

## FTAA-2505-1062: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

### Project Name: Whiterock Quarry and Managed Fill

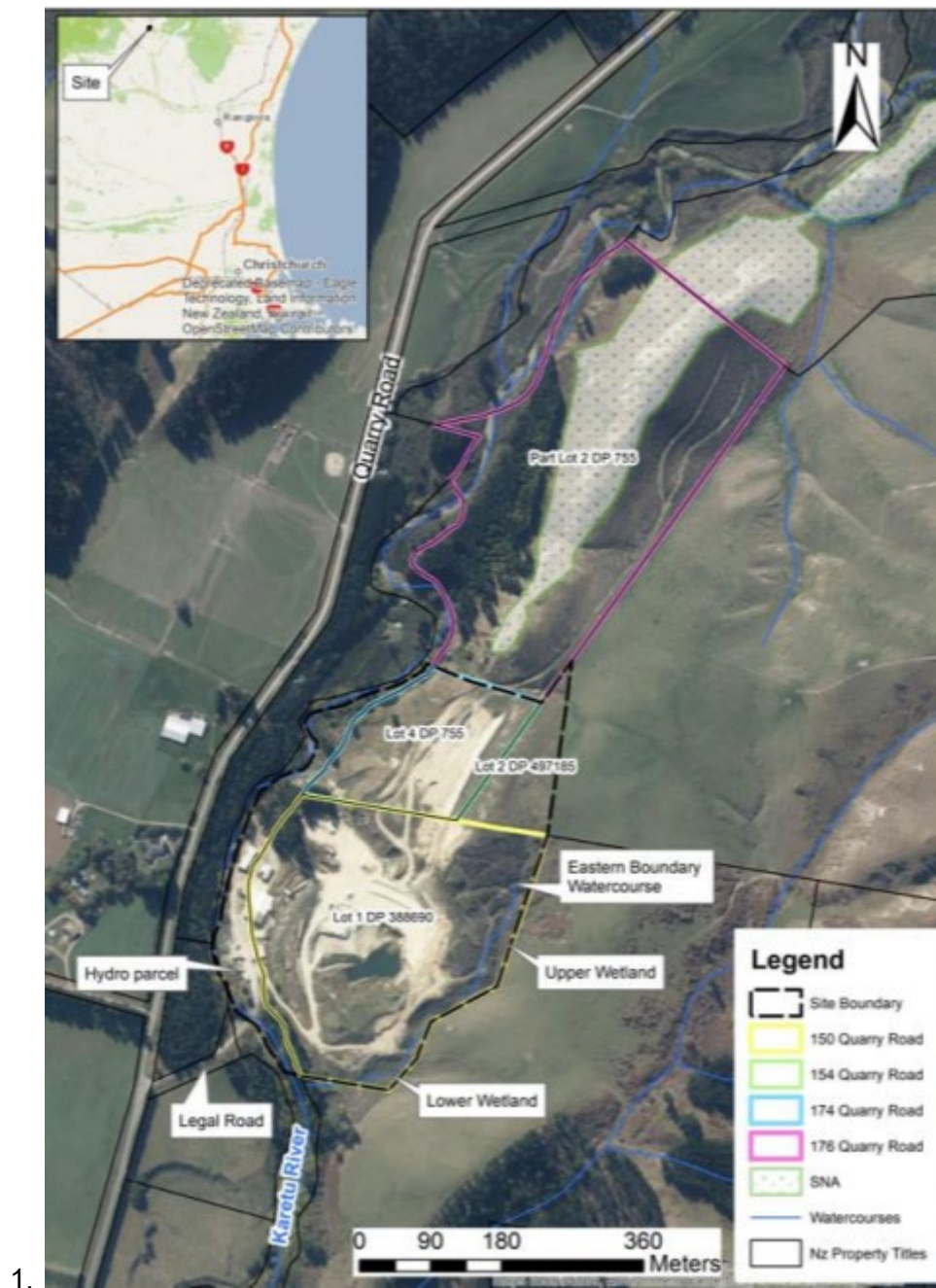
Date submitted:	19 November 2025	Tracking #: BRF-7102	
Security level:	In-Confidence	MfE priority:	Urgent
To Hon Chris Bishop, Minister for Infrastructure		Action sought:	Response by:
		Decision on recommendations	26 November 2025

Actions for Minister's Office staff	<p><b>Return</b> the signed briefing to the Ministry for the Environment: <a href="mailto:FTAreferals@mfe.govt.nz">FTAreferals@mfe.govt.nz</a>.</p> <p><b>Approve</b> the attached notice of decisions letter.</p>
Number of appendices: 6	<p>Appendices (refer to File Exchange link for appendices 2-6):</p> <ol style="list-style-type: none"> <li>1. Statutory framework for making decisions</li> <li>2. Application documents for Whiterock Quarry and Managed Fill</li> <li>3. Stage 1 Briefing Note and decisions</li> <li>4. Section 18 report on Treaty settlements and other obligations</li> <li>5. Comments received from invited parties, including the further information received from the relevant local authorities</li> <li>6. Draft Notice of Decision</li> </ol>

### Ministry for the Environment contacts

Position	Name	Cell phone	1 <sup>st</sup> contact
Principal Author	Antonia Croft		
Manager	Stephanie Frame	s 9(2)(a)	✓
General Manager	Ilana Miller	s 9(2)(a)	

## Project location



## Key messages

2. This briefing seeks your decisions under section 21 of the Fast-track Approvals Act 2024 (the Act) on the application from Whiterock Lime Limited (the applicant) to refer the Whiterock Quarry and Managed Fill project (the project) to the fast-track approvals process.
1. A copy of the application is in Appendix 2. This is the second briefing on this application. The first (Stage 1) briefing (BRF-6751) with your initial decisions annotated is in Appendix 3.

