

In the matter of The Resource Management Act 1991

and

In the matter of applications for resource consents
by Fulton Hogan Limited for the
proposed establishment and
operation of Roydon Quarry,
Templeton

STATEMENT OF EVIDENCE OF LARA JANE STACE FOR THE NEW ZEALAND MOTOR
CARAVAN ASSOCIATION INC. (NZMCA)

PLANNING

14 October 2019

SUMMARY STATEMENT -

1. My name is Lara Stace. I am a planner and I am providing planning evidence for the New Zealand Motor Caravan Association Inc. and the Canterbury Area Committee (“NZMCA”).
2. The NZMCA made a submission not supporting the application in its current form by Fulton Hogan Limited for the proposed establishment of Roydon Quarry at Templeton. This was on the basis that:
 - (a) the application in its current form would have more than minor adverse effects on the environment,
 - (b) was contrary to objectives and policies contained within the relevant planning instruments including the Canterbury Regional Policy Statement and the Selwyn District Plan.
 - (c) 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
3. The applicant subsequently amended their resource consent application following the August 2019 RFI response. The amendments to the application and proposed draft conditions address some of NZMCA’s concerns regarding traffic, air quality, glare, health effects, groundwater quality and visual effects. However, noise remains a significant issue for NZCMA.
4. The site is zoned Rural (Inner Plains) under the operative Selwyn District Plan (SDP). I agree with the applicant and Mr Henderson that the proposal is a **discretionary activity** under the operative Selwyn District Plan. I also agree with Ms Goslin’s assessment that resource consent is required for a **discretionary activity** under the various Regional Plans.
5. In summary, my evidence outlines my view that the proposed full range of quarry activities during the ‘evening’ (between 6pm and 8pm) for 150 days per year (which includes processing using crushing or screening) will create an unacceptable annoyance for campground users under certain weather conditions. Likewise, this will also occur during the ‘daytime’ (between 7am and 6pm) under certain weather conditions when the mobile crusher is in use.

6. As Mr Jackett has outlined in his noise evidence, for the evening period this is due to the repetitive character of noise from the crushing and screening plant as the background road noise levels drop off as the evening approaches. In my view, this will be a significant effect on campground users, particularly over the summer months during daylight savings when the use of the campground is at its busiest.
7. I am of the view that the cumulative effect of a full day of distinctive quarry noise followed by the continuation of this noise into the evening until 8pm contributes to a loss of evening enjoyment by campground users. As Mr Jackett has outlined in his evidence, a working rural noise environment might be reasonably expected during the day, however, the continuing use of equipment with such a recognisable acoustic character such as the crusher/screener in use into the evening period is at odds with maintaining evening amenity.
8. I am therefore of the view that if resource consent is granted, it should be on the basis that no quarry crushing, or screening activities are permitted during the 'evening' period and use of the mobile crusher should be restricted to the central portion of the quarry site.
9. At present, the application provides uncertainty regarding the 'evening' noise period (6pm to 8pm) when the full range of quarry activities are proposed to occur for 150 days per annum. It is uncertain whether the 150 days will be concentrated over the summer months or whether the 150 days will be undertaken more sporadically throughout the year. This situation also applies for the 60 days per annum for 'nighttime' quarry activities. If the use is concentrated over the summer months, this is when use of the motorcaravan campground is at its busiest and would unreasonably impact on the quiet enjoyment of campground users.
10. I am of the view that the proposal is generally consistent with the Canterbury Regional Policy Statement (CRPS) and the Land Use Recovery Plan (LURP). The proposal is generally consistent with the intent of the SDP when considered as a whole. However, with some changes to conditions regarding proposed activities to be undertaken in the evenings, the use of the mobile crusher restricted to the central portion of the quarry site, the proposal would be consistent with Objective

B3.4.1 and subsequent Quality of the Environment policies B3.4.1 and B3.4.3 (rural character).

