

PROPOSED DRAFT CONDITIONS

Section 9 of the AEE set out a summary of mitigation measures that had been proposed throughout this application and the supporting technical assessments. As noted in the AEE, this list was not intended to be an exhaustive list of design and mitigation measures, but rather a list of the primary mitigation measures. These measures reflect proposed avoidance, remediation and mitigation measures specifically developed for the proposed Roydon Quarry, while having regard to conditions of consent granted recently for similar activities.

In response to the section 92 request from SDC (Question reference 18.1), we have prepared a set of draft conditions (below) for the land use application to SDC and for the land use and air discharge applications to CRC.

We note that as this application will be publicly notified and subject to submissions and a hearing, new material may arise during the course of the process that warrant these conditions being amended. These conditions are therefore provided as a starting point for discussion. They are intended to capture – in condition form – commitments made (including in respect of the nature and scale of activity) by Fulton Hogan in the application and s92 response. In the event that there is a conflict or inconsistency, the application and s92 response will prevail over these draft conditions in respect of the scope and nature of the application and what commitments Fulton Hogan is willing to make.

General

- 1) Except as required by subsequent conditions the development shall proceed in accordance with the information and plans submitted with the application submitted on 20 November 2018 and subsequent further information submitted on 12 March 2019. The Approved Consent Documentation has been entered into Council records as **XXX**.
- 2) The consent holder is to notify the Team Leader Resource Consents, Selwyn District Council, at least 48 hours prior to commencement of activities authorised by this consent.
- 3) The lapsing date for the purposes of section 125 shall be five years from the date of the consent commencing.

Site Preparation and Landscaping

- 4) Prior to quarrying operations commencing on the site, site bunding and landscaping shall be established in accordance with the Landscape and Visual Impact Assessment by DCM Urban, referenced as Appendix E of the Resource Consent Application report by Golder Associates dated November 2018. This shall include:

Bunding

- a. Establishment of 3 m high earth bunds around the site perimeter, with the exception of site accessways, with a 1 m wide flat top shall be constructed around the site. The bunds shall have a slope of at least 1:3 (one vertical to three horizontal) on the outer side and shall have a minimum width of 15 m.
- b. Overlapping bunding shall be established to the heavy vehicle accessway entrance adjacent to Jones Road in accordance with Page 25 of the LVIA, so as to obscure views into the quarry from Jones Road.

- c. As soon as practicable following construction, the bunds are to be sown with grass or hydro-seeded to achieve swift grass cover and watered regularly to ensure grass cover is established.
- d. To assist in achieving swift grass cover, construction of the bunds shall take place between the months of February to May or August to November to enable grassing of the bunds to occur in autumn or spring.
- e. The grassed bunds shall be mown regularly or grazed to give a tidy appearance.
- f. The grassed bunds shall be watered, when required to suppress potential dust, until a grass cover has been established.
- g. To ensure the survival of the existing shelter belts (identified on the figure Mitigation Measures – Edge Treatments on Page 17 of the LVIA) bunds should not be constructed within 1 m of the base of trees. Where no shelterbelt currently exists, bunding shall be setback at least 4 m from the site boundary. This design is shown in the Edge Treatments included on pages 19-22 of the LVIA.

Planting

- h. The existing shelterbelts (identified on the figure Mitigation Measures – Edge Treatments on Page 17 of the LVIA) along the site's road boundary with Curraghs Road, the common boundary with 319 Maddisons Road, and the road boundary adjacent to the dwelling at 107 Dawson's Road shall be retained as far as practicable. Where there are gaps or where the vegetation is dying or in poor condition these gaps shall be filled with similar tree species to achieve closures of these gaps.
- i. An additional row of plantings shall be established behind these existing shelter belts as shown on the Edge Treatments 1 and 3 (pages 19 and 21) of the LVIA. This row of plantings may be established at the base of the bunds.
- j. Along the site boundaries where there is no planting, three rows of plantings shall be established in accordance with the Edge Treatments 2 and 4 (pages 20 and 22) of the LVIA.
- k. All planting required for this consent under this condition (Condition 4) h to m) shall be maintained. Any dead, diseased, or damaged planting is to be replaced with plants of a similar species and as soon as practicable, having regard to planting seasons.
- l. All planting will be established on the outer side of the bunds.
- m. Any plantings along the Jones Road boundary will be maintained at a height of 5 m or less to limit shading of the road carriageway.

