beware of conditional approvals).
- (e) We must decide that a person is not affected if it is unreasonable in the circumstances to seek the person's written approval. (s95E(3)(b))
- ✓ Yes..... Go to Question 13b
- No.....State reasons why below

Reasons: (Also identify disregarded effects, specify controlled or restricted discretionary rule, and identify any Statutory Acknowledgement if applicable)

Works will be contained wholly within applicant's property with sufficient buffers maintained to the creek and boundary's to help reduce the potential for effects beyond the property boundary.

b. Have written approvals been obtained from every person who is considered to be adversely affected by the activity? **S95B(3)**

Yes..... Complete the table below, then **go to** Question 12

✓ No.....Complete the table below, then **go to** Question 12

Not applicable **go to** Question 12

Reasons:

Affected Party	How they are affected?	Written approval in application? (Y/N)
Fenian Farms Ltd	Adjacent land owner	N
Buller District Council	Road Reserve	N

14. Special Circumstances

Is it considered that special circumstances exist in relation to the application that would suggest that the application should be limited notified?

✓ No...... Go to Question 7

Yes..... Application to be limited notified, state reasons below

Reasons:

Decision			
It is decided that this application be processed on the following basis:			
Notified			
Limited Notified			
✓ Non-notified			
Reporting Officer: Rachel Clark			
Signed K. Clark Date: _23/01/2020			
Delegated Authority: Colin Helem			
Signed C L Melem Date: 23-01-2020			

Applications Affecting Navigation (s89A)

If the application is for a coastal permit does it do any of the following:

Reclaim lanc

- Build a structure
- Do or maintain works for the improvement, management, protection, or utilization of a harbour
- Remove boulders, mud, sand, shell, shingle, silt, stone, or other similar material from the CMA

or

A land use consent to use the bed of a navigable lake or river

If yes then the application must be copied to Maritime New Zealand for consideration in regard to the effects on navigational safety.

Maritime New Zealand must report to Council on any navigation-related matters relevant to the application, including any conditions that it considers should be included in the consent for navigation related purposes. Maritime NZ must provide that report within 15 working days after receiving a copy of the application, If it fails to report within that time limit you can take it that Maritime NZ has nothing to report.

You must forward a copy of any report supplied by Maritime NZ to the applicant and every person who has made a submission on the application.

The report must be taken into account when considering the application.

 \checkmark Not any of the above.

Decision in Regard to a Non-notified Application

File No:	RC-2020-0013
Prepared by:	Rachel Clark
Date:	23 January 2020
Subject	To report and make recommendations on the determination of the below
	applications under non-notified provisions of the Resource Management Act 1991

1. Description of the application

Applicant: Karamea Lime Co Ltd

Address: PO Box 27

KARAMEA 7864

Consent No.	Consent type	Activity
RC-2020-0013-01	Land Use	To undertake earthworks and vegetation disturbance associated with limestone quarrying operations, Fenian Road, Karamea.
RC-2020-0013-02	Discharge	To discharge contaminants to land for limestone quarrying and
	Permit	crushing operations, Fenian Road, Karamea.
RC-2020-0013-03	Air Discharge	To discharge dust to air associated with limestone quarrying
	Permit	and crushing operations, Fenian Road, Karamea.

Location(s): Fenian Road, Karamea

Legal Description: Lot 1 Sec 1 and 50 DP 483059 SO 15488 BLK IX OPARARA SD

Map Reference: NZTM 1528412E, 5436925N

Previous consent:

The above description is a summary for the purpose of this report. Further details are contained in the application and the applicant's Assessment of Effects.

expiry date:

3. Status of the Application

Controlled

Discretionary ✓

Restricted Discretionary

4. Non-notification and written approval

A provisional decision was made on **24 January 2020** to process this application non-notified with the written approvals of affected parties (as listed below) as the effects are considered to be minor. These written approvals have been obtained and hence there is no reason for limited notification of the application.

List of affected parties:

Fenian Farms Ltd

Buller District Council

Recommendation 6.

Reasons for recommendation

 \checkmark That the Delegated Authority grants the application, subject to the terms and conditions as set out in the attached draft consent.