11. Overall, I conclude that there are some inconsistencies with Part 2 of the RMA with the proposal not meeting Section 7(c) and 7(f). However, my view of this would change if the application was amended to exclude crushing or screening activities in the evenings and restricting the use of the mobile crusher to the central portion of the quarry site.
12. For the foregoing reasons, I consider that the consents in their current form should be **declined**, unless the applicant amends their proposal to prohibit the crushing and screening of quarry material in the evenings between 6pm and 8pm and conditions are imposed which restrict the use of the mobile crusher to the central portion of the quarry site.

INTRODUCTION

13. My name is Lara Jane Stace.
14. I hold the qualifications of a Master of Science (Hons) in Geography and Bachelor of Science (Geography) from the University of Canterbury. I also hold a certificate of competency in Planning Law from the University of Otago. I have over 24 years' experience as a Planner.
15. I hold the position of Principal Resource Management Planner at WSP, a multi-disciplinary infrastructure and environmental consultancy firm. I have been employed by WSP (formerly Opus International Consultants) since 2004. I am responsible for the provision of consulting services in resource management and planning to a range of public and private clients including government departments, territorial authorities and a range of private clients. Prior to WSP, in my roles I worked as a planner with the Christchurch City Council, Dunedin City Council, Kaikōura District Council and the London Borough of Hounslow (UK).
16. I am appearing on behalf of the New Zealand Motor Caravan Association (NZMCA) and providing planning evidence in support of their submission.
17. I have visited the NZMCA Weedons camp ground on several occasions. I was the planner involved in preparing NZMCA's resource consent application to the Selwyn District Council to expand their existing operations on the NZMCA site at 2/286 Jones Road (RC175313) which was approved in May 2018. I am therefore familiar with the NZMCA site and the surrounding environment, including the site of the proposed Roydon Quarry.
18. Whilst this is a Council hearing, I acknowledge that I have read and am familiar with the Code of Conduct for Expert Witnesses as required by the Environment Court's Practice Note 2014 and I agree to comply with it. In providing my planning evidence all of the opinions provided are within my expertise and I have considered, and I have not omitted to consider any material facts known to me which might alter or qualify the opinions I express.

19. Evidence for NZMCA at this hearing is also being provided by Mr James Imlach, NZMCA National Policy and Planning Manager and Mr Richard Jackett, Principal Scientist-Acoustics from WSP Opus.

20. In preparing my evidence I have reviewed:

- (a) The resource consent applications submitted by the applicant.
- (b) The further information provided by the applicant pre and post notification.
- (c) The Selwyn District Council (SDC) and Canterbury Regional Council (CRC) s42A officers' reports on the applications and supporting technical reports.
- (d) The applicant's briefs of evidence.
- (e) NZMCA's submission on the resource consent applications.
- (f) The relevant statutory documents.
- (g) The evidence of:
 - (i) Mr James Imlach (NZMCA) Inc.
 - (ii) Mr Richard Jackett (Noise for NZMCA).

SCOPE OF EVIDENCE

21. The purpose of my evidence is to provide planning evidence in support of the NZMCA's submission on the resource consent applications for the proposed establishment of Roydon Quarry by Fulton Hogan Limited.

22. My evidence focuses on the key issues of noise and amenity values, the objectives and policies of the Canterbury Regional Policy Statement and Operative Selwyn District Plan's and Part 2 of the Resource Management Act 1991 (RMA).

23. I would like to state from the outset of my evidence that, for the most part, I agree with the assessment of the proposal provided in the Council Officers' s42A reports. In particular, I concur with the conclusions of Mr Henderson's s42A report that the resource consent be declined pursuant to s104 and 104B of the RMA unless the application in its current form is amended.

24. I acknowledge that the applicant's further information response dated 16 August 2019 provided some key changes to the proposal and the proposed conditions has

gone some way to appeasing NZMCA's concerns, however, my evidence will address the key elements of the proposal still in contention by NZMCA regarding evening activities and subsequent noise and adverse effects on amenity values currently enjoyed by NZMCA camp ground users.

