

**Form 13****Submission on publicly notified application for resource consent**

*section 96 of the Resource Management Act 1991 (the Act)*

**To: Consents Hearings**  
Environment Canterbury  
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**Name of submitter:**

1. Templeton Residents' Association (**'the Submitter'**)

**Submission:**

2. This is a submission on an application by Fulton Hogan Limited (**'Applicant'**) for a resource consent for:

Various resource consents to establish an aggregate quarry (known as 'Roydon Quarry'). The proposed quarry will generally involve topsoil stripping, bund formation, aggregate extraction to a depth of approximately ten metres below ground level and rehabilitation of the site with cleanfill, overburden and topsoil material. From extraction areas, aggregate material will be transferred by field conveyers and dump trucks to on-site processing plant, which will involve crushing, screening and washing of aggregates. The use of mobile processing plant is also proposed.

Other activities that are proposed to occur on site include stockpiling of aggregates, wash water ponds, workshops, staff amenity blocks and offices, along with the management of adverse effects such as bunding and screen planting, as well as dust mitigation. Dedicated accesses for heavy and light vehicles will be created off Jones Road, and alterations improvements to Jones Road are proposed, including two options for a roundabout near the intersection of Jones and Dawsons Roads.

Fulton Hogan Ltd has also applied to use water taken pursuant to existing resource consent CRC182422, for the purposes of aggregate washing and dust suppression. Fulton Hogan Ltd has sought a change to the conditions of resource consent CRC182442 to enable this additional use (and a change to Condition 5c). However, it may, in fact, require a new "use" permit to sit alongside CRC182442. Accordingly, a new use permit has been applied for as an alternative to the application under section 127 of the RMA to change the conditions of CRC182442 (**'proposed activity'**);

at the site within the Selwyn District bounded by Curraghs Road, Dawsons Road, Madisons Road and Jones Road, Canterbury, legally identified as: Rural Section 6475 and Rural Section 6324; Lot 1 Deposited Plan 4031; Rural Section 6342; Section 7 Survey Office Plan 510345, and Rural Section 5381 and Section 6 Survey Office Plan 510345 (**'Application Site'**).

**The Submitter is not a trade competitor for the purpose of section 308B of the Resource Management Act 1991.**

**The specific parts of the application that the submitter's submission relates to are:**

3. The whole of the application.

**The submitter's submission is:**

4. The submitter opposes the application in its entirety.

**The submitter's reasons are:**

5. The submitter represents a community that owns and resides at numerous properties in proximity to the application site. The submitter opposes the application in its entirety due to the impact the application will have on their residential amenity.

*Section 104B*

6. Under section 104B of the Act, after considering an application for a resource consent for a discretionary activity a consent authority—
  - a) may grant or refuse the application; and
  - b) if it grants the application, may impose conditions under section 108.
7. It is considered that the application should be refused.

*Adverse Effects*

8. It is considered that the potential adverse effects on the submitter's properties will be more than minor and are likely to be significant in some respects. These effects include, but are not limited to the following adverse effects:
  - a) Loss of amenity and character;
  - b) Visual effects;
  - c) Vibration, noise & dust;
  - d) Traffic;
  - e) The discharge of contaminants into air, water and land;
  - f) Water resources;
  - g) Mental and physical health;
  - h) Reverse sensitivity;
  - i) Loss of amenity and character through the remediation process; and

## j) Economic

9. An insufficient analysis of some aspects of the application and consequent effects has been provided. The change in use from rural to heavy industrial will significantly change the amenity and character of the entire 170Ha site and beyond. Outstanding matters that need to be addressed are:

a) **Amenity & Character**

- The active working area of the site needs to be clarified and justification as to why such an area is required. It is noted that the area of the working quarry has been reduced following the request for further information. What is not clear is if the scale of the operation has decreased relative to this decrease? If so, what are the effects of this?
- Will all buildings and infrastructure be removed from the site after each stage is complete and as part of the site remediation?
- It is stated in the application that the entire site will not be backfilled to original ground level, but final finished levels will be higher than the base of the pit excavations. This is quite ambiguous and gives no certainty as to the finished ground level of the site and that the land can be reused for more sensitive land uses. These matters need to be addressed.
- In terms of site remediation and future uses, it is not clear whether the land is being given back to the community or if there is potential for it to be sold commercially?
- What certainty is being provided or can be given that the land will discontinue industrial activities once the quarrying ceases?
- The hours and days of operation are extremely broad, especially given the uncertainty of many of the effects. Please provide a rationale for the requirement for evening/night-time and weekend activities? And, address the impact these activities will have on the surrounding area at the weekends when a quieter environmental amenity is anticipated.

b) **Visual effects**

- The area currently enjoys an open rural landscape and views of mountains. People enjoy the rural outlook while exercising and making use of the surrounding land.

When established, the proposed bunding, topped by shrubs and trees around all perimeters of the site will have a significant impact on the visual amenity of the surrounding area. It is considered the extent of the bunding and planting will create a dominance effect, block views and shadow roads currently used for amenity walking and cycling. It is requested that an alternative to this bunding and planting is explored, which still prevents views into the quarry operation and activity.

- Will the bunding and planting (or alternative as suggested) have time to establish to screen the visual effects of the quarry prior to operations commencing?