2. The project is to develop and operate a Class 3 Managed Fill<sup>1</sup> utilising the existing limestone quarry pit on site at Whiterock, Loburn – approximately 23km northwest of Rangiora in the Canterbury Region. The project comprises:
  - a. operating a Class 3 Managed Fill accepting sorted inert construction and demolition waste, contaminated soils, asbestos – excluding any degradable organic materials
  - b. an expected operational life of 20 years, with a capacity of 800,000 tonnes (approximately 40,000 tonnes per year)
  - c. continued lime quarrying and processing for approximately 10 years, shaping the floor and walls of the Managed Fill as part of ongoing operations.
3. The project will require the proposed approvals:
  - a. resource consents under the Resource Management Act 1991.
4. We recommend you **decline** the referral application under sections 21(3)(a) and 21(3)(c) of the Act. This is because, in our view, you do not have adequate information to properly inform your referral decision against the criteria in section 22.
5. Without sufficient detail, we consider that you cannot be satisfied the project will deliver significant regional or national benefits, including significant economic benefits, nor that referring it is unlikely to affect the efficient operation of the fast-track approvals process.
3. In particular, the application has insufficient detail or evidence around the economic and employment outcomes the project will deliver, nor detailed rationale as to how the project will deliver significant benefits to the region.
6. A summary of why we consider the available information insufficient to support your decision is provided below, with a detailed explanation in Table A.
7. Approving a referral application without adequate information, risks undermining the efficiency of the fast-track approvals process and may result in a Notice of Decision that is inaccurate and unable to be progressed by an expert panel at the substantive application stage.
8. A detailed explanation of the recommendation to decline is provided in Table A. We seek your decisions on these recommendations.

## Assessment against statutory framework

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9. The statutory framework for your decision-making is set out in Appendix 1. You must apply this framework when you are deciding whether to accept or decline the referral application and when deciding on any further requirements or directions associated with referral of the project.
4. We have considered the reasons for accepting or declining the project, and we provide our advice on these matters below.
10. In accordance with section 21 of the Act, you must decline the referral application if you consider the project does not meet the criteria in section 22, involves an ineligible activity or

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<sup>1</sup> A Class 3 Landfill is defined under the Waste Minimisation (Calculation and Payment of Waste Disposal Levy) Regulations 2009. It accepts solid waste from construction and demolition activities and inert waste from earthworks or site remediation. It does not accept household waste, waste from commercial or industrial sources/processes or waste material from construction and demolition activity (except for inert waste).

does not contain adequate information for you to make your decision. You may decline the application for any other reason, including those listed in section 21(5), whether or not the project meets the section 22 referral criteria.

11. However, before you make that decision, you must consider the application (in Appendix 2) and the reports and comments, including:
  - a. the section 18 report on Treaty settlements and other obligations (in Appendix 4)
  - b. any written comments received from invited parties, including the further information received from the relevant local authorities (in Appendix 5).
12. We discuss these matters and provide our advice below.

### **Section 18 Treaty settlements and other obligations report**

13. Treaty settlements and other obligations report (section 18 report) prepared under section 18 of the Act is attached in Appendix 4
14. The section 18 report identified Te Rūnanga o Ngāi Tahu, Te Ngāi Tūāhuriri Rūnanga, and Whitiara Centre Limited as the relevant groups under section 18(2).
15. The relevant Treaty settlement is the Ngāi Tahu Claims Settlement Act 1998. No other obligations have been identified under section 18(2) as relevant to the project area.
16. In its acknowledgements and apology to Ngāi Tahu, the Crown recognised its failures to fulfil its Treaty obligations and commits to a new age of co-operation with Ngāi Tahu. The Crown also recognised Ngāi Tahu as holding rangatiratanga and mana within the Takiwā of Ngāi Tahu Whānui. We have not identified any other principles and provisions of the Treaty settlement, or other obligations under the Act, which may be relevant to this application,
17. Whitiara Centre Limited, on behalf of Ngāi Tūāhuriri, provided comments on the application. Ngāi Tūāhuriri is opposed to the referral application on a number of grounds, including the adverse effects on the Karetu River, a lack of engagement by the applicant on the selection of the site, the risks of contaminant discharge and insufficient information about these risks, and that the application does not provide significant regional benefits. Whitiara Centre Limited also included a more detailed submission made by Ngāi Tūāhuriri in response to previous applications to local authorities in relation to this project.
18. The Minister for Māori Development / Minister for Māori Crown Relations: Te Arawhiti encourages the applicant to provide further information on the environmental effects to Whitiara Centre Limited (on behalf of Te Ngāi Tūāhuriri Rūnanga) as the application progresses, and to engage with Whitiara to ensure that the risks they have identified regarding cultural landscape, mahinga kai, contaminant discharge and the higher class of the landfill liner and leachate pond system are understood and addressed.
19. We do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

### **Section 16 Effects of Treaty settlements and other obligations on decision-making**

20. We do not consider that there are any documents that place procedural requirements on you or an expert panel with regard to this application.