OR

That the Delegated Authority declines the application [specify reasons if declining] 0

(a)	The effects of the activity are expected to be minor,	YES
(b)	The activity will comply with the relevant statutory requirements.	YES
(c)	The application falls within the non-notification provisions of the Act.	YES
(d)	A term of 35 years is considered appropriate to allow ongoing maintenance	

Review period is: Monthly o Six monthly o Annually \checkmark Other o Please specify:

This recommendation is consistent with the purpose and principles of the Resource Management Act 1991 as set out in Part II of the Act. The provisions of Section 104 have been considered.

The nature of the works is also consistent with the Council's Regional Policy Statement and Proposed Regional Policy Statement. Specific objectives and policies in respect of Soils & Rivers, Natural Hazards, Air Quality and Minerals are contained within Chapters 7, 11, 13 & 16 of the Regional Policy Statement. Specific objectives and policies in respect of Use & Development of Resources, Land & Water, Air Quality and Natural Hazards are contained in Chapters 5, 8, 10 & 11 of the Proposed **Regional Policy Statement.**

Other relevant objective/policies/rules/NES or any regional plans or proposed regional plans

The guarry works are a discretionary activities under Rules 16 and 91 of the Regional Land and Water Plan. The air discharge is a discretionary activity under Rule 16 of the Regional Air Quality Plan.

R. Clark

[Signature]

Rachel Clark [Consents Officer's name]

24/06/2020 [Date]

