

Wednesday, 12th June 2019

Senior Resource Management Planner
Christchurch City Council
PO Box 73013
Christchurch 8154
Attention: Helen Bealey

**APPLICATION FOR RESOURCE CONSENT RMA/2019/373
RESPONSE TO SECTION 92 (RMA) REQUEST FOR FURTHER INFORMATION**

Dear Helen

On behalf of SOL Quarries Ltd, we have considered the matters raised in the Section 92 (RMA) Request for Further Information (S92 RFI), dated 15th March 2019, relating to the Application for Resource Consent associated with the proposed extension of the SOL Quarry at Conservators Road, Yaldhurst (RMA/2019/373).

We have sought expert consultant advice, in the form of specialist assessments and reports, and addressed the matters raised in the S92 RFI. Accordingly, we have summarised the expert consultant advice in this letter utilising the numbering contained in the S92 RFI, and we have appended the full assessments and reports.

1. Duration of the Consent.

I would confirm that SOL Quarries Ltd is seeking a Consent duration of 20-years from the date of the grant of Consent, including an extended 8-year lapse period. It is expected that the current SOL Quarry will have a life span of 6 – 7 years (i.e. the existing Quarry will be exhausted, infilled and rehabilitated by 2026 – 2027). Hence the reason for a proposed 8-year lapse period.

Providing a Consent duration of 20-years from the date of grant of Consent would result in the Quarry operations, including excavation, processing, infilling and rehabilitation, being completed before 2039. As the current resource consents expire on 22nd February 2031, a 20-year Consent duration would only result in Quarry operations on the proposed extension for an additional 8-years (i.e. until 2039).

With respect, the issue of the optimal consent lapse period and duration was discussed at the Pre-application Meeting held with representatives of CCC, ECan & SOL Quarries. It was noted that the resource consents for the existing Quarry were granted by CCC and ECan in February 2016. As such, the consents were evaluated in accordance with the Objectives, Policies and Rules contained in the relevant statutory planning documents at the time. Since the grant of consents for the

existing Quarry both the ECan and CCC statutory planning documents have been superseded. The current relevant statutory planning documents are:

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| a. Christchurch District Plan | Operative Date 19 th December 2017 |
| b. Canterbury Air Regional Plan | Operative Date 31 st October 2017 |
| c. Canterbury Land and Water Regional Plan | Operative Date 1 st February 2017 |

With due respect, including the existing Quarry area and operations within a revised resource consent application for the proposed Quarry extension will be fraught with issues, including the overlap between the retrospective nature of considering the current Quarry operations in terms of the current operative statutory planning documents, the currently compliant Quarry operations on the balance of the existing SOL Quarry property at 81 Conservators Road property, and the proposed Quarry operations on the proposed new Quarry site, all considered in terms of the current operative statutory planning documents.

I would propose, as previously agreed, that the Application for Resource Consent RMA/2019/373 be considered as a stand-alone resource consent, on the merits of the proposal.

2. Air Quality (Dust) Monitoring – nearest residential properties.

A comprehensive review of the NZ Air Ltd Report pertaining to air quality, including the potential effects of the Quarry operations with respect to proximate residential properties, has been undertaken by Pattle Delamore Partners (PDP). A copy of the PDP Assessment and Report is appended to this response. The PDP Assessment and Report specifically considers air quality as it relates to the “nearest residential properties”.

3. Landscape Assessment

A Supplementary Assessment, Report and Appendices have been prepared by Rough & Milne, including consideration of the visual and amenity effects of the proposed Quarry extension, the proposed location of the mobile crushing units, and a cross-section of the proposed bunds. A copy of the Supplementary Assessment and Report, including the Appendices, has been appended to this S92 Response.

4. Terrestrial – Grassland – Ecological Assessment.

On behalf of SOL Quarries Ltd, I engaged a specialist terrestrial ecologist, Wildland Consultants Ltd, with particular experience with the flora and fauna on the McLeans Island Grassland Reserve.

Wildland Consultants Ltd found that there was no evidence that dust from the SOL Quarry operation was having any adverse effect on the indigenous flora and fauna. Furthermore, they “... saw no evidence of the presence of dust deposits on any vegetation in the grassland area” (Wildland Consultants Ltd Assessment & Report; May 2019; p 7).

