

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/>.

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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): ASP Group Ltd

Postal Address For Service: C/- Aston Consultants, PO Box 1435, Christchurch 8140. Attn: Fiona Aston

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

Contact Person: Fiona Aston

Name of applicant: **Fulton Hogan Limited**

Applications to Environment Canterbury

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

X I / 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 X Yes No

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

I / 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)*

Background and Submitters' Property

ASP Group Ltd owns properties at 230 Maddisons Road 125 and 175 Newtons Road, legally described as Lot 1, 2 and 14 DP322434. Mr and Mrs Pearce reside at 230 Maddisons Rd. The combined area is 96 ha ('the Pearce Site') and contains the principal dwelling, a farm workers dwelling and a number sheds used for farm related activities. The land is farmed for cropping and stock (barley, peas and sheep and lambs) and is fully irrigated. It is located on the north side of Maddisons Road, and south of Newtons Road, with access via an accessway to Dawsons Road, as shown on the aerial photograph below.



The Pearce Site is located within Christchurch City and is zoned Rural Urban Fringe. Land adjoining on the eastern boundary is zoned Rural Templeton Zone which provides for farm servicing activities, rural research facilities and laboratories and food and beverage outlets in addition to farming. Land adjoining to the north is Christchurch Women's Prison. There are a number of existing quarries in the wider area including Fulton Hogan and Road Metals at Pound Road and Main West coast Road.

There are currently two dwellings located on the property. However, under the Rural Urban Fringe zoning, a total of 24 dwellings are permitted as of right under the Christchurch District Plan provisions based on the maximum permitted dwelling density of one dwelling per 4 ha.

Proposed Quarry

From the documents provided with the application, ASP Group Ltd understands the proposal to be as follows.

The proposed Royden Quarry ('the Quarry') covers an approximately 170 ha site ('the Quarry Site') bounded by Jones Road, Dawsons Road and Currags Road, and setback from Maddisons Road. It is proposed to quarry the entire Quarry Site, except for boundary setbacks areas stated as 20m. A 3m high grass bund and planting is to be established around the Quarry Site as part of Stage 1, including around the entrance. Stage 1 is excavation works in the part of the Quarry Site closest to Jones Road (36 ha). However, prior to Stage 1 there will be extensive earthmoving activities associated with creation of the quarry pit for site operations, including the fixed plant processing area.

The bunding will be setback behind existing and proposed Quarry Site perimeter planting. It is anticipated that within 5 years of being planted, new areas of vegetation will provide substantial screening to a height of 5 m.

There will be no blasting. Extraction activities are proposed to be undertaken in stages with an active working quarry area of no more than 40 ha at one time. Extracted material will be transported to fixed or mobile processing plant located within the quarry floor where it will be fed through the processing plant to produce a range of aggregate products, stockpiled and sold via the weigh bridge. Large amounts of the extracted resource will be transported to the processing plant by way of field conveyors

The fixed plant processing area (6.8 ha) will be located near the middle of the site, a minimum of 500m from the Quarry Site boundaries.

Stockpile volumes will have a maximum total volume of 200,000 m³ at any one time and will be located below the height of the level of the bunds following establishment of the quarry pit. All stockpiling associated with fixed plant will be set back at least 400 m from Quarry Site boundaries although smaller stockpiles associated with mobile plant (processed at least 250 m from the site boundary) may be up to 100 m from the Quarry Site boundary.

The proposed 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 to levels detailed in the application.

A new dedicated heavy vehicle access to the Quarry Site is proposed from Jones Road. The existing Royden Lodge access from Jones Road will become a dedicated light vehicle access. No other vehicle accesses are proposed for the Quarry Site.

The expected Quarry life is more than 40 years. However, the processing plant may be used for longer as there is no restriction on material being 'brought into' the Quarry Site from elsewhere for processing.

Worked out areas will be backfilled with cleanfill to be brought into the Quarry Site, and meeting the definition of cleanfill under the Land and Water Regional Plan. It is not proposed that the entire Quarry Site will be backfilled to original ground level, but it is anticipated that the final finished site level will be higher than the base of pit excavations across most of the pit.