### **Written comments received**

21. Comments were received under section 17 of the Act from the parties below:

- a. the relevant local authorities – Canterbury Regional Council (CRC) and Waimakariri District Council (WDC)
  - b. Ministers – the Minister for Economic Growth and the Minister for Regional Development (we note that comments from the Minister for Regional Development were received after the specified time frame – we recommend that you consider these at your discretion)
  - c. the Māori groups identified in the list provided to the Minister – Whitiara Centre Limited, on behalf of Ngāi Tūāhuriri
  - d. Any other persons – the Chief Executive of Land Information New Zealand (LINZ) and the Chief Executive of Hurunui District Council (HDC).
22. The key points relevant to your decision-making are outlined in Table A, with a concise summary provided below:
- a. CRC does not support referral of the project, as they consider it does not demonstrate significant regional benefits and that the capacity of existing landfills already meets the region's needs. CRC notes that, while the project will provide some localised benefits to specific industry, not all statements provided in the application around regional need and economic benefit can be corroborated or are demonstrated with evidence.
  - b. WDC does not support the referral of the project, as it does not deliver significant regional or national benefits, and duplicates existing regional-level infrastructure at Kate Valley.
  - 5. HDC does not consider the project would deliver significant regional or national benefits, the current regional landfill at Kate Valley provides for the region's needs and has existing capacity, and that the application provides no evidence demonstrating the need for a second landfill.
  - c. The Minister for Economic Growth commented that, based on the applicant's economic assessment, the overall economic benefit of the project remains unclear, and any employment or GDP impacts are likely confined to the Canterbury Region, with limited broader regional or national impact. The Minister also notes that the applicant's economic assessment provided no information on job creation or GDP impacts.
  - d. The Minister for Regional Development commented that the local region may experience some benefit from increased inert waste disposal capacity at the new site as set out in the economic analysis, however, the scale of this benefit is not clearly identified in the application.
  - 6. LINZ advises that access to Whiterock Quarry crosses Crown land (parcel ID 3594099) is subject to the Land Act 1948; and while no active easement has been granted to Whiterock Quarry Ltd, an application has been received.
  - e. Whitiara Centre Limited, commenting on behalf of Ngāi Tūāhuriri, is opposed to the referral application on the basis of insufficient information on adverse effects, lack of engagement, and that the project does not provide significant regional benefits.
23. The following parties were invited to comment on the project under section 17 of the Act; however, no responses had been received at the time this briefing was finalised:
- a. the Minister for the Environment

- b. Christchurch City Council
- c. the Ministry for the Environment
- d. Te Rūnanga o Ngai Tahu.

### **Reasons to decline**

- 24. The statutory framework in Appendix 1 sets out the situations where you must decline the application for referral under section 21(3).
- 25. Under section 21(3)(a) of the Act, we consider you must decline this referral application, as you do not have sufficient information to be satisfied that the project meets the criteria in section 22(1)(a) (ability to deliver regionally or nationally significant benefits) or section 22(1)(b)(ii) (the project is unlikely to materially affect the efficient operation of the fast-track approvals process). In addition, we consider that you must also decline the application under section 21(3)(c), as the information provided is inadequate to inform your decision under section 21(3). This is our consideration based on the available information; however, you retain the discretion to agree or disagree with our recommendations and determine the outcome of the referral application.
- 26. We consider that the project does not include an ineligible activity, as outlined in Table A, and accordingly there is no reason that the project must be declined under section 21(3)(b). We note that this does not preclude declining the referral application under other relevant provisions of the Act, as recommended above.
- 27. You may also decline the application for any other reason under section 21(4). The Act provides some guidance on matters you could consider when deciding whether to decline an application and these are set out in 21(5). We have considered section 21(4) and the matters under section 21(5), and this is outlined in Table A. We do not consider you should decline the project under section 21(4).

### **Reasons to accept**

- 28. The statutory framework in Appendix 1 sets out the reasons you can accept a referral application and accept the project to the fast-track approvals process.
- 29. We do not consider the project meets the requirements in section 22 of the Act. As summarised above and detailed in Table A. We do not consider you can be satisfied that the project will have significant regional or national benefits.
- 30. If you agree, you must decline the referral application under section 21(3)(a) of the Act.
- 31. If you disagree, we have provided an alternative option in our recommendations that would enable you to accept the referral application and refer the project to the fast-track approvals process under section 21(1) of the Act. Should you choose this option, we will provide you with a revised Notice of Decision letter, along with our recommendations for appropriate directions both to a panel and the applicant.

### **Conclusions**

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- 32. We consider that based on the matters outlined above and detailed in Table A, you must decline the application under section 21(3)(c) of the Act because you do not have adequate information to inform your referral decision. As a result, we also consider you cannot be satisfied the project would have significant regional or national benefits, nor that the project

is unlikely to affect the efficient operation of the fast-track approvals process. Therefore, we also recommend you must decline the application under section 21(3)(a).

33. Notwithstanding our recommendations, the decision to accept or decline the referral application remains at your discretion.

### Next steps

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34. The Ministry for the Environment (the Ministry) must give notice of your decisions on the referral application, and the reasons for them, to the applicant(s) and anyone invited to comment under section 17 and publish the notice on the Fast-track website.
35. We have attached a Notice of Decision letter to the applicant based on our recommendations (refer Appendix 6) and we will provide it to all relevant parties. If any amendments to the letter are required, we will provide you with an updated version accordingly.
36. Our recommendations for your decisions follow.