Rather, they found “... that the current hard-grazing regime on the site is having the greatest impact on the indigenous flora and fauna. There was a substantial quantity of animal droppings on the ground and these together with urine will be having a significant effect on soil fertility, indigenous vegetation cover, exotic grass and weed growth, and the long-term viability of both indigenous plants and insects” (Wildland Consultants Ltd Assessment & Report; May 2019; p 7).

Wildland Consultants Ltd concluded that “... the Conservators Road grassland reserve ... is highly degraded in regard to indigenous biodiversity, but that this condition is not the result of dust from the quarry” (Wildland Consultants Ltd Assessment & Report; May 2019; p 9).

5. Aquatic Ecological Assessment – Stockwater Race.

A specialist aquatic ecological consultant, Aquatic Ecology Ltd, was engaged to conduct an ecological survey, aimed at identifying the ecological values associated with the Paparua Stockwater Race, and the potential impacts of the proposed diversion on these values and surface water quality.

The ecological survey comprised three components: faunal habitat quality, macroinvertebrate community, and fish community. The survey of habitat quality for both fish and macroinvertebrates involved the evaluation of both instream and riparian attributes, using an established habitat assessment protocol.

The results of the ecological survey indicated that the Paparua Stockwater Race had low ecological value. Only a single fish species—upland bully (*Gobiomorphus breviceps*)—was found, a species with no conservation status, but was present in moderate numbers. The presence of just one non-migratory fish species was attributed to potential upstream barriers to migratory fish, paucity of habitat variation, and lack of instream fish cover (e.g. boulders, overhanging vegetation, root mats, woody debris, and undercut banks). However, the uniform channel is consistent with its principal role as a water race designed for the efficient conveyance of irrigation and stockwater. The macroinvertebrate community was also of low diversity, consisting of a relatively small number of insensitive species. The calculated macroinvertebrate stream health metrics indicated that the waterway had low stream health. This was similarly attributed to a lack of instream habitat diversity and large amounts of deposited sediment—a natural feature of the waterway.

The ecological assessment concluded that the proposed diversion will have minimal impact on the stockwater race, with regards to its water quality and ecological values, as it will remain limited by the habitat features. The most prominent risk was considered to be to the local ecological values associated with the construction and implementation of the diversion channel, specifically related to the input of sediment into the downstream ecosystem. However, the specialist consultants considered that these risks can be minimised to a negligible level with appropriate sediment control measures. If the recommendations contained in the Aquatic Ecological Assessment are followed, the new channel is likely to hold equal ecological value to the decommissioned channel, without jeopardising the values of the downstream ecosystem. The full Aquatic Ecological Assessment is appended to this response.

6. Quarry Environmental Management Plan (QEMP).

The QEMP is a “live document”. The version appended to the Application for Resource Consent (QEMP V9), is the current active document; however, it only relates to the current Quarry operations and environmental compliance with respect to the Conditions of Consents granted in accordance with the statutory planning documents operative in 2015/2016.

It is intended to update the QEMP in the event that consent is granted for the Quarry extension, ensuring that the provisions of the QEMP incorporate the Conditions of both CCC and ECan Consents, for certification. SOL Quarries Ltd also proposes supplying a copy of the QEMP Plan to CIAL and Transpower Ltd for comment prior to submitting the QEMP to Environment Canterbury Regional Council (ECan) and Christchurch City Council (CCC) for certification. This process is proposed to occur prior to any works commencing on-site.

7. Location of the Mobile Crushers & Noise Levels.

Novo Group Ltd specialist consultants have updated their Noise Assessment and Report, including identification of the physical parameters which determine the location of the mobile crushing units. SOL Quarries Ltd has determined that the mobile crushing units will not be located closer than 350-metres from the property boundary to the north-east (Higgs & Stocks) and closer than 350-metres from the property boundary to the south-east (Harewood Gravels Ltd). The location of the mobile crushing units is identified in Map 1 (Rough & Milne; Appendices; June 2019), below.