Management plans are proposed for rehabilitation and dust, cleanfill and spill management. An extensive suite of consent conditions are "*suggested*" including with respect to minimum setback distances for certain activities and in relation to sensitive receivers; visual, rehabilitation, transport, noise, air quality effects; groundwater monitoring; accidental discovery protocol; community liaison; and reporting and review.

Reasons for Submission

The proposal is for a very substantial new quarry which has the potential to generate significant adverse effects on the surrounding receiving environment, including the Pearce Site. Potential adverse effects of concern include but are not limited to the following:-

Scale of Activity

An active working quarry area of no more than 40 ha at one time is proposed, with up to 200,000 m³ of material stockpiled at any one time for a duration of 30-40 years +, and potentially longer for the on site processing activities. The fixed plant processing area covers 6.8ha. This is a very large quarry operation..

Given the scale and length of duration of the activities proposed, it is essential that effects of the quarry operation are internalised within the Quarry Site as far as possible. The single most effective way to reasonably internalise effects are with internal buffers or separation distances, particularly to sensitive uses – as discussed further below. This is required, even with extensive consent conditions and monitoring. Unless there are adequate separation distances to sensitive activities compliance issues arise and the experience in Canterbury is that compliance and therefore enforcement relies on ongoing surveillance from those living and working in the surrounding receiving environment. There can be a high level of ongoing uncertainty for all parties.

The Quarry should only operate at a scale or in a manner that is compatible with and will not adversely affect the receiving environment. The proposal as lodged is unlikely to satisfy this requirement.

Traffic

The Integrated Traffic Assessment states that *“there is unlikely to be traffic from the quarry utilising Maddisons Road for travel to and from key destinations. Maddisons Road would not provide an efficient route to those destinations. Instead SH1 is expected to be used for a high proportion of east-west travel and supported to a lesser degree by Jones Road west of the site. Since Maddisons Road already carries 300 to 400 heavy vehicles per day, in the event that some quarry traffic did use this route, any effects are not expected to be noticeable.”*¹

Maddisons Road is classified as a rural collector road. In its present form it provides a reasonably direct connection between Rolleston and Yaldhurst Road via Hoskyns Road. The current traffic volume on Maddisons Road is around 2,500vpd with a 10% HGV component. This existing volume is at the capacity specified by the New Zealand standard for a road of this type.

Izone and adjoining Iport business park and large format retail centre, are located at the western end of Maddisons Road and continue to develop progressively.

As Izone and Iport grow, so too does the growth of traffic. Historical traffic count data for the four council operated traffic count stations along Maddisons Road shows that traffic growth along the road has been consistently higher than natural ambient growth rates and is consistently growing. In particular, Maddisons Road in the vicinity of Dawsons Road carried around 900 vehicles per day in 2007 and now carries around 2500 vehicles per day. This is a 278% increase in just over ten years. Noting that Maddisons Road provides a reasonably direct alternate route to SH1 for I-zone traffic (owing to capacity constraints along SH1), it is reasonable to assume that traffic growth along Maddisons Road will continue.

While the CSM2 will attract some Izone and Iport traffic away from Maddisons Road, it is considered reasonable that there will always be some attraction for Izone and Iport traffic to use the Maddisons/Hoskyns route owing to its reasonably direct alignment to the western and northern parts of Christchurch (CSM2 generally heads southeast from Rolleston, when the Stantec ITA shows significant quarry customer demand from the north and northwest parts of Christchurch).

In relation to Maddisons Road traffic volumes, it follows that any negative growth created by network capacity increase as a result of the CSM2 could be compensated for by continued growth at I-zone such that, in the least, traffic volumes will stay the same if not continue to grow along Maddisons Road in the future. Further development at Izone and Iport is clearly anticipated (existing B2A zone being only partially developed and further land being within the Rolleston Infrastructure Boundary as shown on Map A of Chapter 6 of the Canterbury Regional Policy Statement). Future traffic growth on Maddisons Road, from anticipated activities such as at Izone and Iport, will increase the ambient traffic volume. Therefore, potential additional growth along Maddisons Road needs to be considered as part of the evaluation of the proposed Royden quarry activity.

The Stantec ITA does not recognise the potential of the Maddisons/Hoskyns route to be used by Royden Quarry traffic. Based on the experience with Izone and Iport, this approach is unrealistic. The proposal therefore has the potential to add significant volumes of HGV traffic onto Maddisons Road, which is already carrying more traffic than considered suitable by the New Zealand standard. The effects of this, in terms of both impacts on road safety and rural amenity, require consideration.

