

news from Transwaste Canterbury

Decision

On the 22nd of March 2004, the Environment Court issued its decision on the appeals on the Kate Valley Landfill resource consents. The Court has confirmed that the granting of consents for the Landfill is appropriate. The Court's decision can be viewed at <http://www.hurunui.govt.nz/>

A panel of four independent Commissioners had heard evidence in a comprehensive resource consent hearing process in late 2002 and early 2003, and granted consents in April 2003. Transwaste Canterbury appealed a small number of the conditions attached to these consents. Two other groups appealed the entire decision. The Environment Court heard evidence relating to the appeals in October and November 2003.

The period for making any subsequent appeals to the High Court on points of law has lapsed, and no appeals have been lodged. The decision of the Environment Court is now final, and Transwaste Canterbury is able to commence development of the Kate Valley Landfill in North Canterbury.

Key Aspects of the Decision

The 324 conditions of resource consent approval proposed by Transwaste and adopted by the initial hearing panel have been largely confirmed by the Court, and the appeals by Transwaste on conditions have been upheld. There are some minor additions and wording changes for a handful of conditions.



Transwaste Canterbury Joint Venture Partners From left:
Murray Anderson, Mayor of Ashburton District
Garry Moore, Mayor of Christchurch City
Michael McEvedy, Mayor of Selwyn District
Ray Harris, Southern Region Manager, Waste Management NZ Ltd
Tony Arps, Mayor of Hurunui District
Bob Parker, Mayor of Banks Peninsula District
Russell Wickham, EnviroWaste Services Ltd
Jim Gerard, Mayor of Waimakariri District

The Court found conclusively that Transwaste had the complete right to remove the small stand of beech trees within the landfill area. The Court has accepted Transwaste's offer to protect the trees for up to five years after commencement of landfill operations. This is being done so that seeds and other useful material can be gathered and transplanted into the Tiromoana Bush area to be established by Transwaste further down Kate Valley (more on this later in this newsletter).

The only new condition added by the Court is a limitation that waste going to Kate Valley Landfill must originate from within the Canterbury region. This provision was keenly sought by the two local groups opposing the consent decision. Transwaste's view was that such a limitation was unnecessary, as the high cost of hauling waste past other consented landfills elsewhere in New Zealand (Southland, Otago, Marlborough and Nelson all have consented landfills with many years of life) to take it to Kate Valley makes no economic sense. Transwaste believes the only region with the potential to benefit from access to Kate Valley Landfill is the West Coast, with a waste volume of approximately 5% of Canterbury's.



What will happen now?

The construction of the Kate Valley Landfill will commence soon and will continue until May 2005. Work over the next few months will be limited to preliminary works such as internal site access and fencing, and dam construction. The major site works and the upgrading of Mt Cass Road will take place over the next construction season, from August 2004 to May 2005.

Transwaste will be aiming to have the Kate Valley Landfill completed and ready before the existing regional landfill at Burwood in Christchurch closes. Burwood's resource consent requires that it must shut on or before 31 May 2005.

Transwaste will continue to talk with neighbours and other local people so they know what is happening during the construction stage.

Who is Transwaste?

Transwaste Canterbury Limited is a joint venture company with 50% owned by six Canterbury Councils and the balance by Canterbury Waste Services Ltd (CWS). The six Councils currently involved are Christchurch City, Hurunui, Waimakariri, Selwyn, Banks Peninsula and Ashburton Districts. CWS is itself a joint venture company, formed by the two leading waste companies in New Zealand, Waste Management NZ Ltd and Envirowaste Services Ltd.

Transwaste has eight directors, four appointed by the Council shareholders, and four appointed by CWS. The current Chairman is Councillor Denis O'Rourke of Christchurch City Council.

CWS is managing the project for Transwaste, and is responsible for the construction of the Kate Valley Landfill.

Community Liaison Group

As part of its application, Transwaste proposed that it would offer the local community the opportunity to establish a community liaison group. The purpose of the group is to provide a quarterly forum for two-way exchange of information between the local community and Transwaste, and specifically;

- so the community can be kept up to date with the progress of the landfill operation and have access to the latest information;
- so Transwaste can listen to any community and cultural concerns with the landfill operation and discuss as far as practicable ways of addressing or alleviating those concerns;
- and so Transwaste and the local community can discuss the results of any monitoring and/or reporting as required by the conditions of consents.

The consent condition offered by Transwaste and confirmed by the Court requires that Transwaste hold a public meeting prior to the start of landfilling of waste to find local representatives for the group. The condition states that the group shall consist of a maximum of;

- three representatives of the property owners of the Waipara/Omihi area;
- two representatives of the property owners in Mt Cass Road, and
- one representative of the consent holder.

A representative of each of the consent authorities shall be invited to attend meetings in an observer capacity.