## Recommendations

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37. We recommend that you:

- a. **Note** section 21(3) of the Fast-track Approvals Act 2024 (the Act) requires you to decline the referral application from Whiterock Lime Limited if you are satisfied that the project involves an ineligible activity, or you consider that you do not have adequate information to inform the decision under this section or if you are not satisfied that the Whiterock Quarry and Managed Fill Project (the project) meets the referral criteria in section 22 of the Act.

Noted

- b. **Agree** that before deciding on the application for project referral under section 21(1) of the Act you have considered:
- i. the application in Appendix 2
  - ii. the report obtained under section 18 in Appendix 4
  - iii. any comments and further information sought under sections 17 and 20 and provided within the required time frame (if you have received any comments or further information after the required time frame you are not required to consider them but may do so at your discretion) in Appendix 5.

Yes / No

- c. **Agree** to exercise your discretion under section 17(7)(b) of the Act to consider the late comments received from the Minister for Regional Development after the time frame specified under section 17(6) of the Act

Yes / No

- d. **Note** that under section 21 of the Act you **must** decline a referral application if:
- i. the application **may not** be accepted under section 21(1) (which relates to the criteria for assessing a referral application in section 22); or
  - ii. you are **satisfied** that the project involves an ineligible activity; or
  - iii. you are **satisfied** that you do not have adequate information to inform your referral decision.

Noted

- e. **Note** that you **may** decline a referral application for any other reason, whether or not the project meets the criteria in section 22, including (but not limited to) the reasons for decline set out in section 21(5).

Noted

- f. **Agree** that the project does not include an ineligible activity, as outlined in Table A, and therefore there is no reason that the project must be declined under section 21(3)(b) of the Act. *Note: this does not preclude declining the referral application under other relevant provisions of the Act.*

Yes / No

**SELECT YES TO ONE OF THE TWO OPTIONS – 40(g) OR 40(h)**

*Recommended option –*

- g. **Decline** the referral application under section 21(3) of the Act, on the basis that:
- i. you do not have adequate information to inform your decision under section 21(3)(c) as outlined in Table A. This is due to significant concerns about whether the project will:
    - (1) deliver significant regional or national benefits
    - (2) deliver new regionally or nationally significant infrastructure
    - (3) deliver significant economic benefits, including in positive GDP and employment impacts
  - ii. consequently, you cannot be satisfied that:
    - (1) the project would have significant regional or national benefits (under section 21(3)(a) and section 22(1)(a))
    - (2) referring the project is unlikely to affect the efficient operation of the fast-track approvals process (under section 21(3)(a) and section 22(1)(b)(ii)). Approving a referral application without sufficient information may result in a Notice of Decision that is inaccurate and unable to be progressed to an expert panel at the substantive application stage.

Yes / No

**OR**

*Alternative option –*

- h. **Accept** the referral application and refer the project to the fast-track approvals process under section 21(1) of the Act as you consider you have adequate information to inform your decision. As a result, you:
- i. are satisfied that the project does not involve an ineligible activity under section 5 of the FTAA.
  - ii. are satisfied that the project would have significant regional benefits under section 22(1)(a) of the Act, by:
    - (1) delivering significant economic benefits with projected savings of up to \$74.6 million over 20 years based on estimated gate pricing compared to current gate pricing at alternative existing disposal sites (as outlined in the applicant's economic assessment)
  - iii. consider that referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes, as stated under section 22(1)(b)(i) of the Act because:
    - (1) the timeframes under the Act are typically shorter than under standard processes under the Resource Management Act 1991

- iv. consider that referring the project is unlikely to affect the efficient operation of the fast-track approvals process, as stated under section 22(1)(b)(ii) of the Act.

Yes / No

7. **Approve** the notice of decisions letter to the applicant (attached in Appendix 6). *Note: Please confirm this recommendation only if you have also agreed to option 40(h) above. If your preference is to approve the referral we will provide you with an alternative decisions letter.*

Yes / No

- i. **Agree** that MfE will provide the notice of decisions to anyone invited to comment on the application including relevant local authorities, the Minister for the Environment and relevant portfolio Ministers, relevant administering agencies, and relevant Māori groups.

Yes / No

- k. **Note** that should you decide to accept the referral application (*i.e. you have agreed with option (40(h)) above*), we will provide you with a revised notice of decisions letter, along with our recommendations for appropriate directions to a panel and the applicant.

Noted

## Signatures

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Ilana Miller  
**General Manager – Investment Strategy and Operations**

