

Hello and good day.

My initial 26th May 2019 Section 96 Submission indicated I would take no further part in these proceedings if an Appeal already in front of the Court had failed beforehand.

This Appeal, ENV-2016-CHC-59, was lodged September 2016 by Selwyn Quarries Limited, a subsidiary of Fletcher Building Limited, and sought to extract gravel 2m below the existing HRGL, in doing so overturning an August 2016 Decision by Commissioners which was adamantly against.

Now, 3 years later, Selwyn Quarries on the 24th September 2019 filed a "Notice of Withdrawal" and the Court accepted this 2nd October 2019.

Since my 26/5/2019 Submission I have had an opportunity to peruse the S42 Reports made available 2/9/2019 (amended by Minute 3 of 18/9/2019) and they revealed something that had I know in May, I would not have just bluntly said that if the Appeal fails "I will take no further part".

I believe that as an original submitter this gives me the opportunity to comment further now.

And what did it reveal, well, as far as I can see, neither Canterbury Regional Council (ECan) or Selwyn District Council (SDC) mentioned that this ENV-2016-CHC-59 was outstanding and alive and if had it been allowed it would had the potential in a very short time through a "precedent" effect, to increase everything Fulton Hogan were applying for by, in my rough estimate, 30%.

It would have as well introduced a new risk, albeit low, but a risk nevertheless, to the City's drinking water for every day of each of the coming 52 years.

And all that risk without any possible benefit to the City or District for taking it on.

Potentially dire consequences indeed.

The Public deserved to know this at the time the S42's were being prepared because as I've said ENV-2016-CHC-59 was still a live issue and BOTH ECAN and SDC were SUPPORTING it, and supporting it even though they knew that the August 2016 Decision by Commissioners was equally adamant that the precedent effect would see it in a short time apply here to the Roydon Quarry too!

They should have in fact really let the Public know this a lot earlier and at the same told them they were also party to it being heard behind "closed doors" for the last 3 years!

And why am I relating this now that Selwyn Quarries have withdrawn and the problem presumably disappeared?

Well ECan and SDC deserve to be reprimanded for the omissions, and ECan deserve further reprimanding because for reasons only known to themselves, they had for the last 18 months ignored the documented concerns of the CDHB and the CCC against Selwyn Quarries Appeal.

As I see it ECan have (and had) failed their Statutory obligations to the Wider Community.

All this has been at very considerable and wasted cost to ratepayers and taxpayers especially when Common Sense should have been the guide from the start.

So this leads me then to my FIRST reason for this submission which is to suggest anyone viewing the ECan and SDC reports, including the Commissioners to this Hearing, have the right to do so with more than just a hint of "I wonder what else has been left out or ignored, and why".

Thank goodness with regards ENV-2016-CHC-59 the Court had within its Legislative constraints questioned many "technical" aspects of the Appeal without even having to get around to the CDHB and CCC things which I'm sure they would have in time if Selwyn Quarries had not withdrawn.

I am so very very grateful to the Court for their patient considerations.

And all the citizens of CHCH and Selwyn should be too!

SECONDLY, I must record a caution for the future because one way or the other one of the Quarrying Company's will be back before long to slip through a small incremental consent to go lower somewhere, and that will then over a short time some way or another get enlarged and then quite quickly wend its way through to this and all the other quarries for the same consequences.

One more modus operandi the August 2016 Commissioners alluded to!

Let's hope that when it happens, ECan and SDC will at least this time act responsibly to protect our precious drinking water.

Thank you,

Jim Turpin