

CON520: SUBMISSION ON RESOURCE CONSENT APPLICATION

(SECTION 96 RESOURCE MANAGEMENT ACT 1991)

TO: Consents Hearings
Environment Canterbury
P O Box 345
CHRISTCHURCH 8140

Email: hearings@ecan.govt.nz

Ph: (03) 353 9007 Fax: (03) 365 3194

OR: submit by completing an on-line form at:

<https://www.ecan.govt.nz/do-it-online/resource-consents/notifications-and-submissions/notified-consents/>

FOR OFFICE USE ONLY

FILE: CRC192408, CRC192409, CRC192410,
CRC192411, CRC192412, CRC192413,
CRC192414, RC185627

Closing Date: **5.00pm Thursday 6 June 2019**

Person(s) /Group /Organisation Making the Submission

Full Name of Submitter(s): Southern Woods Nursery Limited

Postal Address For Service: C/- Andrew Schulte, Cavell Leitch, PO Box 799, Christchurch 8140

Contact Phone No(s): 03 339 5640

Fax/Email: andrew.schulte@cavell.co.nz

☐ Please tick this box if you do not want to receive any communication via email

Contact
Person: Andrew Schulte

Name of applicant: **Fulton Hogan Limited**

Applications to Environment Canterbury

☒ All of the applications as listed below OR only those as ticked.

- | | | |
|--------------------------|-----------|--|
| <input type="checkbox"/> | CRC192408 | Land use to excavate material |
| <input type="checkbox"/> | CRC182409 | Land use to deposit cleanfill |
| <input type="checkbox"/> | CRC192410 | Discharge contaminants into air |
| <input type="checkbox"/> | CRC192411 | Discharge contaminants into water from industrial processes |
| <input type="checkbox"/> | CRC192412 | Discharge stormwater into land |
| <input type="checkbox"/> | CRC192413 | Discharge contaminants into land associated with deposition of cleanfill |
| <input type="checkbox"/> | CRC192414 | Water permit |

☐ I / We support the application

☒ +/- We oppose the application

☐ I / We are neutral to the application
(neither support or oppose)

☒ +/- We **do** wish to be heard in support of my/our submission*

(Note: this means you wish to speak in support of your submission at the hearing)

*If others make a similar submission, I will consider presenting a joint case with them at the hearing ☒ Yes ☐ No

OR

☐ I / We **do not** wish to be heard in support of my/our submission

(Note: this means that you cannot speak at the hearing, however you will retain your right to appeal any decision to the Environment Court on any decision made by the Council.)

Application to Selwyn District Council



RC185627 Land use for gravel extraction and processes



I / We support the application



+ / We oppose the application



I / We are neutral to the application
(neither support or oppose)



+ / We **do** wish to be heard in support of my/our submission*

(Note: this means you wish to speak in support of your submission at the hearing)

*If others make a similar submission, I will consider presenting a joint case with them at the hearing ☒ Yes ☐ No

OR



I / We **do not** wish to be heard in support of my/our submission

(Note: this means that you cannot speak at the hearing, however you will retain your right to appeal any decision to the Environment Court on any decision made by the Council.)

2. The reasons for making my submission are: *(state in summary the nature of your submission, giving reasons)*


Please see attached additional pages

Please attach additional pages if required

3. I wish the consent authority to make the following decision: *(give details, including the general nature of any conditions sought)*

Please see attached additional pages

5. ☒ ~~I/We am/ am not~~ a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
~~I/We am/ am not~~ directly affected by an effect of the subject matter of the submission that (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.


Signature of submitter or duly authorised agent on behalf of submitter

Date 06 / 06 / 2019

Notes to the submitter:

1. The person making this submission must send a copy to the applicant as soon as reasonably practicable after serving Environment Canterbury
2. A list of all submissions received will be provided to the applicant.
3. Please be aware that third parties may request a copy of submissions received and that request is subject to the Local Government Official Information and Meetings Act 1987.

