Environment Canterbury and Selwyn District Council

Fulton Hogan resource consent applications to establish Roydon Quarry

Submission from the NZMCA and Canterbury Area Committee

5 June 2019
SUBMISSION TO Environment Canterbury and Selwyn District Council on RC 185627, CRC 192408, CRC 192409, CRC 192410, CRC 192411, CRC 192412, CRC 192413, CRC 192414 and Variation to CRC 182422 Under s127 of RMA

REGARDING Fulton Hogan’s resource consent applications to establish Roydon Quarry, Templeton

DATE 5 June 2019

SENT TO Consents Hearings
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WISH TO BE HEARD
Yes, and the NZMCA will consider presenting a joint case with other submitters who raise similar concerns

SUBMITTERS POSITION
Does not support the proposal in its current form

TRADE COMPETITOR
The NZMCA is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991. The NZMCA is affected by the application and associated adverse effects.

Authorised signature on behalf of the New Zealand Motor Caravan Association Inc.
Date: 5 June 2019
Name: James Imlach
Position: National Policy & Planning Manager
Executive Summary

1. The New Zealand Motor Caravan Association Inc. (NZMCA) and Canterbury Area Committee appreciate the opportunity to submit on Fulton Hogan’s resource consent applications to establish Roydon Quarry (the proposal). The NZMCA owns LOTS 2 & 3 DP 334831 and operates a consented motorhome and caravan campground within 260m of the proposed quarry site (Weedons campground).

2. The NZMCA and its members who visit the Weedons campground are directly affected by the proposal. While the NZMCA is not opposed to quarry operations per se, we do not support the proposal in its current form. The NZMCA reserves the right to review its support if the scope and scale of the proposal is reduced and the suite of conditions are improved to satisfy our concerns.

3. The NZMCA and its members are of the view that the resource consent applications have not provided due consideration to the effects of the proposal on the Weedons campground and its operations and does not provide consideration to reverse sensitivity effects.

4. The NZMCA and its members have concerns that the proposal in its current form will have more than minor adverse effects on the environment. One of our principal concerns are the proposed noise effects and the potential loss of ‘quiet’ from evening and nighttime operations, along with the subsequent adverse effects on the level of amenity currently enjoyed at the Weedons campground.

5. The proposal in its current form raises concerns for the NZMCA and its members regarding traffic safety given the proposed large volume of heavy vehicles and narrow width of Jones Road. In addition, the Weedons campground is downwind from the prevalent north easterly wind. The NZMCA and its members have concerns that the proposal will result in more than minor adverse effects on air quality and impact upon the outdoor activities currently enjoyed by members using the campground, particularly over the summer months.

6. The NZMCA subsequently have concerns that the proposal in its current form could give rise to adverse health effects on campground users and potentially compromise water quality and quantity without a stringent suite of conditions and resource consent monitoring regime.

7. The proposal is contrary to objectives and policies contained within the relevant planning instruments including the Canterbury Regional Policy Statement and Selwyn District Plan (SDP).

8. The NZMCA and its members consider that the granting of the proposal in its current form would not be consistent with the purpose and principles of sustainable management under the Resource Management Act 1991.

9. Without limiting the generality of above, the NZMCA does not support the proposal in its current form for the reasons elaborated further below.
Introduction

10. Formed in 1956, the NZMCA is a not-for-profit incorporate society representing the interests of over 89,000 individual New Zealanders who share a passion for exploring our country at leisure in their certified self-contained motorhomes and caravans. Approximately 15,000 individual members reside in Canterbury. The NZMCA is projected to surpass 100,000 individual members by 2021. We are one of (if not the) largest domestic tourism organisations in New Zealand. One of the key benefits of membership is exclusive access to our network of motor caravan campsites, similar in operation to the Weedons campground.

11. The Weedons campground has been in operation since mid-2007 and provides for NZMCA members health and safety, social and economic well-being. In May 2018, the Selwyn District Council issued land-use resource consent (RC 175313) to permit up to 130 motorhomes and caravans camping overnight on site at any one time. Members are permitted to camp on site for up to 21 days in any 60-day period.