The Stantec ITA only supports the proposal if the Jones/Dawsons intersections are controlled by a roundabout. However one of their design options (Option 1) is fanciful as the applicant does not have control over the land required to achieve it, and the other is aligned in a manner that, if anything, would further encourage the use of the Maddisons/Hoskyns route by site generated traffic. No sensitivity analysis on the attractiveness of the Maddisons/Hoskyns route has been undertaken.

The application is silent as to whether or not sales to the public are proposed. There is very limited ability to control the routes of public vehicle movements to and from the Quarry or how quarry products are carried, including measures to avoid adverse effects arising from quarry materials from vehicles dropping onto surrounding roads. Sales to the public should be prohibited.

Dust

The appropriate separation distance is 500m from sensitive uses as indicated in the 2013 'Recommended Separation Distances for Residual Air Emissions' publication from the Victoria EPA. As detailed on Figure 03 of the AEE, the Pearce Site is partially located within the 500m setback. Residential uses are permitted to locate in that area.

Best practice requires measures to ensure quarry materials being carried to and from the Quarry Site are not deposited, dropped, or tracked onto surrounding roads.

Noise

The AEE indicates that once the resource has been extracted it will be transported to fixed or mobile processing plant located within the quarry floor. If the quarry is to proceed, it has to follow best practice noise management. This includes, best practice with respect to the mobile and fixed processing plant in terms of how often it will be operated, maintenance and used under cover. These matters appear to be excluded from the proposed daft conditions.

Visual Effects/Rehabilitation

A 3m high landscaped bund is proposed around the Quarry Site boundaries, with no stockpiles to be visible above the height of the bund. The Quarry Site is setback from Maddisons Road by between approximately 103m to 240m (there are intervening properties at 319 Maddisons Road and the southeast Maddisons/Curraghs Road corner – 151 Curraghs Road). Whilst the bund will 'hide' the on site Quarry activities, it is a visual signal of what lies behind. That is an adverse effect (in perceptual and associative terms) which adds cumulatively to other effects on the receiving environment.

¹ ITA Section 16.3

If consent is to be granted, all Quarry Site perimeter planting and associated irrigation should be put in place before any activities commence on site. There should be a bond to ensure the proposed rehabilitation is undertaken. The rehabilitation plan and consent conditions should stipulate that existing topsoil removed during excavations and earthmoving be immediately re-used on Site. It should not be stockpiled for extensive periods, by which time any productive value will have been lost.

Clean Fill

The Clean Fill Management Plan and consent conditions (if granted) should specify that any clean fill brought to the Site should meet the Land and Water Plan definition of clean fill as below. These requirements are essential to ensure that there is no potential for on site operations to adversely affect groundwater.

Clean fill definition:

means material that, when buried, will have no adverse effects 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:

1. *combustible, putrescible, degradable or leachable components;*
2. *hazardous substances;*
3. *products or materials derived from hazardous waste treatment, hazardous waste stabilisation, or hazardous waste disposal practices;*
4. *materials that may present a risk to human or animal health, such as medical and veterinary waste, asbestos, or radioactive substances; or*
5. *liquid waste.*

Rural Amenity and Character

If not established, managed and operated at all times in accordance with best practice and within appropriate setbacks, the Quarry has the potential to result in significant adverse effects for the surrounding receiving environment, and will not maintain rural amenity and character.

Reverse sensitivity

Quarry activities are proposed well within 500m of the Quarry Site boundaries, the accepted best practice separation distance from sensitive activities under the Victorian EPA Guidelines.² There are a number of sensitive receivers, including dwellings within the 500m setback, and the south west corner of the Pearce Site, which could be subdivided into a 4 ha block. It is reasonable to expect any future dwelling to be relatively close to the Maddisons Road frontage, which affords greater efficiencies for servicing. The proposed separation distances are inadequate to ensure that the Quarry can operate in accordance with best practice. Accordingly, the Quarry operation as proposed is likely to generate significant adverse effects, including reverse sensitivity effects, on the receiving environment.