Site Access

- 5) Separate vehicle accesses shall be provided on Jones Road, between Curraghs and Dawsons Road, for light and heavy vehicles. These access points shall be designed and constructed/ upgraded in accordance with the recommendations of the Stantec ITA (Appendix C of the AEE).
- 6) Roading upgrades shall be undertaken in accordance with the Stantec ITA (Appendix C of the AEE). This shall include provision of a roundabout on Dawsons Road and roading upgrades on Jones Road.

Operational

General

- 7) The hours of operation are 6:00 am to 6:00 pm, Monday to Saturday. Outside of these hours restricted processing operations and load out of trucks may occur as detailed in Table 1 below. No activities, other than dust mitigation measures, shall take place outside of these times.

Table 1: Hours of operations/activities.

Hours	Duration	Range of activities
6:00 pm to 10:00 pm	150 days per annum (between Monday and Saturday)	Full range of quarry activities with the exception of processing using mobile plant, subject to compliance with an evening noise limit of 50 dB L_{Aeq} .
10:00 pm to 6:00 am	150 days per annum	Load out of trucks and up to 40 truck movements per hour, and ancillary activities such as operation of weighbridge and site offices. Light maintenance.
Sunday and public holidays	At all times	Truck load out and truck movements (on up to 15 days of the year). At all times, dust suppression, office activities, site security and light maintenance as required.

- 8) No aggregate processing or transportation from the site shall take place prior to the opening of the Christchurch Southern Motorway Stage 2 (CSM2).

Excavation

- 9) No excavation shall occur below 1 m above the highest recorded groundwater level at the site, as at the date of this consent being granted.
- 10) The consent holder shall establish a surveyed datum point at local ground level in an area that will not be excavated. This point shall be used to certify the depth of excavation and cleanfill at any point within the consent holder's site.
- 11) Should the highest recorded groundwater levels increase so that the separation is less than 1 m between that level and the quarried ground level, the consent holder shall apply clean aggregate to re-establish the 1 m separation. This requirement shall not apply to already rehabilitated areas.
- 12) Access to the quarry excavation areas shall be secured by fencing and lockable gates.
- 13) After the establishment of the quarry pit, no processed aggregate stockpiles shall be above the height of natural ground level.
- 14) Active areas of excavation and rehabilitation shall be limited to a maximum of 5 hectare 'sub stages' (a total of 10 ha) at any one time

Setbacks

- 15) Any fixed processing plant and associated stockpiling shall be located at least 500 m from the site boundaries and any mobile processing plant and associated stockpiling shall be at least 250 m from the site boundaries.

- 16) No extraction shall occur within 100 m of any dwelling existing at **[the date of consent being granted]** being 151 Curraghs Road and 319 Maddisons Road, without the prior written consent of the owners and occupiers of these dwellings.

Cleanfilling

- 17) Where additional fill is required to be brought into the site for rehabilitation purposes, the consent holder shall ensure that all material deposited in the excavated area is:
- a. Only material defined as 'Cleanfill' as set out in the advice note attached to this condition;
 - b. The material is not deposited into groundwater; and is at least 1 m above the highest recorded groundwater level, subject to Condition 9);
 - c. Material is deposited in accordance with a Cleanfill Management Plan which has been prepared in accordance with Section 8.1 and Appendix B of "A Guide to the Management of Cleanfills", Ministry for the Environment, January 2002;
 - d. Checked by the site manager prior to deposition in the pit. If the material is not classified as Cleanfill, the consent holder shall immediately remove the material and arrange for the disposal of it at an appropriate location;
 - e. And; recorded by an electronic weighing system. The record shall include a detailed record of all materials deposited into the Cleanfill site and shall be provided to the SDC upon request. This record shall include the following information:
 - i. The name of the company delivering the material;
 - ii. The date of deposition;
 - iii. The physical address of the land the material was sourced from;
 - iv. A description of the material;
 - v. Any laboratory reports;
 - vi. Any authorisation under which the material was removed from the source site (e.g., resource consent); and
 - vii. The weight or volume of the material deposited.
 - f. Copies of this documentation shall be made available to the Council on request.