Hon Chris Bishop  
**Minister for Infrastructure**

**Date:**

Table A: Stage 2 analysis

Recommendation	Decline the referral application to the fast-track approvals process		
Project details	Project Name	Applicant	Project Area
	Whiterock Quarry and Managed Fill (the project)	Whiterock Lime Limited (the applicant) c/- WSP Opus (the agent) <i>(noting that Protranz International Limited is owned by the same person (Gerald Daldry) as Whiterock Lime Limited and some information, reports, and documentation, refers to Protranz International Limited and not Whiterock Lime Limited)</i>	Quarry Road, Whiterock, Loburn approximately 23.5km from the centre of Rangiora and 50km to the centre of Christchurch in the Canterbury Region The legal descriptions and physical addresses of the land parcels are: <ul style="list-style-type: none"> <li>Lot 1 DP 388690: 150 Quarry Road (includes the existing Quarry Pit)</li> <li>Lot 2 DP 497185: 154 Quarry Road (top of Quarry Bench)</li> <li>Lot 4 DP 755: 174 Quarry Road (Quarry Bench),</li> <li>Part Lot 2 DP 755: 176 Quarry Road (SNA).</li> </ul> Properties 150 and 154 Quarry Road are held together under a single title (736958), and 174 and 176 Quarry Road are held under another single title (CB9F/272). The LINZ administered land is the left half width to the centre line of the surveyed bed of the Karetu River adjacent to Lot 4 DP 755 and Lot 1 DP 388690.
Project description	<p>The project is to develop and operate a Class 3 Managed Fill utilising the existing limestone quarry pit on site at Whiterock, Loburn - approximately 23km northwest of Rangiora in the Canterbury Region. The project involves:</p> <ul style="list-style-type: none"> <li>operating a Class 3 Managed Fill accepting sorted inert construction and demolition waste, contaminated soils, asbestos – excluding any degradable organic materials</li> <li>an expected operational life of 20 years, with a capacity of 800,000 tonnes (approximately 40,000 tonnes per year)</li> <li>continued lime quarrying and processing for approximately 10 years, shaping the floor and walls of the Managed Fill as part of ongoing operations.</li> </ul> <p>The project will require the proposed approvals:</p> <ul style="list-style-type: none"> <li>resource consents under the Resource Management Act 1991 (RMA).</li> </ul>		
Minister invites comments / requests information	Comments from invited parties		
	<p><b>Local authorities</b></p> <p><b>Canterbury Regional Council (CRC)</b> – in response to our section 17(3)(a) competing applications check, CRC advised that RMA applications CRC243699–CRC243706 lodged for substantially the same project are currently suspended on request by the applicant (Protranz International Limited), pending the outcome of this referral application.</p> <p>In response to 17(3)(b) existing resource consents, CRC advised there are no existing resource consents issued where sections 124C(1)(c) or 165ZI of the RMA could apply.</p> <p>CRC does not support referral of the project, as they consider it does not demonstrate significant regional benefits and that the capacity of existing landfills already meets the region's needs. CRC considers that the project does not demonstrate significant regional benefits sufficient to justify referral under the Act and noted the environmental risks associated with the project outweigh the proposed benefits. CRC considers that integrated regional planning and the existing capacity of the region's landfills already meets Canterbury's needs.</p> <p><b>Waimakariri District Council (WDC)</b> – in response to our section 17(3)(a) competing applications check, WDC advised that the same application (under the RMA) is being processed by both WDC and CRC. WDC advises that application has been publicly notified, with 573 submissions, and is subject to hearing requests of 80 submitters. WDC considers that allowing the applicant to proceed via the fast-track approvals process would bypass the hearing process and undermine fairness and natural justice to the community who have submitted on the proposal.</p> <p>In response to 17(3)(b) existing resource consents, WDC advised there are no existing resource consents issued where sections 124C(1)(c) or 165ZI of the RMA could apply.</p> <p>WDC does not support the referral of the project, as they consider it does not deliver significant regional or national benefits, and duplicates existing regional-level infrastructure at Kate Valley, which is recognised in the Christchurch and Waimakariri Waste Management and Minimisation Plan as the region's primary facility for residual waste disposal. WDC notes that the Kate Valley facility was established through a regional planning process, to provide assurance that no further small-scale localised landfills would be developed across the region.</p> <p>WDC notes that the project is not identified in any central government infrastructure strategy, sector plan, or local government policy document, nor does it appear on a national or regional infrastructure priority list, nor has it been advanced through any spatial or waste management strategy prepared under statute.</p> <p><b>Ministers</b></p> <p><b>Minister for Economic Growth</b> commented that, based on the applicant's economic assessment, the overall economic benefit of the project remains unclear, and any employment or GDP impacts are likely confined to the Canterbury Region, with limited broader regional or national impact. The Minister also notes that the applicant's economic assessment focused on cost savings from reduced transport and waste disposal charges, it provided no information on job creation or GDP impacts.</p>		