Cumulative Effects

The application has not considered cumulative effects, other than the statement that *"cumulative effects arising from the traffic movements associated with the quarry and existing movements will be readily accommodated by the surrounding road network."*³

The assessment is inadequate in terms of its consideration of cumulative traffic movements when considered against other existing and projected heavy vehicle movements associated with permitted activities in the area, including continued growth at Izone, Rolleston Inland Port and the Rolleston bulk retail development on Hoskyns Road.

Conditions should be imposed which prevent the use of Maddisons Road between Curraghs Road and Kirk Road by heavy vehicles associated with the quarry operation.

Cumulative effects include the combined impact on the environment of the adverse effects of the proposal. This has not been considered.

Best Practice

If the quarry proceeds, a full set of conditions are required to ensure the quarry adopts best practice.

Alternative Sites/Methods

There is potential for the Quarry to generate significant adverse effects on the receiving environment. Alternative sites and methods have not been adequately considered.

Objectives and Policies of Relevant Plans

The proposal as lodged is likely to give be contrary to and not give effect to objectives and policies of relevant plans including The Canterbury Regional Policy Statement (CRPS), The Canterbury Air Regional Plan (CARP), the Canterbury Land and Water Plan (CLWP) and the Selwyn District Plan (SDP). This includes but is not limited to those objectives and policies relating to:

- Objective 5.2.1 Location, design and function of development (CRPS);
- Objective 5.2.3 Transport Network (CRPS);
- Policy 6.3.5 Integration of land use and Infrastructure (CRPS);
- Objective 14.2.1 Maintain or improve ambient air quality (CRPS);
- Objective 14.2.2 Localised adverse effects of discharges on air quality (CRPS);

² Recommended separation distance for industrial residual air emissions – publication number 1518 March 2013

³ Section 6.8.1

- Policy 14.3.3 Avoid, remedy or mitigate localised adverse effects on air quality (CRPS);
- Policy 14.3.5 Relationship between discharges to air and sensitive land uses;
- Objective 5.2 Ambient air quality provides for the health and wellbeing of the people of Canterbury (CARP);
- Objective 5.6 Amenity values of the receiving environment are maintained (CARP).
- Objective B1.1.1 Adverse effects of activities on the District's land and soil resources are avoided, remedied or mitigated (SDP)
- Objective B2.1.1 An integrated approach to land use and transport planning to ensure the safe and efficient operation of the District's roads, pathways, railway lines and airfields is not compromised by adverse effects from activities on surrounding land or by residential growth (SDP)
- Policy B3.4.3 Avoid, remedy or mitigate significant adverse effects of activities on the amenity values of the rural area.

Whilst some relevant objectives and policies anticipate that potential adverse effects can be mitigated, this is not so in all cases, including with respect to air quality and reverse sensitivity, as below, where adverse effects must be avoided.

Canterbury Air Regional Plan

Objective 5.9 Offensive and objectionable effects and noxious or dangerous effects on the environment are generally avoided.

Selwyn District Plan

Objective B3.4.2 A variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects.

Part 2 of the Resource Management Act 1991


The proposal as lodged is inconsistent with Part 2 or the RMA, in particular but not limited to sections 5(2)(c), 7(c) and 7 (f).

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

Consent should be declined, unless there are a comprehensive suite of conditions to ensure that effects are properly managed in accordance with best practice, and fully address the concerns outlined above. Such conditions would include, but not be limited to:-

- 1) There is no quarry activity within 500m of any sensitive uses which currently exist or are permitted in the future;
- 2) No material shall be imported onto the Quarry Site for crushing or other processing;
- 3) The Quarry shall not be open to the general public at any times for sale or supply of quarry products;
- 4) All conditions must be clear, readily enforceable and supported with appropriate 'self' monitoring and reporting by the applicant to the consenting authorities. They should not rely on monitoring of compliance by neighbours, the surrounding community and/or other interest groups.
- 5) There shall an enforceable prohibition on use of Maddisons Road between Dawsons Road and Kirk Road by all Quarry related heavy vehicles.

5. We **are not** a trade competitor for the purposes of section 308B of the Resource Management Act 1991. We **are** 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 /19

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:

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 PO Box 2281
 Christchurch 8041
 Attn: Kevin Bligh / Geoff England

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