Advice note: 'Cleanfill' is defined as:

Material that when buried will have no adverse effect on people or the environment. Cleanfill material includes virgin natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of:

- *combustible, putrescible, degradable or leachable components*
- *hazardous substances*
- *products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices*
- *materials that may present a risk to human or animal health such as medical and veterinary waste, asbestos or radioactive substances*

- *liquid waste.*

- 18) Any contractor depositing material at the site shall have a written contract with the consent holder and shall be provided with a copy of this consent prior to entering the site. Site inductions will be held on a quarterly basis for contractors using the site, and records of these inductions shall be kept and made available to Council on request.

Traffic

- 19) Heavy vehicle movements shall not exceed a maximum of 1,500 movements per day. For the avoidance of doubt, this would equate to 750 trucks in and out of the site in a day.
- 20) The following shall apply with respect to heavy vehicle movements through Templeton (i.e., along Jones Road):
- a. Fulton Hogan controlled trucks will only travel into or through Templeton if a delivery is in the immediate vicinity of Templeton.
 - b. Fulton Hogan will require any non FH-controlled truck drivers accessing the site to sign on to a code of practice committing to the same.
 - c. A prominent sign will be established inside the quarry gate reminding drivers not to travel through Templeton unless a delivery is in the immediate vicinity.
 - d. The site induction shall include a section on truck route options to and from the site and specifically address point (b) above.
- 21) The first 100m of the heavy vehicle internal access road from the Jones Road boundary into the site shall be sealed to prevent debris being carried out onto the public road. The light vehicle access road into the site from the Jones Road boundary will be sealed for its full length.
- 22) To avoid material being deposited, dropped or tracked onto Jones Road from the application site, the following measures shall be put in place for the heavy vehicle access road:
- a. Any unsealed portion of the access road connecting to the sealed part of access road is to have clean chip placed on it to minimise dust and movement of larger material to the sealed portion of the access;
 - b. The sealed portion (at least 100 m inside the site boundary) of the heavy vehicle access road is to be swept regularly;
 - c. The edges of the sealed access road shall be inspected and maintained, particularly where pot holes emerge. Before they are filled, pot holes shall be coned off to avoid further damage and likelihood of material transfer to the road;
 - d. Trucks shall be inspected at the weighbridge with the purpose of identifying and minimising the risk of material being carried onto Jones Road.
- 23) The length of Jones Road from Dawsons Road to the site's vehicular entrance must be regularly inspected by the consent holder for sediment tracked by vehicles to and from the site. In the event that any sediment does get tracked onto the public roadway, all material must be removed immediately. A record of when road cleaning has taken place must be retained and must be made available to Council on request.

Noise

- 24) All activities on the site, measured in accordance with the provisions of NZS 6801:2008 “Acoustics – Measurement of environmental sound”, and assessed in accordance with NZS 6802:2008 “Acoustics – Environmental Noise”, shall not exceed the following noise limits at any point within any other site, during the following times:
- Daytime 0600 to 1800 hrs 55 dB L_{Aeq}
 - Evening 1800 to 2200 hrs 50 dB L_{Aeq}
 - Night 2200 to 0600 hrs 45 dB L_{Aeq} and 70 dB L_{Amax}
- 25) In order to permit vehicle access onto the site, the noise limits above shall not apply within 250 m (outside) of the site’s heavy vehicle entrance.
- 26) Construction activities including the establishment of the site, roadworks, topsoil stripping, bund construction and site rehabilitation, shall be conducted in accordance with NZS 6803: 1999 “Acoustics - Construction Noise”, and shall comply with the “typical duration” noise limits contained within Table 2 of that Standard.
- 27) Should vehicle reversing alarms be required, only broadband noise alarms are to be used on quarry-based equipment. Tonal reversing alarms are not permitted.

Lighting

- 28) Lighting from the site shall have a maximum light spill not exceeding 3-lux spill on to any part of any other adjoining property.