12. Approximately 2.2ha of the Weedons campground has been converted into a wilderness area, with members planting over 3,000 native trees providing for an internal 1km outdoor recreational walkway.

13. The Weedons campground is very popular with NZMCA members holidaying in the region, including our Canterbury-based members who use the site for getaways, in order to relax, unwind and escape the pressures of modern life. The campground’s rural location provides members with an ideal opportunity to relax and unwind. As discussed further on, the assessment of environmental effects does not adequately address the effects of the proposal on NZMCA members camping nearby. Because of this, we are concerned the proposal will have a significant impact on the ability for members and their families to continue using the Weedons campground as consented.

14. LOT 3 owned by the NZMCA is currently on the market, however if it does not sell the NZMCA may consider expanding the operation of its Weedons campground. A nearby quarry may compromise the ability for NZMCA to expand its existing campground activity, particularly if Fulton Hogan objects to any consent due to reverse sensitivity effects.
Reasons for the Submission

The reasons for NZMCA’s submission are elaborated upon below:

Insufficient Information

15. The NZMCA have reviewed the extensive resource consent applications and consider that the NZMCA and its members who visit the Weedons campground are directly affected by the proposal. Whilst the application is comprehensive, it fails to provide consideration to the adverse effects on the unique operations of the campground facility which is located approximately 260m from the proposed quarry site boundary. Much of the assessments of effects provided outline effects on adjoining residential properties but no consideration has been made specifically to the operations of the Weedons campground where our members can sit outside in the evenings and enjoy the quiet rural amenity of the area. The application has only made consideration to the likes of residential activities in the effects assessments but has failed to take into consideration the unique campground activities that occur on the site which makes the NZMCA users vulnerable to adverse effects from quarrying activities. The application in its current form also fails to address actual and potential reverse sensitivity effects that the proposed quarry will have on NZMCA campground operations.

16. Given this lack of clarity of information and consideration to the effects of the proposal on the Weedons campground and NZMCA members, we are unable to make recommendations for further mitigation without a thorough understanding of the nature of the effects on NZMCA activities.

17. Fulton Hogan has also provided minimal justification regarding why this application site is the most appropriate location for the proposed quarry, given the proximity to sensitive receiving environments such as the Weedons campground and the township of Templeton. We feel Fulton Hogan needs to elaborate on this matter.

Noise Effects

18. One of the principal concerns of the NZMCA and its members are the noise effects generated by the proposal. The proposal will have more than minor adverse noise effects. It will likely impact upon the operations of the Weedons campground and the ability for NZMCA members to enjoy using the site.

19. The application summarises the various noise limits, however, only the SDP limits impose a direct legal obligation for this application. Fulton Hogan proposes various daytime and nighttime noise limits which are broadly in keeping with the current SDP noise limits, however, the proposed evening limit would significantly encroach on what should be a quiet period of the day in rural surroundings and the early morning limit is similarly affected. This would result in loss of amenity and potentially sleep disturbance.
20. The proposed noise limits effectively act to push into hours of the day that would have previously been protected - the early morning and the evening and have been designed to suit the applicant rather than protect the amenity of the neighbouring sensitive receivers. The adopted noise limits are not acceptable to the NZMCA and its members.

21. The proposed hours of operation of the quarry are considered by the NZMCA and its members to be too liberal. The quarry is proposed to be open 6.00am to 6.00pm Monday to Saturday with limited activities occurring in the evenings between 6.00pm and 10.00pm Monday to Saturday for 150 days of the year. Limited nighttime activities are proposed to occur between the hours of 10.00pm and 6.00am for 150 days per year and limited activities to occur on Sundays and public holidays at all times.