	<p><b>Minister for Regional Development</b> commented that the local region may experience some benefit from increased inert waste disposal capacity at the new site as set out in the economic analysis, however, the scale of this benefit is not clearly identified in the application. The Minister also notes that the applicant's economic analysis states that there will be no displacement of other potential land uses for the site (such as agriculture).</p> <p><b>Minister for the Environment</b> – we did not receive comment on the application from the Minister.</p> <p><b><u>Māori Groups</u></b></p> <p><b>Whitiara Centre Limited</b> commented on behalf of Ngāi Tūāhuriri that they oppose the application for the following reasons:</p> <ul style="list-style-type: none"> <li>the application does not provide significant regional benefits, as there is sufficient capacity in the existing regional landfill</li> <li>the Karetu River is a significant cultural landscape and mahinga kai which would be adversely affected by the project</li> <li>the applicant did not engage with Ngāi Tūāhuriri during the site selection process</li> <li>the application poses risks of contaminant discharge, has an unacceptable impact on wetlands and rivers, and does not include sufficient information about these risks.</li> </ul> <p><b>Te Rūnanga o Ngāi Tahu</b> – we did not receive a comment on the application from Te Rūnanga o Ngāi Tahu.</p> <p><b><u>Administering agencies</u></b></p> <p><b>Ministry for the Environment</b> – we did not receive a response from the Ministry.</p> <p><b><u>Other persons or groups</u></b></p> <p><b>Hurunui District Council (HDC)</b> commented that it does not consider the project would deliver significant regional or national benefits, as the current regional landfill at Kate Valley provides for the region's needs and has existing capacity, and that the application provides no evidence demonstrating the need for a second land fill.</p> <p>HDC provided comment on the following matters:</p> <ul style="list-style-type: none"> <li>the same proposal is being considered by WDC and CRC under RMA processes. Fast-tracking would bypass this process and undermine fairness and natural justice given the resource consent application for the project is currently before WDC and CRC which has progressed beyond the submissions and requests for hearing stages.</li> <li>this is not a priority project: The proposal is not identified in any central or local government strategy, spatial plan, or infrastructure priority list.</li> <li>no regional or national benefit: The project duplicates existing services, does not address an infrastructure gap, and would not deliver significant benefits.</li> <li>environmental and ecological risks: The current resource consent application process found adverse effects, particularly on biodiversity and freshwater.</li> <li>cultural opposition: Mana whenua opposes the project due to impacts on cultural landscapes, mahinga kai, and kaitiakitanga.</li> </ul> <p><b>Chief Executive of Land Information New Zealand (LINZ)</b> - advised that access to Whiterock quarry is through Crown land (parcel ID 3594099, refer <a href="#">Central Record of State Land</a>). This access is therefore subject to the Land Act 1948. LINZ advised that there is not an active easement granted to the applicant at present, but that one has been applied for.</p> <p><b>Chief Executive of Christchurch City Council (CCC)</b> – we did not receive a response from CCC.</p>
	<p><b>Further information from the relevant local authorities and relevant administering agencies</b></p> <p><b><u>Relevant local authorities</u></b></p> <p><b>Canterbury Regional Council</b> were asked whether it considers the project provides significant regional benefits. Canterbury Regional Council advised that the project does not demonstrate significant regional benefits sufficient to justify referral and, while it will provide some localised benefits to specific industry, not all statements provided in the application around strategic and economic benefit can be corroborated or are demonstrated with evidence.</p> <p><b><u>Relevant administering agencies</u></b></p> <p><b>Ministry for the Environment</b> were asked whether it had specific comments on this project with relevance to the Waste Minimisation Act 2008. We did not receive a response from the Ministry for the Environment.</p>
<p><b>The Minister must decline an application if the Minister is satisfied that the project involves an ineligible activity [section 21(3)(b)]</b></p>	<p>Based on the information in the application, we consider you can be satisfied that the project does not involve an ineligible activity because it:</p> <ul style="list-style-type: none"> <li>would not occur on identified Māori land, Māori customary land or a Māori reservation as confirmed by the relevant records of title and consultation with iwi authorities</li> <li>would not occur in a customary marine title area or protected customary rights area as it is not in the coastal marine area and has not appeared in our check of agreed CMT</li> <li>is not an aquaculture activity or activity that is incompatible with aquaculture activities that would occur in an aquaculture settlement area and for which the applicant is not authorised to apply for a coastal permit because it will not occur in the CMA</li> <li>would not require an access arrangement which cannot be granted under the Crown Minerals Act (including s61(1A)) because it does not include an access arrangement, would not occur on Schedule 4 land</li> <li>would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA because it will not occur in the CMA</li> <li>would not occur on Schedule 4 land as confirmed by the records of title</li> <li>would not occur on a national reserve as confirmed by the records of title</li> <li>would not occur on a reserve held under the Reserves Act 1977 that is managed by or vested in someone other than the Crown or a local authority and that person has not consented in writing as confirmed by the record of title</li> <li>is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the RMA as it would not occur in the coastal marine area or New Zealand's exclusive economic zone</li> </ul>