**c) Vibration, noise, dust & light**

- Please provide an explanation of the difference between fixed and mobile processing plant equipment? Will there be any difference in the noise generated from this equipment, such that for example, the use of the mobile plant should be limited?
- Will the age of the equipment effect the potential noise generated, and has this been considered by the noise experts?
- Is it intended to relocate equipment from the existing Pound Road quarry to this site? Has the noise generated from the Pound Road equipment been used to inform the noise assessment, or has noise emissions generated from new and quieter machinery been used?
- What is the maximum number of operative fixed and temporary processing plant machinery at any one time? How does this impact on noise and dust generation and has this been considered by the appropriate experts?
- Will any of the internal 'roads' be sealed? If not, how will the integrity of the internal transport system be managed to ensure noise, dust and vibration effects are minimised/maintained at all times?
- There is concern that dust fallout on properties will be objectionable and offensive. The severity and significance of these effects needs to be assessed and mitigated on receivers.

**d) Traffic**

- The volume of vehicle movements generated as a result of this proposal is considered to create significant adverse effects. Residents of this area are already aware of the limitations for vehicle stacking whilst gaining entry to the State Highway. The proposed activity will exacerbate this effect to an unacceptable level and create adverse traffic effects at other intersections in the wider area.
- It is stated in the application that truck movements will not go through Templeton unless, '*...a delivery is in the immediate area...*'. However, there are no parameters around what defines the 'immediate area'. How this is defined, implemented and monitored needs to be resolved.
- What is the practicality of imposing and enforcing such a condition? It is unrealistic to assume truck drivers will wait in queues rather than finding a faster route.
- It is proposed to process material from other quarries at the application site. The Traffic Impact Assessment does not address the effects or quantify the volume of traffic movements associated with this aspect of the proposal. This needs to be addressed.
- The traffic and safety analysis need to consider the standard of the existing road network. The traffic speed has recently been reduced in this area due to safety concerns. What impact will the introduction of 1,500 more heavy vehicle movements per day create?

**e) The discharge of contaminants into air, water and land**

- It is difficult for laypeople to quantify the figures and statistics used in the assessment of discharges to air. It is requested that details of the tangible and actual effects are provided.
- Long-term water levels have not been considered. Please provide an analysis of these.
- How are the quality of the water wells and bores in the area going to be monitored and have a baseline established?
- Please provide an analysis of how dust is limited by distance from the source, and what mechanisms will be in place to ensure the dust remains within the assumed boundaries.

**f) Water resources**

- Is there enough water resources and water allocations on the site to cater for the requirements of the operation, including for continual dust suppression and truck washes?
- It is considered that an accurate forecast of predicted water use is needed before a water permit can be considered. The application relies on a report dating back to 2006 covering only a one-year period of rainfall at the airport as a base for the proposed dust mitigation. It is requested that recent data over a longer period is used to provide a more accurate forecast on water use and supply.

**g) Mental & physical health**

- Many people in the vicinity of the application site are concerned about the impact this activity, especially the noise, dust and amenity effects, will have on their mental and physical health. This is a sensitive environment with people remaining affected by the Christchurch earthquakes, and with heightened stress levels.
- There are facilities proximate to the site that house people with various chronic mental and physical health issues. The quarry has real potential to impact on these existing land uses and residents.
- Landscapes and features are important because they contribute significantly to well-being and quality of life. They provide the broader context within which people live. There is concern these will be eroded as a result of the proposed activity.

**h) Reverse sensitivity**

- Consideration needs to be given to the effects of the quarry operation on nearby residents who came to live in an area that currently retains high amenity values including peace and quiet. In this case, the reverse sensitivity issue applies in regard to the quarry activity locating near to sensitive receiving environments, such as residential, and care/respite facilities, horse breeding and training, religious activities, market gardens and animal breeders, well after they have been established in this area.

- To avoid reverse sensitivity, all activities associated with the quarry will need to be internalised, avoided, remedied or mitigated. This may limit any attempt to intensify or expand activities at the application site. The internalisation, avoidance, remedying and mitigation of effects has not been demonstrated sufficiently in the application.

**i) Loss of amenity and character through the remediation process**

- There needs to be a lot more information and surety in this area.
- It is considered that the remediation solution should form part of the application and be decided on now to ensure the site does not remain an industrial site in perpetuity.

**j) Economic impacts**

- Further consideration of the Economic Assessment is required, as the justification for the quarry at this location is not robust.

*Other Concerns*

- There is concern that the establishment of a quarry in a rural area will set a precedent for other similar activities in the rural environment. It is recognised that quarrying is required for the building industry and infrastructural projects; however, the location of quarries should be planned for through the identification of quarry zones in the District Plan making process.
  - The cumulative effects of this activity need to be considered. This proposed quarry will impact a significant number of people (unlike previous quarries where it was a small local resident number). This makes the impact greater in its very nature (e.g. there may be 30 people impacted at a significant level and another 2,500 people impacted at a moderate level).
  - It is stated in the application that the Pound Road Quarry has run out of aggregate resources but will continue to operate as a processing plant. If the proposed quarry is to replace the Pound Road Quarry, a definite date that operations will cease is requested. There is concern that both quarries may end up operating concurrently.
10. In its current form the effects of the proposed development are considered to be significant. The application should therefore be refused under section 104B.

*Objectives and Policies*

11. The application is contrary to several important objectives and policies of the District Plan, particularly those contained within the following sections:
- k) Section B1 Natural Resources
  - l) Section B2 Physical Resources LURP
  - m) Section B3 Health Safety Values

*Overall Assessment*

12. In summary:

- a) The potential adverse effects are more than minor; and
- b) The application in its current form may be contrary to the objectives and policies of the Selwyn District Plan.

**The submitter seeks the following decision from the consent authority:**

- 13. Decline the application.

**The submitter wishes to be heard in support of their submission.**

- 14. If others make a similar submission, the submitter will consider presenting a joint case with them at the hearing.

**TEMPLETON RESIDENTS ASSOCIATION**

by their authorised agents **Perspective Consulting Ltd**



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Gemma Conlon

Date: 6 June 2019