22. The proposed hours of operation schedule are not in keeping with an existing rural environment where the NZMCA have acceptance of seasonal or ad-hoc activity during the day, such as harvesting, ploughing etc. However, there is an expectation of a more ‘organic’ soundscape in the evenings and overnight. Despite the application providing extensive mitigation measures, the proposal makes no allowance to preserve ‘quiet’. There is no time that will be dependably quiet, including evenings, nights and Sundays. This is completely counter to the protections of quiet times implicit in every District Plan in New Zealand.

23. Many of the Weedons campground users are in bed well before 10pm and the operation of an extraction and processing plant until 10pm presents a high risk to sleep disruption. Given the loss of ‘quiet,’ this has the potential to have more than minor adverse effects on the amenity currently enjoyed by NZMCA members and their families using the campground.

24. The Weedons campground will be directly downwind from the prevailing north easterly wind, and the area is subject to night time temperature inversions. Therefore, favourable sound propagation conditions will be very common (approximately 50% of the time) and will likely result in significantly elevated noise levels compared to ‘neutral propagation conditions’. Considering motor caravans are generally not as well insulated as residential dwellings, this makes the Weedons campground particularly vulnerable to noise from the proposed site, especially night time noise.

25. The proposal offers some predicted noise levels in the acoustic assessment which are within the SDP’s day time noise limits. However, evening work associated with Stage 5 is predicted to exceed the SDP’s night time noise limit at the NZMCA campground by approximately 4dB and the SDP night limit would also be exceeded by Stage 1, Stage 3 and Stage 5 work taking place before 0730. These predictions do not include the mobile crushing unit which is predicted to contribute up to an additional 50dB LAeq (15min) or so to the noise level at the Weedons campground, on its own. That would far exceed the SDP noise limits in the first 1.5hrs of the day and in the final 2 hours when the expectation for peaceful enjoyment of the rural environment is at its highest.

26. The acoustic assessment argues in section 7.4.1 that the proposed evening noise limit is more restrictive and that it is proportionate to background noise. This is not accurate as the only
material difference that the proposed evening limit makes is to relax the requirement after 8pm to allow the daytime work period to extend longer into the evening. Adoption of the proposed evening limit would lead directly to noise effects in the form of loss of amenity and possible sleep disturbance. Likewise, a similar argument can be made for the early cessation of the nighttime noise predictions to allow for work to start at 0600, which effectively squeezes the tightest noise restrictions into the smallest possible 8-hour period. These restrictions are in place to protect the well-being of the public and to compress the time period over which they apply is to compromise that well-being.

27. Overall, the NZMCA considers that the proposal in its current form will have more than minor noise effects.

Traffic Effects

28. Another key concern of the NZMCA and its members are the adverse traffic effects from the proposal. Fulton Hogan states there will be a maximum of 1,500 heavy vehicles per day at an average of 1,053 heavy vehicle per day, and around 150 light vehicle movements per day. To put it in the SDP’s required terms, the proposal will generate up to 18,150 equivalent car movements per day at an average of 12,786 equivalent car movements per day over and above existing traffic movements. This is a significant increase above the existing traffic volumes near the Weedons campground. The proposal is also unclear on how Fulton Hogan plan to monitor both maximum and average equivalent car movements per day.

29. The resource consent application projects heavy vehicle movements along Jones Road towards Rolleston (heading south past the NZMCA site access) to be approximately 40 to 90 heavy vehicle movements per day or 60 heavy vehicle movements on an average operational day. This equates to a total of approximately 480 to 1080 equivalent car movements per day or 720 equivalent car movements on an average operational day. Jones Road is classified as a local road in terms of the SDP and has a sealed width of approximately 6m.

30. NZMCA and its members are concerned that the proposal represents a significant increase in heavy vehicle movements along Jones Road (particularly southbound traffic) and this has the potential to have more than minor adverse effects on traffic safety. Given the narrow width of Jones Road and despite the NZMCA undertaking some seal widening at their site access, the NZMCA have concerns for the safety of its members undertaking right hand turns into the campground site. This is due to the significant increase in heavy vehicle traffic volumes and increase in the potential for vehicle conflict.