Hazardous Substances

- 29) In the event of a spill of fuel or any other contaminant, the consent holder shall clean up the spill as soon as practicable and take measures to prevent a recurrence.
- 30) The consent holder shall inform the Team Leader, Selwyn District Council Compliance and Investigations Team, Regulatory Compliance Unit within 24 hours of any spill event greater than 4 litres and shall provide the following information:
- The date, time, location and estimated volume of the spill;
 - The cause of the spill;
 - The type of contaminant(s) spilled;
 - Clean up procedures undertaken;
 - Details of the steps taken to control and remediate the effects of the spill on the receiving environment;
 - As assessment of any potential effects of the spill and measures to be taken to prevent a recurrence.

Contaminated Material

- 31) In the event that soils are unexpectedly found that have visible staining, odours and/or other conditions that indicate soil contamination then work must cease and all workers shall vacate the immediate area, notify the site manager and ensure that the local authorities are informed (via Selwyn District Council and the Environment Canterbury pollution hotline on 0800 76 55 88). No

excavation of such soil shall occur without advice from a Suitably Qualified and Experienced Practitioner (**SQEP**) on land contamination and the agreement of the local authorities.

Remediation of Contaminated Material

- 32) The handling and reuse of contaminated material as identified in the "Preliminary and Detailed Site Investigation", prepared by Golder Associates (NZ) Limited dated November 2018 and submitted with the application (Appendix H of the AEE) shall be undertaken in accordance with a Remediation Action Plan (RAP). The RAP shall be prepared and submitted to the Team Leader Resource Consents, Selwyn District Council prior to the remediation works commencing.
- 33) The material identified in Condition 32) may be reused in the construction of earth bunds on the site and for rehabilitation of the base of the quarry excavation only if identified as being suitable for doing so in accordance with the RAP prepared under Condition 32).
- 34) The excavation of the material identified in Conditions 31) and 32) shall be supervised and validated by a SQEP as defined in the NES Contaminated Land Users' Guide (MfE 2012). On completion of the works, the consent holder shall submit a site validation report to the Team Leader Resource Consents, Selwyn District Council.

Rehabilitation

- 35) Prior to the commencement of any activities authorised by this resource consent, the consent holder shall submit a Quarry Rehabilitation Plan (**QRP**) via email to the Team Leader Resource Consents – Selwyn District Council for technical review and certification (or their nominee).
- 36) The QRP shall be based on the draft QRP submitted to the Selwyn District Council in November 2018 and developed in accordance with Rule 17.8.3.14 of the Christchurch District Plan (as at 5 March 2019).
- 37) If the Selwyn District Council confirms receipt but then fails to provide any further response to the consent holder within a period of one month then the QRP shall be deemed to be certified.
- 38) Rehabilitation of the site shall be undertaken in accordance with the certified QRP.
- 39) The final internal slopes of the quarry should be formed to provide an irregular form to the edge of the quarry but at gradients which allow for the placement of topsoil and grass growth. The slope gradient should vary between 1 in 3 and 1 in 6 with an irregular form to negate a linear, uniform appearance of the slopes and to create a more natural appearance.
- 40) Following completion of quarrying and cleanfilling in a sub-stage, a minimum 300 mm topsoil layer shall be applied over the finished surface level and sown with a suitable grass species or planted with another suitable vegetation.
- 41) Re-grassing or otherwise vegetating final top soil layers within each rehabilitated sub-stage shall occur within 60 days, to minimise dust generation and erosion losses. If this work is required outside of spring or autumn, the area can be suitably mulched or covered with another form of material to suppress dust from the area until it is appropriate to re sow grass. Irrigation of grass-seeded areas shall be undertaken as required to ensure establishment.
- 42) All finished surfaces to be designed and constructed to be free draining.

Management Plans

- 43) A number of management plans are proposed for the quarry to ensure that the conditions of this consent are complied with. The management plans are intended to describe how conditions will be met and address how potential adverse effects are to be monitored and managed. The

management plans may change and evolve over time in order to remain responsive to current operations and environmental conditions. The site shall operate in accordance with the following management plans:

- a. Rehabilitation Management Plan (Appendix G of the AEE).
- b. Dust Management Plan (Appendix D of the AEE).
- c. Cleanfill Management Plan (Appendix F of the AEE).
- d. Spill Management Plan.

In the event of an inconsistency between the management plans and a condition of this consent, these conditions shall prevail.