CHANGES TO THE APPLICATION

25. The proposed activity is described in detail in the information provided by the application and supporting information dated November 2018.
26. The applicant provided responses to a Request for Further Information dated March 2019 (the March RFI) and 16 August 2019 (the August RFI). The August RFI resulted in some key changes to the proposal, including:
 - (a) An amended staging proposal where the site will be worked in an anti-clockwise direction from a block starting in the south-eastern corner.
 - (b) Confirming that heavy vehicle movements would be reduced and limited to an average daily limit of 800 per day (ie. 400 in and 400 out) over a 60-calendar day period, with a maximum of 1200 vehicle movements (600 in and 600 out) in any one day.
 - (c) Inclusion of an option to provide for a shared heavy and light vehicle access to the site off Jones Road.
 - (d) Revisions to the lighting plan.
 - (e) Confirmation that no more than 26ha of the site will be actively worked at any one time (excluding land for sealed roads and buildings but includes areas which are sealed or compacted for dust suppression purposes).
 - (f) Confirmation that the proposed bunding and landscaping can be completed independently of each other.
 - (g) Provision of revised draft conditions.
 - (h) Updated hours of operation as follows:

Hours	Duration	Range of Activities
6.00am to 7.00am	Monday to Saturday	Load out of trucks, site pre-start up including operational warm up of conveyors and machinery. Clean fill deposition.
7.00am to 6.00pm	Monday to Saturday	Full range of quarry activities.
6.00pm to 8.00pm	Monday to Saturday on 150 days per annum	Full range of quarry activities with the exception of processing using mobile plant and backfilling.
8.00pm to 6.00am	Monday to Saturday 150 nights per annum	Load out of trucks and truck movements, and ancillary activities such as operation of weighbridge and site offices and clean fill deposition.
Sunday and public holidays	For up to 15 days per year	Truck movements, and ancillary activities such as operation of weighbridge and site offices and clean fill deposition.
At all times, dust suppression, operation of weighbridge, office activities, site security and light maintenance as required.		

27. The August RFI response provides more clarity regarding the resource consent applications for NZMCA and the actual and potential effects of the proposal. It has assisted to address NZMCA's concerns regarding air and water quality in conjunction with the proposed conditions in the s42A Officer's reports.

28. In terms of air quality, Fulton Hogan are proposing to undertake extensive dust mitigation measures. Of interest to the NZCMCA is Fulton Hogan's intent to undertake permanent real time PM10 monitoring throughout the life of the quarry and the use of a mobile monitor.

29. These measures are proposed as conditions 20 and 22 by the applicant and Ms Goslin's s42A Officer's report is generally supportive of the use of these conditions. These conditions and the suite of further dust mitigation conditions proposed in conjunction with the separation distance of the NZMCA site from the proposed quarry go some way to alleviate NZMCA's concerns regarding air quality.

30. In terms of ground water quality, subject to careful compliance with the maximum excavation depths and the implementation of measures to reduce the likelihood of

spills and leaks, NZMCA concerns regarding adverse effects on water quality have been addressed. This is through the applicant putting forward condition 7 and Ms Goslin's subsequent suggested amended wording to condition 7 in her s42A Officer's report.

31. The proposed reduction in heavy vehicle movements from the August RFI response and the proposed traffic conditions 35-43 of Mr Henderson's s42A Officer's report also goes some way to appease NZMCA concern's regarding traffic safety. In particular, the requirement for the preparation of a Transportation Management Plan and Routing Plan and limitation on both the use of Curraghs Road and of maximum number of heavy vehicle movements addresses NZMCA's central concerns regarding traffic safety and road traffic noise.
32. The remaining key issue of contention for NZMCA is the proposed full range of quarry activities which will occur during evening (defined as between 6.00pm to 8.00pm) for 150 days annually. NZMCA have concerns regarding the change in the audible character of the noise in the rural environment and the subsequent adverse effects on the amenity enjoyed by NZMCA camp ground users.
33. These key issues of contention being noise and amenity effects are discussed in further detail in the Assessment of Effects section below.