31. Fulton Hogan has not proposed any further widening of Jones Road beyond the proposed new heavy vehicle access point to the quarry and Dawson’s Road nor is Selwyn District Council proposing to widen Jones Road in the future. Given the narrow 6.2m width of Jones Road, there is the potential for more than minor adverse effects on traffic safety.
32. The NZMCA and its members are concerned that the quality of Jones Road could potentially deteriorate over time with heavy vehicles being required to straddle the edge of the seal when passing each other and from the deposition of material on Jones Road.

**Air Quality**

33. The NZMCA and its members have serious concerns that the proposal will result in more than minor adverse effects on air quality. This is because of the nature of the activities which are required to be undertaken within the quarry that can generate dust, and because the Weedons campground is located directly downwind to the application site during the prevalent north-easterly wind conditions.

34. Fulton Hogan has volunteered a large suite of dust suppression methods as either part of their proposal or within a large suite of proposed conditions, however, the NZMCA and its members still have significant concerns regarding adverse effects on air quality at their campground site as a result of quarry operations.

35. The Weedons campground site is located as a ‘highly sensitive receptor’ to the quarry site as it is situated downwind from the prevalent north-easterly wind. The campground is well utilised throughout the year, with generally more members using the site over the spring and summer months. The campground provides for members health and safety, economic and social well-being. While camping, members enjoy relaxing, sitting outside, having BBQ’s, enjoying the company of fellow members, and going for walks around the outdoor recreational walkway. According to the proposal, the north-easterly wind is also more prevalent in summer.

36. The NZMCA and its members are very concerned that the proposal will compromise the air quality at their site, particularly during the busy peak periods. Should the consents be granted, the NZMCA would like to see a suite of improved conditions which provides for air quality monitoring on the Weedons campground site to ensure that adverse effects on air quality are adequately mitigated and the existing air quality is not compromised.

**Vibration**

37. Fulton Hogan states that there are no likely significant vibration sources associated with the proposal, noting that no blasting is required. This is also outlined in the acoustic assessment. The NZMCA and its members are concerned that there is no nominated condition prohibiting the use of blasting at the quarry site. Fulton Hogan is heavily reliant on this activity not occurring on the quarry site to mitigate any adverse effects of noise and vibration.

38. The NZMCA and its members are of the view that in the absence of such a condition, the proposal has the potential to have more than minor adverse effects of vibration.
Glare Effects

39. Fulton Hogan has provided very limited details regarding proposed lighting for the site but has stated the lighting from the site will be directed downwards and shall have a maximum light spill not exceeding 3 lux on any part of any other adjoining property.

40. NZMCA and its members are supportive of the proposed condition limiting the maximum light spill to not exceed 3 lux on to any part of any other adjoining property in order to mitigate glare effects.

Amenity Effects

41. Fulton Hogan concludes that adverse effects on amenity values will be less than minor. The NZMCA and its members are of the view that the proposal in its current form will have more than minor adverse effects on the amenity values currently enjoyed by NZMCA members at the Weedons campground.

42. This view is due to the combination of the proposed hours of operation, noise, air quality and reverse sensitivity effects with the Weedons campground being located downwind of the predominant north east wind direction. In addition, with an increase in heavy vehicle movements, the size and scale of the quarry operation, all of which contributes to the proposal having a more than minor adverse effect on the current level of amenity enjoyed at the Weedons campground. These effects could potentially compromise the ability for members and their families to continue using the Weedons campground as consented.

43. Adverse effects on amenity values are further compromised for the Weedons campground with the noise standards adopted by Fulton Hogan. As discussed in the noise section, the proposal effectively relaxes the noise requirements after 8pm to allow the daytime work period to extend deep into the evening (and early morning from 0600) thereby resulting in noise effects and subsequent loss of amenity and possible sleep disturbance. The proposal makes no allowance to preserve ‘quiet’ as outlined in the noise effects discussion.

44. All these matters contribute to the NZMCA’s concerns that the proposal in its current form will have more than minor adverse effects on the amenity values currently enjoyed by NZMCA members using the Weedons campground.