Consultation

44) The consent holder shall endeavour to establish a Community Liaison Group (CLG) in accordance with the following requirements:

- a. The purpose of the CLG shall include, but not be limited to, the following:
 - i. To engage on an on-going and regular basis about matters associated with the operation of the quarry where those matters affect the community and are of mutual interest to the representative parties.
 - ii. to promote the free flow of information between the local community and the consent holder so as to, wherever possible, address any issues that may arise; and
 - iii. to discuss the results of monitoring and any matters that may arise as a result of the monitoring.
- b. The CLG shall initially comprise up to two representatives of the consent holder and the consent holder shall invite one representative of the Selwyn District Council, one representative of the Canterbury Regional Council, one representative of the Templeton Residents Association (TRA), one representative of the Weedon's Residents Association (WRA) and representatives of the relevant *the Kaitiaki Runanga*.

Advice note: This condition only governs initial membership for the purposes of convening the first meeting of the CLG. On-going membership will be determined by the CLG.

- c. The consent holder shall ensure that members of the CLG are provided with the opportunity and facilities to meet:
 - i. At least 30 working days prior to the start of any construction activities on the site;
 - ii. Not less frequently than quarterly during the first year of the quarry being established, and biannually thereafter, unless all members of the CLG agree there is no need for a meeting;
- d. If the consent holder, in progressing any element of the quarry, wishes to call a meeting of the CLG to obtain community input, the meeting regime may be shifted to accommodate such a request.
- e. Proposed meetings shall be notified to members of the CLG and to any members of the local community whose contact details have been provided to the consent holder.
- f. Minutes of the CLG meetings shall be made publicly available.

Advice note: In the event that it is not possible to establish a CLG or convene meetings through lack of interest or participation from the local community, then such failure to do so shall not be deemed a breach of these conditions. Should the local community wish to re-establish meetings after a period of inactivity then the conditions above continue to apply.

Accidental Discovery Protocol

- 45) Immediately following the discovery of material suspected to be a taonga, kōiwi or Māori archaeological site, the following steps shall be taken:
- a. All work in the vicinity of the discovery will cease.
 - b. Immediate steps will be taken to secure the site to ensure the archaeological material is not further disturbed.
 - i. Notify the Kaitiaki Rūnanga and the Area Archaeologist of the New Zealand Historic Places Trust (NZHPT). In the case of kōiwi (human remains), the New Zealand Police must be notified. The Kaitiaki Rūnanga and NZHPT will jointly appoint / advise a qualified archaeologist who will confirm the nature of the accidentally discovered material.
 - ii. If the material is confirmed as being archaeological, the consent holder will ensure that an archaeological assessment is carried out by a qualified archaeologist, and if appropriate, an archaeological authority is obtained from NZHPT before work resumes (as per the Historic Places Act 1993).
 - iii. The consent holder will also consult the Kaitiaki Rūnanga on any matters of tikanga (protocol) that are required in relation to the discovery and prior to the commencement of any investigation.
 - iv. If kōiwi (human remains) are uncovered, in addition to the steps above, the area must be treated with utmost discretion and respect, and the kōiwi dealt with according to both law and tikanga, as guided by the Kaitiaki Rūnanga.
 - v. Works in the site area shall not recommence until authorised by the Kaitiaki Rūnanga, the NZHPT (and the NZ Police in the case of kōiwi) and any other authority with statutory responsibility, to ensure that all statutory and cultural requirements have been met.
 - vi. All parties will work towards work recommencing in the shortest possible time frame while ensuring that any archaeological sites discovered are protected until as much information as practicable is gained and a decision regarding their appropriate management is made, including obtaining an archaeological authority under the Historic Places Act 1993 if necessary. Appropriate management may include recording or removal of archaeological material.
 - vii. Although bound to uphold the requirements of the Protected Objects Act 1975, the contractor / works supervisor / owner recognises the relationship between Ngāi Tahu whānui, including its Kaitiaki Rūnanga, and any taonga (Māori artefacts) that may be discovered.

Reporting and Review

- 46) The consent holder shall maintain a complaints register, and make this immediately available to Council on request.
- 47) Records of all staff training shall be retained on site and provided to the Council immediately on request.
- 48) The Selwyn District Council may, once per year, on any of the last five working days of May or November, serve notice of its intention to review the conditions to address any adverse effect on the environment which may arise from the exercise of this consent.