A copy of the Novo Group Supplementary Assessment and Report, and the Rough & Milne Supplementary Assessment and Report (Landscape Assessment) are appended to this S92 RFI.



Map 1: Location of Mobile Crushing Units (Rough & Milne; June 2019)

8. Draft Quarry Rehabilitation Plan.

A Draft Quarry Rehabilitation Plan has been prepared, in accordance with the Quarry Rehabilitation Guidelines (CCC: August 2018). The Draft Quarry Rehabilitation Plan addresses:

- The proposed final landform;
- Confirmation of the materials, including cleanfill and topsoil, which are proposed to be used in the rehabilitation;
- The type of land uses that the rehabilitated Quarry could support following rehabilitation;
- The patterns of surface drainage and subsoil drains;
- A draft programme and timescale for progressive rehabilitation, including a Plan showing the staging of rehabilitation; and
- Measures to mitigate potential ongoing adverse effects on the stability of adjoining land and its susceptibility to subsidence and erosion.

A copy of the Draft Quarry Rehabilitation Plan is appended to this S92 Response.

9. Written Approvals from Potentially Affected Persons.

As requested, copies of the formal Written Approvals from potentially affected persons, excluding the owners and occupiers of 21 Conservators Road, Yaldhurst, 151 Conservators Road, Yaldhurst and 715 Pound Road, Yaldhurst are appended to this S92 response. Specifically, formal Written Approvals are appended from:

- Resident 106 Guys Road, Yaldhurst
- Resident 361 Ryans Road, Yaldhurst
- Resident 93 Conservators Road, Yaldhurst
- Resident 133 Conservators Road, Yaldhurst
- Alliance Group Ltd (Lessee) 33 Guys Road / 715 Pound Road, Yaldhurst
- Christchurch International Airport Ltd (CIAL)
- Transpower (NZ) Ltd

Formal Written Approvals have not been obtained from the following parties for the following reasons:

- Canterbury Regional Council (715 Pound Road, Yaldhurst)
Canterbury Regional Council (Property Division) owns the property at 33 Guys Road, Yaldhurst. The property is leased to Alliance Group Ltd. SOL Quarries Ltd holds a sub-lease with Alliance Group Ltd, duly acknowledged by Canterbury Regional Council. In discussions with Canterbury Regional Council (Property Division), a potential conflict of interest was identified in terms of the Regional Council's Property Division providing a formal Written Approval while the application was subject to a decision by the Regional Council's Regulatory Division. It is significant, however, that SOL Quarries Ltd has obtained the formal Written Approval from Alliance Group Ltd, thereby assuring access to Guys Road using the Heavy Vehicle Accessway.
- Christchurch City Council (151 Conservators Road, Yaldhurst)
Similarly, Christchurch City Council owns and manages the McLeans Island Grassland Reserve. In discussions with Council's Reserves Division, the potential conflict of interest was identified. While formal written approval has not been forthcoming, the terrestrial ecological assessment concluded that "... the Conservators Road grassland reserve ... is highly degraded in regard to indigenous biodiversity, but that this condition is not the result of dust from the quarry" (Wildland Consultants Ltd Assessment & Report; May 2019; p 9).
- Harewood Gravels Ltd (21 Conservators Road, Yaldhurst)
I have considered the expert consultant assessments and reports prepared for the Applications for Resource Consents and the responses to S92 RFI sought by both Councils, with particular emphasis on the potential effects of the proposed Quarry operations on the Harewood Gravels Ltd property and activities. These support the finding that Harewood Gravels Ltd is not an affected person/party. Accordingly, I have not sought formal Written Approval from the owners/occupiers of the property at 21 Conservators Road, Yaldhurst.¹

¹ Note original report by Rough & Milne incorrectly stated that Harewood Gravels Ltd had given approval.

10. Draft Conditions of Consent.

A set of Draft Conditions of Consent is appended to this Section 92 response.

On behalf of SOL Quarries Ltd, I trust these responses address the matters raised in your Section 92 (Resource Management Act 1991) request for further information, dated 28th March 2019.

However, please do not hesitate to contact me should you require further information or clarification of any matter(s).

Sincere regards,
LANDS AND SURVEY (SOUTH) LTD



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