The address for service of the applicant is:

Fulton Hogan Limited
c/- Golder Associates
PO Box 2281
Christchurch 8041
Attn: Kevin Bligh / Geoff England

Email: submissions@golder.co.nz

Attachment to submission of Southern Woods Nursery Limited on application by Fulton Hogan Limited (Roydon Quarry)

Contact details for submitter:

Postal Address: PO Box 16148, Hornby, Christchurch 8441

Contact Phone No(s): Office - 0800 800 352 - General Manager 0 027 506 8989

Fax/Email: Gareth.mitchell@southernwoods.co.nz (General Manager)

Contact person: Gareth Mitchell, General Manager

Address for Service: C/- Cavell Leitch, PO Box 799, Christchurch 8140
Attn: Andrew Schulte (email: andrew.schulte@cavell.co.nz)
Ph: (03) 3395640

Southern Woods Nursery Limited (**Southern Woods**) confirms that it:

- Opposes the applications;
- Wishes to be heard in support of our submission;
- Will consider presenting a joint case at the hearing if others make a similar submission; and
- Would welcome the opportunity to discuss our issues with the applicant by way of a pre-hearing meeting.

Southern Woods generally oppose the applications in the absence of greater assurances regarding potential dust, noise and groundwater effects.

The reasons for Southern Woods' submission are:

Southern Woods is one of the South Island's largest plant nurseries, producing a range of trees, shrubs and grasses for projects large and small.

Located in at 1002 Robinsons Road we are very close to the planned quarry (approximately 250m according to Fig 3 of AEE) and in direct line with the prevailing north easterly wind.

We specialise in supplying healthy, vibrant, plants for a wide range of projects across New Zealand and believe there is a high potential for plant damage caused by increased levels of dust from the proposed quarry.

The plants we grow include native revegetation plantings, landscaping, forestry, fruit and nut trees, as well as ornamental trees and shrubs for around the house. Some of these varieties are more susceptible to dust damage than others.

The foundation principles of our business are: our people, our products and our community, with a key focus on the environment. We are concerned that a proposal such as the Roydon quarry, with its potential for adverse effects on our business and customers, is inconsistent with our company's principles.

Potential adverse effects of greatest concern:

1. Amenity Impact and Human Health:

- We believe that with the likelihood of increased levels of dust and the risk of it making its way from the quarry to the nursery due to the proximity of the quarry and the prevailing wind conditions there is both an amenity impact and a potential health risk to our staff and our customers.



- We are also concerned that the proposed conditions exempting noise from traffic and allowing for, what seems to be, ongoing construction noise levels due to the fact that the relevant parts of the proposal will occur throughout its lifecycle, have the potential to create an adverse noise environment over and above the noise already being experienced at our site from the Southern Motorway extension works.
2. Plant Health:
- We believe that with the level of dust and the risk of it making its way from the quarry to the nursery there is a health risk to our plants as well as the likelihood of the dust being a “nuisance” in terms of the plants for sale in the retail centre (located directly on the corner of Robinsons Road and the Southern Motorway) and the plants being grown on in the nursery the 7 hectares that make up the corner of Robinsons Road.
3. Nuisance:
- The dust contamination on the site is seen as being of high risk of being a nuisance to both plants and people (staff and customers). As well as being detrimental to vehicles and plant used to run the nursery on a 7 day a week basis.
4. Groundwater:
- We are concerned about the potential for ground water contamination given the nurseries reliance on groundwater and the limited information in the application regarding any potential impacts on groundwater. There appears to be significant reliance on modelled water levels and the existence of a buffer between the extraction activities and the ground water, which does not appear to have been substantiated on the site. We note the conditions requiring that the separation be maintained but are concerned as to how that might be monitored or enforced?
5. Commercial:
- All of these risks indicate that the quarry would likely have a detrimental impact on the commercial effectiveness of the nursery via increase risk to plants and people, likely additional costs (faster degradation of plant and machinery) and finally the likely commercial impact of the reduction in quality of plants for sale in the retail centre.

Southern Woods request that the consent authorities make the following decision:

- Decline the application; or in the alternative,
- If the proposal is to proceed, impose conditions on the relevant consents that:
 - o Require that dust generation be mitigated so that there be no increase in the dust generated beyond the applicants site;
 - o Require a monitoring programme to confirm the ambient dust conditions over a 6 month period, including monitors in the southwestern corner of the site;
 - o Incorporate ambient dust monitoring results in the dust management plan to benchmark dust conditions at the site;
 - o Do not exempt excessive noise within 250m of the entrance to the site or enable construction noise levels that will apply continuously over the life of the quarry.
 - o Provide greater clarity over groundwater protection controls and what other “suitable vegetation” might be for rehabilitation; and
 - o Add (preferably volunteered) assurances and offered penalties or compensation if requisite thresholds for dust, groundwater buffers and noise are breached by the activity so that obligations and their enforcement can be simplified.

Southern Woods is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.