	<ul style="list-style-type: none"> <li>is not for the purpose of an offshore renewable energy project.</li> </ul>
<p><b>The Minister must decline an application if the Minister considers they do not have adequate information to inform the decision [section 21(3)(c)]</b></p>	<p>We consider that you must decline the application under section 21(3)(c), as the information provided is inadequate to inform your decision under section 21(3). On that basis, we consider you must decline the application as you do not have sufficient information to be satisfied that the project meets the criteria in section 22(1)(a) (ability to deliver regionally or nationally significant benefits) or section 22(1)(b)(ii) (the project is unlikely to materially affect the efficient operation of the fast-track approvals process).</p> <p>In particular, the application has insufficient detail or evidence around the economic and employment outcomes the project will deliver nor detailed rationale as to how the project will deliver significant benefits to the region beyond North Canterbury. Comments from Ministers and from relevant local authorities also note information gaps around economic benefits and that statements provided in the application around strategic and economic benefits are not corroborated or demonstrated with evidence.</p> <p>We therefore recommend that you do not have adequate information to inform your decision. If you agree with this recommendation, the application must be declined under section 21(3)(c) of the Act.</p>
<p><b>Relevant considerations and procedural requirements in Treaty settlement, Mana Whakahono ā Rohe, joint management agreement, or the Marine and Coast Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 [section 16]</b></p>	N/A
<b>Section 22 assessment criteria</b>	
<p><b>The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]</b></p>	<p>As noted above, we recommend you must decline the application on the basis you do not have adequate information to inform your decision. However, we have assessed the project against the section 22 criteria for completeness and in case you do not agree with this recommendation.</p> <p>The Minister may consider any of the following matters, or any other matters the Minister considers relevant.</p> <p><i>Will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure [s22(2)(a)(ii)]</i></p> <p>The applicant asserts that the project:</p> <ul style="list-style-type: none"> <li>will deliver infrastructure of regional significance, on the basis that the managed fill itself will form part of regionally significant infrastructure for waste management – providing an additional relatively proximate and cost-effective solution for inert construction and demolition materials and contaminated soil in Greater Christchurch and North Canterbury; and</li> <li>provides a significant regional benefit to the primary industries through ongoing quarry of lime. There is no indication that the continuing quarrying operations will be negatively impacted by non-referral of this project.</li> </ul> <p>Comments from local authorities were that the project is not regionally significant and duplicates existing regional level infrastructure which was established via a regional planning process and has capacity to receive waste out to at least 2040 (when reconsenting may be sought), and that the application lacks evidence to support its positioning as a regional-level facility. Commenters, including the local authorities, the Minister for Economic Growth note the benefits of the project to be localised, rather than regionally or nationally significant. The Minister for Regional Development notes that the scale of the project's benefit is not clearly identified in the application.</p> <p>Comments from Canterbury Regional Council noted that while the quarrying operation supports the primary industries by supplying agricultural lime, so do many other sites within the vicinity of the site and across the region.</p> <p>The applicant has not provided evidence to show why the ongoing quarrying operation at this site provides a significant regional benefit to the primary industries.</p> <p>Based on our analysis and comments received we advise that the project <u>does not</u> meet the criterion under section 22(2)(a)(ii).</p> <p><i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i></p> <p>The applicant asserts the project will deliver significant economic benefits to the greater Christchurch area based on generating savings of between \$39.3 million to \$74.6 million over 20 years due to lower transport costs, lower gate fees compared to competing landfill sites, enhancing competition and preserving the capacity of existing landfills.</p> <p>We view that these assertions are not supported with demonstrable evidence and are based on assumptions about:</p> <ul style="list-style-type: none"> <li>where waste will be generated and/or sourced</li> <li>that the project will retain significantly lower gate fees than competition; and</li> <li>an assumption that existing landfills reach capacity at end of their consented term. Comments from Canterbury Regional Council notes that there is no guarantee the project will retain the lower gate fee compared to competition, nor that it will delay the need for new landfill consents.</li> </ul> <p>The application does not provide clear information on the overall economic benefits. The Minister for Economic Growth commented that the applicant's economic assessment provided no information was provided on job creation or GDP impacts. Based on the applicant's economic assessment, the overall economic benefit of the proposal remains unclear.</p> <p>The applicant's maximum projection of savings (\$74.6 million over twenty years) equates to \$3.73 million per year. We do not view that as a significant economic benefit in the regional context.</p> <p>Based on our analysis and comments received, we advise that that the project does not meet the criterion under section 22(2)(a)(iv).</p>

	<p><i>Will support primary industries, including aquaculture [s22(2)(a)(v)]</i>  The applicant asserts that continued operation of the lime quarry at the Whiterock site for 10 years will support primary industries in across mid and North Canterbury through providing processed agricultural lime and crushed lime to large-scale farmers and lime spreader contractors in mid and north Canterbury. Processed agricultural lime contributes to pasture productivity and quality, and crushed lime rock is also used to surface farm tracks. Approximately 55,000 tonnes of processed agricultural or crushed lime will be supplied over the next 10 years as part of the project.</p> <p>Comments from Canterbury Regional Council noted that while the quarrying operation supports the primary industries by supplying agricultural lime, so do many other sites within the vicinity of the site and across the region. The applicant has not provided evidence to show why the operation at this site provides a significant regional benefit to the primary industries sector.</p> <p>Our assessment is that the support to primary industries is a secondary purpose of the project – the primary purpose being the managed fill – and we do not consider the applicant has provided sufficient information to refer on this criterion given that we cannot determine if this contribution supports primary industries at the scale to provide significant regional benefits.</p> <p>Based on our analysis and comments received, we advise that that the project does not meet the criterion under section 22(2)(a)(v).</p> <p>We have assessed that we do not consider the applicant has provided sufficient information to refer on this criterion given that we cannot determine if this contribution supports primary industries, and no comments have been provided to support this assertion. We do not recommend referral on this criterion.</p> <p><i>Will support climate change mitigation, including the reduction or removal of greenhouse gas emissions [s22(2)(a)(vii)]</i>  The applicant states the project will contribute to climate change mitigation through reduce transport related emissions based its proximity to the Christchurch CBD compared to alternative sites. The application provides no clear rationale for the methodology used for analysis or discussion to support this assertion. We therefore do not have sufficient information and advise that the project does not meet the criterion under s22(2)(a)(vii).</p> <p><i>Will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards [s22(2)(a)(viii)]</i>  The applicant asserts the project, in particular the managed landfill aspect, will support climate change adaptation and disaster recovery as it provides a readily available facility to dispose of inert C&amp;D materials and contaminated soils generated from natural disasters such as fires, severe weather events and earthquakes. The application provides no evidence to support this assertion, nor does the assertion consider or discuss this in comparison to availability of alternative sites. We do not have sufficient information and therefore advise that the project does not meet the criterion under s22(2)(a)(viii)</p> <p><i>Will address significant environmental issues [s22(2)(a)(ix)]</i>  The applicant states that the project will address three significant environmental issues:</p> <ul style="list-style-type: none"> <li>• closed landfill remediation (based on unplanned remediation costs and lower gate fee at project site)</li> <li>• waste minimisation (through the project increasing the range of disposal options/sites); and</li> <li>• illegal dumping (to which that applicant notes there is limited data).</li> </ul> <p>The application lacks evidence to support this assertion, the significance of these issues, nor does the assertion consider or discuss this in comparison to availability of alternative sites. We are therefore of the view that you do not have sufficient information and advise that the project does not meet the criterion under s22(2)(a)(ix).</p> <p>To conclude, we consider that you cannot be satisfied that project would have significant regional or national benefits. If you agree with this recommendation, the application must be declined under section 21(3)(a) of the Act.</p>
Referring the project to the fast-track approvals process [section 22(1)(b)]	<p><i>Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]</i>  The applicant asserts that the current resource consent application process, which commenced in April 2024, is unlikely to reach decision before February 2026. This may be extended to late 2026 or early 2027 if subjected to an Environment Court process.</p> <p>The fast-track approvals process offers materially faster decision-making. We agree with the applicant's statement that referring the project to the fast-track process would likely facilitate the project, enabling it to be processed in a more timely and cost-effective manner than under the conventional RMA consenting pathways.</p> <p><i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i>  Approving a referral application without sufficient information may result in a Notice of Decision that is inaccurate and unable to be progressed to an expert panel at the substantive application stage. Therefore, the referral of the project under the Act is likely to materially affect the efficient operation of the fast-track approvals process.</p>
Reasons to decline	
Minister <u>must</u> decline [section 21(3)]	<p><i>The Minister <u>must</u> decline a referral application if:</i></p> <p><i>The application may not be accepted under subsection 1 (meets referral criteria)</i>  We do not consider this applies based on our above analysis that the project meets the criteria in section 22.</p> <p><i>The Minister is satisfied the project involves an ineligible activity</i>  We do not consider that the project involves an ineligible activity.</p> <p><i>The Minister considers that they do not have adequate information to inform the decision under this section</i>  We consider you do not have adequate information to inform your decision.</p> <p>We consider that you must decline the application under section 21(3).</p>