POST SUBMISSION CONSULTATION

34. Mr Don Chittock, National Environment and Sustainability Manager from Fulton Hogan and Mr Kevin Bligh from Golder and Associates met with James Imlach (National Policy and Planning Manager) from the NZMCA on the 4 July 2019. They held a 'without prejudice' meeting whereby NZMCA outlined their key concerns regarding the proposal.
35. The NZMCA were subsequently sent a letter on the 20th of August 2019 from Mr Bligh, of Golder Associates Limited highlighting key parts of the amended proposal in terms of noise and the hours and operation and the proposal to undertake continuous dust monitoring.
36. The letter highlighted that Fulton Hogan proposed to establish a Community Liaison Group (CLG) and stated Fulton Hogan would welcome NZMCA to be part of this

group. The August RFI response included condition 64 for the establishment of the CLG of which NZMCA will be a representative on the CLG. Proposed condition 80 of Mr Henderson's s42A report for Selwyn District Council includes such a condition. NZMCA are amenable to being part of the CLG and welcome participation with this group.

37. The letter outlined that no blasting operations at the quarry would occur, given the nature of the alluvial gravels which does not require blasting. This has generally appeased NZMCA's concerns regarding potential vibration effects from the proposal on the NZMCA Weedons site.

STATUTORY CONTEXT

38. The site is zoned Rural 'Inner Plains' under the provisions of the operative Selwyn District Plan. In his s42A report, Mr Henderson concludes that when using a bundling approach, he agrees with the applicant's assessment that the proposal overall requires a discretionary land use consent under the operative Selwyn District Plan.

39. I agree with the applicant and Mr Henderson that the proposal is a **discretionary activity** under the operative Selwyn District Plan.

40. Ms Goslin concludes in her s42A report for the Canterbury Regional Council that when bundled together, the proposed activities are a discretionary activity under the Canterbury Land and Water Regional Plan and the Canterbury Air Regional Plan. I agree with this assessment that resource consent is required for a **discretionary activity** under the various Regional Plans.

ACTUAL AND POTENTIAL EFFECTS ON THE ENVIRONMENT

41. This assessment focuses on the key effects of the proposal that are still of concern by the NZMCA. This includes noise and subsequent adverse effects on amenity values.

Noise Effects

42. Mr Jackett from WSP has prepared acoustic evidence for the NZMCA. Mr Jackett has presented results from an ambient noise survey he has undertaken at the NZMCA

site and has compared these ambient noise levels to the proposed noise limits that are proposed for the quarry.

43. Mr Jakkett concludes that for the 'daytime' period from 0700 to 1800 the quarry noise will sometimes cause an annoyance to NZMCA users at the campground site under some operating and meteorological conditions. Mr Jakkett outlines that in terms of perception, the predicted day time noise level at NZMCA Weedons while the mobile crusher is in use will be 5 dB higher than the existing LA90 background level (which excludes sporadic events) and feature a distinctive audible characteristic. Mr Jakkett concludes that under some meteorological conditions, when work is closer to the NZMCA site, this will cause a moderate increase in background noise level, and the quarry noise will be easily distinguishable and dominate the noise environment. He considers the operation of the mobile crusher should be restricted to the central portion of the quarry site. I accept Mr Jakkett's conclusions regarding daytime noise effects.

44. Mr Jakkett concluded that the 'evening' period (6pm to 8pm) is a time where campground users value the relative quiet of the evenings to relax outdoors and indoors. Mr Jakkett expressed concerns that the provision of full quarry activities in the evening for up to 150 nights per year will be an annoyance for campground users under certain meteorological conditions due to the repetitive character of noise from the crushing and screening plant and as the background road noise levels drop off as the evening draws on.