Transwaste will hold a public meeting in Waipara in the Spring to enable a group to be established before the major site works commence next Summer.

In addition to the wider community liaison group, Transwaste will continue its ongoing liaison with immediate site neighbours and iwi.

Kate Valley Landfill Community Trust

Transwaste has given an undertaking that it would set up a community trust to distribute funds from the company for the benefit of the local community. This undertaking arises from the MOU agreement between the shareholding Councils and CWS that resulted in the formation of Transwaste. It is not a condition of consent.

Each year of landfill operation, Transwaste will set a contribution from landfill charges to be placed into a trust fund. Transwaste will establish a charitable trust to be known as the Kate Valley Landfill Community Trust, to administer the fund and distribute it for any purpose beneficial to the community. The initial members of the Trust will be appointed by Transwaste for one or two years, with Trustees elected from the community for three year terms thereafter. The establishment and operation of the Trust will be guided by a Trust Deed.

The agreement requires Transwaste to determine an area of benefit for trust funding. Transwaste intends to invite a respected independent person to run a public consultation process early in 2005 to find out community views on the appropriate area of benefit for Trust

funding, and make a subsequent recommendation to Transwaste. Transwaste will then consult the Hurunui District Council, as required by the agreement, before determining a final area of benefit. The Kate Valley Landfill Community Trust is intended to be in place by mid-2005 to coincide with the commencement of landfill operations.

Tiromoana Bush Restoration Project

As part of the establishment of the Kate Valley Landfill, Transwaste is setting aside and protecting forever a 410 hectare area of land in the middle and lower Kate Valley, to be known as Tiromoana Bush. This area is extraordinarily rich in scenic and natural values. It has been farmed as part of the Tiromoana Station for decades, but retains substantial areas of native bush and wetlands.

The concept revolves around a major conservation and bush restoration programme funded by Transwaste, that will see the area eventually restored to the original lowland and coastal forest that existed before people landed in New Zealand. Lowland forest is a nationally rare and under-represented vegetation type. The Tiromoana Bush restoration project has the potential to result in an area of national bio-diversity and conservation significance.

The initial step for restoration will be to secure the whole of the conservation area, including the adjacent unfenced Department of Conservation Reserve, so that all stock are excluded. This will involve substantial upgrading of existing fencing and installation of new fencing. Removal of stock and ongoing pest control will allow natural regeneration of native plants to occur over the entire area.



In addition, over a 35 year timeframe, Transwaste will actively plant native forest species to assist and support the natural regeneration that will be occurring. Tree species to be planted will be chosen for their ecological relevance in the locality and their ability to attract and sustain key native birds such as korimako (bellbird) and kereru (native pigeon).

Further, the existing stand of rare black beech in the lower valley will be enhanced by plantings undertaken using seeds collected from a small beech remnant in the landfill area. In conjunction with this, at least one other new black beech area is to be established within the Tiromoana Bush area.

Transwaste plans to develop a new 12 hectare wetland in the middle Kate Valley, to add to the network of smaller natural wetlands in the vicinity.

Long-term protection of the site will be secured through the establishment of an appropriate covenant, such as a QEII National Trust open space covenant. This will ensure that the valuable restored bush area will remain protected and accessible to future generations.

During the operational life of the landfill, Transwaste will directly fund the conservation and restoration work. Over the same period, the Company will establish a production forest on other land in Kate Valley. Once the landfill has closed, revenue from the forestry activity will provide a sustainable source of funding for ongoing conservation management of Tiromoana Bush.

Public use will be a major focus, and will include recreational access, educational use and scientific research. A public walking track will be established in 2005. This loop track will take around 3 to 4 hours to walk, and will link Mt Cass Road to the coast, via the wildlife haven of Ella Ponds and the regenerating bush areas in the lower part of Kate Valley. The walk will incorporate the spectacular views of Pegasus Bay and Banks Peninsula, the high coastal cliffs, valley floor wetlands and native bush areas. The track will also provide foot access to the DoC bush reserve, and to the remote beach, from spur tracks. This walk has a bit of everything, and will be very rewarding for people on many levels.

Canterbury schools and tertiary institutions will be able to take advantage of the educational opportunities available in the Tiromoana Bush area to learn about biodiversity, forest restoration, wildlife and conservation,



and participate in some of the activities involved, such as tree planting. Information boards will be placed along the public walkway, explaining the restoration and conservation processes occurring. Scientific research providers are very enthusiastic about using the area for restoration and conservation research.

Tiromoana Bush has the potential to become a major drawcard in the Hurunui District, attracting a wide variety of people ranging from Sunday afternoon strollers to serious trampers, eco-tourists, school and tertiary students, scientists and those interested in conservation and environmental restoration.

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