Reverse Sensitivity

45. The NZMCA and its members are concerned that the proposal in its current form will have more than minor adverse effects on reverse sensitivity. As outlined above, the NZMCA are concerned that the close proximity of the proposed quarry to the Weedons campground and the size and scale of the operation will compromise the current level of amenity enjoyed at the campground. NZMCA are concerned that the proposal will have a significant impact on the ability for members and their families to continue using the Weedons campground as consented.
46. The application fails to adequately provide an assessment regarding reverse sensitivity effects as outlined above. Fulton Hogan need to provide further information (including possible mitigation options) on the potential for reverse sensitivity effects.

**Health Effects**

47. The NZMCA and its members have concerns that the proposal could give rise to adverse health effects on Weedons campground users. This is as a result of the discharge of PM\textsubscript{10}, PM\textsubscript{2.5} and Respirable Crystalline Silica (RCS) fractions of dust emissions.

48. If the consents are granted, then at the very least the NZMCA would expect to see continuous dust monitoring undertaken at their site by Fulton Hogan in order to mitigate adverse health effects and to provide reassurance for campground users. For the Yaldhurst Quarries, Environment Canterbury Chief Operating Officer, Nadine Dommisse stated ‘we’re going to require all quarries within 500m of someone’s home to install dust monitors on their boundaries’. The applicant has nominated a condition which requires continuous dust monitoring of PM\textsubscript{10} to take place when the quarry is operating close to sensitive locations including 250m of residences along the south eastern and north western site boundaries.

49. The NZMCA and its members are of the view that the Weedons campground site should be included in such a monitoring programme and monitoring should also be undertaken for PM\textsubscript{2.5} given the nature of passive outdoor activities that are undertaken on the campground site.

**Visual Effects**

50. Fulton Hogan proposes to create a 3m high, 15m wide, 1:3 sloped bund behind the existing shelterbelt with a single row of Pinus Radiata planted. All processing plant and stockpile heights are proposed to be no higher than the top of the bunds. Stockpiles with the fixed plant are proposed to be setback 400m from site boundaries and stockpiles from the mobile processing plant may be up to 100m from the site boundary.

51. The proposed planting, in addition to the existing large pinus radiata shelterbelt along Curraghs Road, provides screening of the proposed quarry from the Weedons campground. The NZMCA are generally supportive of the proposed quarry mitigation measures and seek that conditions are imposed on any consent to require the proposed mitigation to be undertaken. NZMCA also seek the retention and protection of the existing shelter belts on Curragh’s Road and other shelterbelts surrounding the application site.

**Groundwater Quality**

52. The NZMCA have a well for drinking water purposes on their site (M36/8302). It is evident that the Weedons campground well is located in an upgradient direction in terms of groundwater flow direction.

53. Fulton Hogan states that excavation depth will be no more than 9.9m below ground level and it is proposed to backfill the excavations with clean fill. There is potential for groundwater levels
to change due to the quarry excavation creating a substantial void in the ground above the aquifer. There is a need for the applicant to undertake a rigorous monitoring regime and adhere to any proposed conditions of consent to ensure that there are no significant adverse effects on the Weedons campground water quality and quantity.

**Objectives and Policies**

54. The proposal is not consistent with objectives and policies contained within the relevant planning instruments, including the Canterbury Regional Policy Statement and the SDP.

**Canterbury Regional Policy Statement**

55. The proposal in its current form is contrary to some of the objectives and policies contained in the Canterbury Regional Policy Statement. This includes Objective 5.2.1(2) which seeks to ‘enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety which.....i. avoids conflicts between incompatible activities’. The proposal in its current form, along with the associated effects, does not avoid conflict with the current and future operation of the Weedons campground.

56. Objective 14.2.2 relates to enabling the discharge into air of contaminants provided there are no significant localised adverse effects on social, cultural and amenity values, flora and fauna and other natural and physical resources. Also, of relevance is associated Policy 14.3.3 which seeks ‘to set standards, conditions, and terms for discharges of contaminants into the air to avoid, remedy or mitigate localised adverse effects on air quality’. The proposal in its current form is contrary to the above objectives and policy.