45. Mr Jakkett considers that there may be a cumulative effect if the distinctive quarry noise heard during the working day extends into the evening period, even if the absolute level reduces. Mr Jakkett considers that if the crushing and screening work was prevented from occurring after 6pm it would remove the distinctive character of the sound, which would make it more acceptable to the users of the campground and allow the noise limit to be achieved. He also considers that the operation of the mobile crusher should be restricted to the central portion of the quarry site. I accept Mr Jakkett's conclusions regarding 'evening' noise effects.

46. Mr Jakkett concludes for the 'nighttime' period (8.00pm to 6.00am) that the predicted noise level is similar to the existing night-time background noise level at

the NZMCA campground (excluding sporadic events). Mr Jackett states that in some meteorological conditions the quarry noise will be audible and distinguishable from other noise sources, particularly between 1am and 4am and states truck movements along Curraghs Road during this time could be disruptive. Mr Jackett concludes that it would be prudent to specifically exclude some types of activities from occurring during these hours. I accept Mr Jackett's conclusions regarding 'nighttime' noise.

47. Overall, I am of the view that the proposed 'evening' quarry activities for 150 days per year will impact upon the operations of the NZCMA Weedons camp ground and the ability of NZMCA members to enjoy using the site. This is particularly over the summer months during daylight savings when use of the campground is at its busiest and it is still daylight at 8pm. I am therefore of the view that if resource consent is granted, it should be on the basis that no quarry crushing, or screening activities are permitted during the 'evening' period and use of the mobile crusher should be restricted to the central portion of the site.

Effects on Amenity Values

48. Section 2 of the RMA defines amenity values as: "*means those natural and physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes*".

49. The character of the application site and the surrounding area is predominately rural, with low density residential development, various rural and industrial activities and some commercial activities, including the NZMCA camp ground site.

50. Stage 2 of the Christchurch Southern Motorway is currently under construction and provides a level of vehicle noise into the existing environment, as do planes approaching Christchurch International Airport depending upon the wind conditions. Despite this, the NZMCA campground continues to be well used as outlined in Mr Imlach's evidence.

51. NZMCA members using the Weedons camp ground typically use their evenings at the camp ground for the enjoyment of the rural surroundings, enjoy 'happy hour' and quiet social interactions with other campground users, having a barbeque for dinner, going for walks within the 1 kilometre walkway within the native 2.2ha

‘wilderness’ area which has been planted in 3000 native trees with the local community as outlined in Mr Imlach’s evidence.

52. The application contends that the adverse effects on amenity values will be less than minor¹. I acknowledge that the Rural (Inner Plains) Zone in the Selwyn District Plan is recognised primarily as a productive rural working environment. I also acknowledge that many of the adverse effects of the proposed quarry have been avoided, remedied or mitigated by way of conditions of consent.

53. However, the NZMCA site is somewhat different to other neighbouring properties which include a dwelling as motor caravans do not have the same level of acoustic insulation as a dwelling. I note that individual motor caravans on the Weedons campground site are able to be occupied for a maximum of 21 days within any 60 day period.

54. While the SDP does not have any specific noise protection for campground users I agree with Mr Jackett’s position that it is appropriate that the noise limits included in Table C9.3 of the SDP should apply to the campground site.

55. These factors, with the full range of quarry activities proposed to be undertaken during the day and in the evening for 150 days of the year, combined with the distinctive, repetitive characteristics of the central processing plant and mobile crusher when in operation between 6pm and 8pm contribute to effects which impinge upon the enjoyment of camp ground users in the early evening.