Approved / Declined

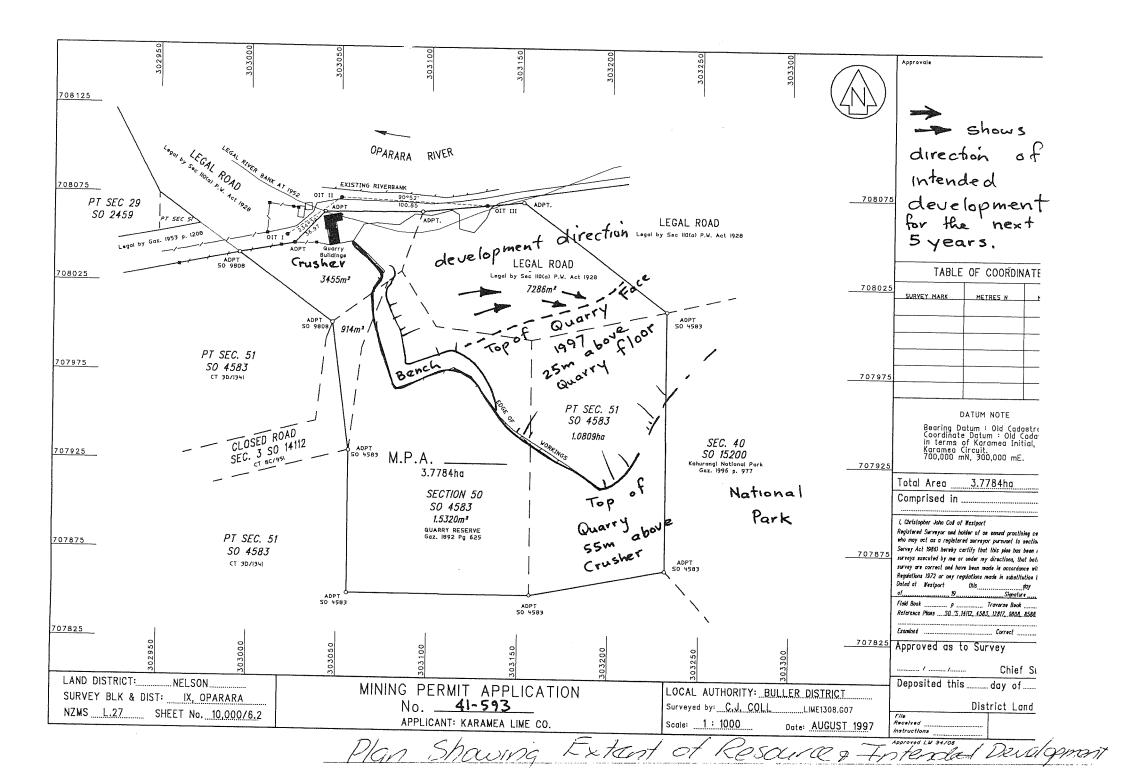
Date 24/06/2020

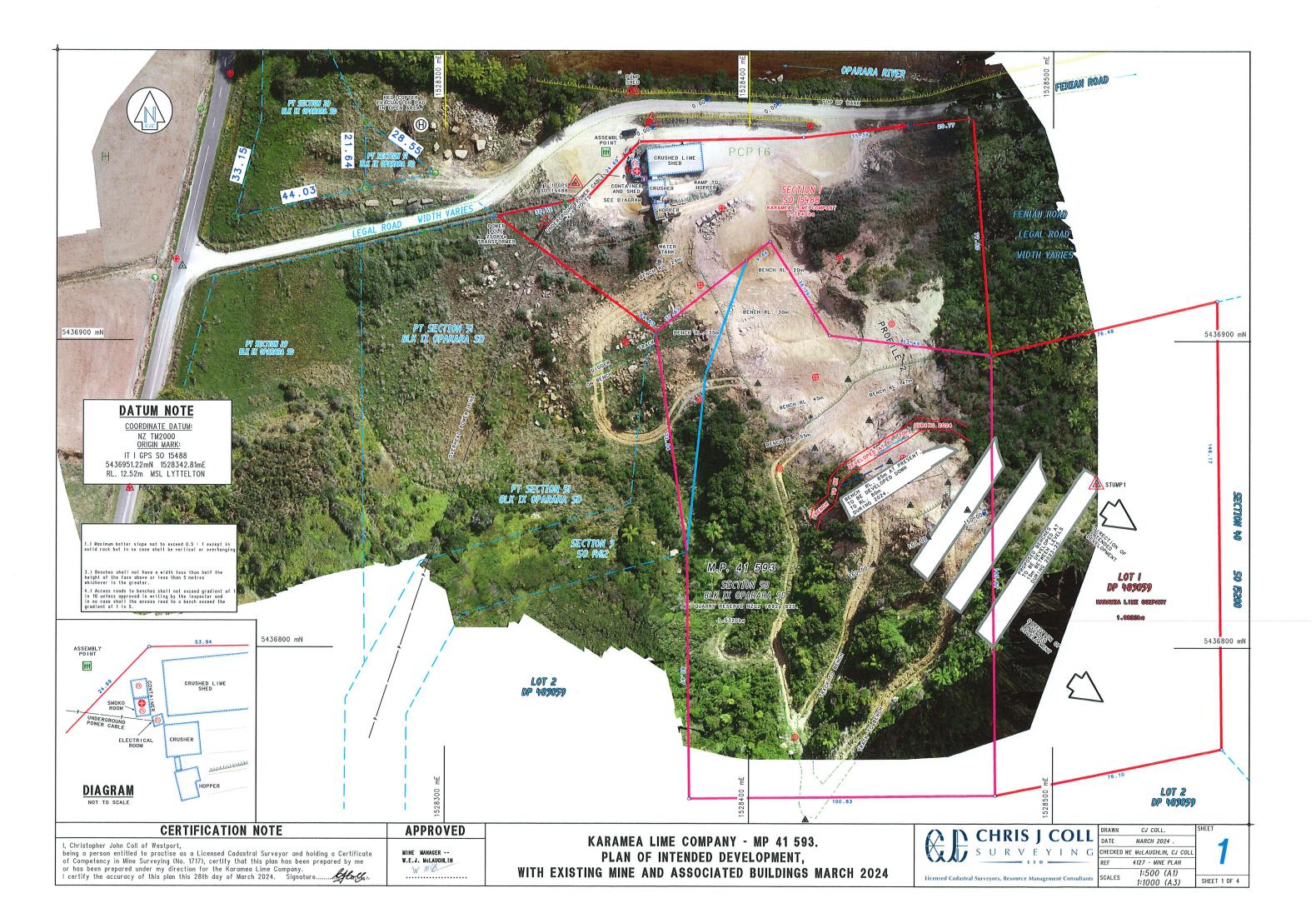
Heather Mckay

Delegated Authority

Evidence of Kate McKenzie - Quarry Plans







Aerial Imaging of Legal Titles





Figure 1: Locality of Section 1 SO 15488, Lot 1 DP 483059 and Section 50 Block IX Oparara Survey District. Source Emaps

Map of Authorised Mining Activities in relation to MINZ