**Selwyn District Plan**

57. The proposal in its current form is contrary to the objectives and policies of the SDP.

58. This includes Objectives contained within Part B, 3 of the SDP which relate to ‘People’s Health, Safety and Values’. In particular, ‘Quality of Environment’ Objective B3.4.1 which seeks to ensure that the District’s rural area is a pleasant place to live and work and the quality of the environment is maintained. The NZMCA is of the view that the proposal in its current form does not maintain the quality of the environment.

59. Objective B3.4.2 seeks that a variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects. While the NZMCA are not opposed to the quarry operation per se the proposal in its current form does not avoid reverse sensitivity effects on the operations of the Weedons campground.

60. Policy B3.4.1 seeks to recognise the Rural zone as an area where a variety of activities occur and maintain environmental standards that allows for primary production and other business activities to operate. Whilst the NZMCA and its members acknowledge and tolerate mild effects associated with day to day farming activities and temporary effects associated with seasonal
activities on their site, the proposal in its current form has more than minor adverse effects on NZMCA members using the Weedons campground nearby.

61. Policy B3.4.3 seeks to avoid, remedy or mitigate significant adverse effects on the amenity values of the rural area. Policies B3.4.20 and B3.4.2.1 seek to ensure new or expanding activities, which may have adverse effects on surrounding properties, are located and managed to mitigate these potential effects. It also seeks protection for existing lawfully established activities in the Rural Zone from potential reverse sensitivities effects with other activities which propose to establish in close proximity. The NZMCA considers the proposal in its current form is contrary to the above policies.

62. As mentioned, the proposal in its current form has the potential to have significant adverse effects on the amenity values currently enjoyed by members using the Weedons campground. NZMCA are concerned that the proposal will have a significant impact on the ability for its members and their families to continue using the Weedons campground, given the proposed hours of operation, traffic, noise and dust effects, and the size and scale of the proposed quarry.

**Purpose and Principles of the RMA**

63. The NZMCA consider that the granting of the proposal in its current form would be inconsistent with the purpose and principles of sustainable management under the Resource Management Act 1991.
Potential Relief Sought

64. The NZMCA and its members would appreciate further information and an assessment of effects of the proposal on the Weedons campground, including consideration to reverse sensitivity effects. At present, the acoustic and air quality reports only consider effects on residential activities and not the Weedons campground.

65. Subject to the receipt of further information, the NZMCA and its members would like the scope and scale of the proposal reduced, and the suite of consent conditions improved to address their concerns. This includes, but is not limited to, a reduction in the hours of operation, including the prohibition of early morning, evening, night time, Sunday and public holiday operations to address the NZMCA’s concerns.

66. If the decision-makers are of a mind to grant consent, the NZMCA requests that a suite of stringent conditions is placed on any consents to avoid, remedy or mitigate adverse effects of the quarry and a comprehensive monitoring programme is undertaken by both Selwyn District Council and Environment Canterbury to ensure adherence to all conditions. Conditions include (but are not limited to):

   a. The NZMCA having representation on any community liaison group that is formed as part of this proposal or imposed as a condition of consent.

   b. The widening of Jones Road in order to address traffic safety concerns.

   c. Continuous air quality monitoring is undertaken by Fulton Hogan at the Weedons campground site for emissions including any PM$_{10}$ and PM$_{2.5}$ emissions.

   d. Requiring the proposed landscape and visual effects to be mitigated, including the construction of the bund, stockpile setbacks, additional planting and the retention of the existing shelter belts.

   e. Ensure lighting from the site has a maximum light spill not exceeding 3-lux spill onto any part of any other adjoining property.

67. The NZMCA and its members seek any other relief not outlined above to address matters raised in this submission, to which we are agreeable with in order to avoid, remedy or mitigate adverse effects of the proposed development on the environment.