<p>Minister may decline [section 21(4) and 21(5)(a-h)]</p>	<p><i>The Minister <u>may</u> decline a referral application for any other reason, whether or not it meets the criteria in section 22.</i></p> <p><i>Reasons to decline a referral application under subsection 4 include, without limitation:</i></p> <p><i>The project would be inconsistent with a Treaty settlement, Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, Marine and Coastal Area (Takutai Moana) Act 2011, a Mana Whakahono ā Rohe, or a joint management agreement</i>  Nothing in the application indicates the project would be inconsistent with these documents.</p> <p><i>It would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts</i>  Nothing in the application indicates it would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts</p> <p><i>The project may have significant adverse effects on the environment</i>  While concerns about adverse environmental effects were raised by local authorities and Māori groups, our view is that the applicant has met the information requirements for a referral application. The Act sets out information requirements for substantive applications, and, for RMA approvals, these include detailed information on adverse environmental effects and mitigations. We therefore do not consider this as a reason to decline.</p> <p><i>The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals</i>  Nothing in the application or comments would indicate that the applicant has a poor compliance history.</p> <p><i>The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes</i>  Not applicable to the project area</p> <p><i>The project includes an activity that is a prohibited activity under the Resource Management Act 1991</i>  The applicant has stated that this project does not include any prohibited activities.</p> <p><i>A substantive application for the project would have one or more competing applications.</i>  The relevant local authorities have advised that the project application by Whiterock Lime Limited is essentially the same as the suspended RMA consent applications under consideration. The applicant in that instance is Protranz International Limited however the owner of both companies is Gerald Thomas Daldry (the sole shareholder and director of both companies).</p> <p>Given the information that the other 'competing application' is lodged by the same person for essentially the same project, and considering there are mechanisms to resolve this matter, we consider that while this is a competing application, there is actually no competition in this case.</p> <p><i>In relation to any proposed approval of the kind described in section 42(4)(a) (resource consents), there are one or more existing resource consents of the kind referred to in section 30(3)(a)</i>  There is no indication in the application or supporting documentation that existing resource consents of the kind referred to in section 30(3)(a) are currently held for the proposed activity.</p> <p>As noted previously, we recommend you must decline the application as you do not have adequate information to make an informed decision.</p>
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## Appendix 1: Statutory framework summary

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1. You are the sole decision maker for referral applications. If you accept a referral application, then the whole or part of the project will be referred to the fast-track approvals process.
2. If a Treaty settlement, the Marine and Coastal Area (Takutai Moana) Act 2011, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, a Mana Whakahono ā Rohe or a joint management agreement provides for consideration of any document or procedural requirements, you must, where relevant:
  - a. give the document the same or equivalent effect through this process as it would have under any specified Act; and
  - b. comply with any applicable procedural requirements.
3. You must decline a referral application if:
  - a. you are satisfied the project does not meet the referral criteria in s22
  - b. you are satisfied the project involves an ineligible activity (s5)
  - c. you consider you do not have adequate information to inform your decision.
4. You may decline an application for any other reason, including those set out in s21(5) and even if the application meets the s22 referral criteria.
5. You can decline an application before or after inviting comments under s17(1). However, if comments have been sought and provided within the required time frame, you must consider them, along with the referral application, before deciding to decline the application.
6. If you do not decline a referral application at the initial stage you must copy the application to, and invite written comments from:
  - a. the relevant local authorities
  - b. the Minister for the Environment and relevant portfolio Ministers
  - c. the relevant administering agencies
  - d. the Māori groups identified by the responsible agency
  - e. the owners of Māori land in the project area: None
  - f. you may provide the application to and invite comments from any other person.
7. You can request further information from an applicant, any relevant local authority or any relevant administering agency at any time before you decide to decline or accept a referral application (see section 20 of the Act).
8. However, if further information has been sought and provided within the required time frame you must consider it, along with the referral application, before deciding to decline the application.