56. As Mr Jackett has outlined in his evidence, during some stages of excavation the quarry noise is likely to become the dominant source of background noise at the campground site during the day and exceeding the background noise level by 5dB. Into the evening both the quarry noise and the traffic noise drop off to a similar level, but as Mr Jackett outlines, the quarry noise will still be audible because of the distinctive character of some of the activities. He considers this will result in a loss of amenity to NZMCA Weedons during the day and evening periods. I agree with this conclusion.

¹ P46 of Resource Consent Application to Establish ‘Roydon Quarry’ Templeton.

57. I am therefore of the view that if resource consent is granted, it should be on the basis that no quarry crushing, or screening activities are permitted during the 'evening' period and the operation of the mobile crusher be restricted to the central portion of the quarry site. In paragraph 86 of my evidence I have suggested alternative wording for condition 19 regarding the proposed hours of operation and activities to be undertaken and in paragraph 87 regarding the mobile processing plant location.

58. I am also of the view that the cumulative effect of a full day of distinctive quarry noise followed by the continuation of that noise into the evening until 8pm contributes to a loss of evening enjoyment by campground users. As Mr Jackett has outlined in his evidence, a working rural noise environment might be reasonably expected during the day. However, a tapering off of work activity and road noise into the evening provides the expectation of a more organic noise environment. I agree with Mr Jackett's view that the continuing use of equipment with such a recognisable acoustic character (crusher/screener use) into the evening period is at odds with the goal of maintaining evening amenity.

59. There is also uncertainty regarding the 'evening' noise period (6pm to 8pm) when the full range of quarry activities are proposed to occur for 150 days per annum. Will the 150 days be concentrated over the summer months or will the 150 days be undertaken more sporadically throughout the year including the winter months? The applicant needs to provide clarification regarding this matter to provide more certainty for NZMCA.

60. If the 150 days are proposed to be concentrated over the warmer months, this will likely result in increased adverse effects upon the amenity and enjoyment of NZMCA members using the Weedons campground as this would be over the peak use period for the campground. Likewise, this uncertainty also applies to the 'nighttime' noise period (8pm to 6am) where Mr Bligh² in his evidence states '*load out of trucks and truck movements, and ancillary activities such as operation of weighbridge and site offices and cleanfill deposition*' are proposed to occur Monday to Saturday for 60 nights per year. Once again, there is no certainty provided on when these 60

² P15, paragraph 88 of evidence provided by Mr Kevin Bligh for the applicant.

nights per annum may occur and the applicant should clarify this matter. I have suggested some amendments to proposed condition 19 regarding this matter.

61. Overall, I am of the view that if the enjoyment of the campground users is compromised, this has the potential to have a significant impact on the ability of NZMCA members and their families from continuing to enjoy using the Weedons camp ground. In my view, the proposal in its current form will likely compromise the enjoyment of users of the NZMCA campground. If resource consent is granted, it should be on the basis that no quarry crushing, or screening activities are permitted during the 'evening' period and use of the mobile crusher should be restricted to the central portion of the quarry site.

RELEVANT PROVISIONS OF STATUTORY DOCUMENTS

Canterbury Regional Policy Statement

62. The Canterbury Regional Policy Statement ("CRPS") sets out the resource management issues for the Canterbury region and the objectives, policies and methods to achieve integrated management of natural and physical resources. This document became operative on 15 January 2015.

63. The applicant and Ms Goslin and Mr Henderson's s42A Officers' reports have undertaken a comprehensive assessment of the relevant provisions of the CRPS. Overall, I agree with their assessment of the CRPS and outline the following.

64. Objective 5.2.1 (2)(i) (Location, design and function of development (entire region)) of the CRPS seeks "*development is located and designed so that it functions in a way that: 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*".

65. I am of the view that when the CRPS is considered as a whole, the proposal is considered to be consistent with the intent of the CRPS. However, with some changes to the conditions regarding the proposed hours of operation and activities undertaken in the evenings, the proposal would then be consistent with the above objective.

Greater Christchurch Regeneration Act 2016 and Land Use Recovery Plan (LURP)

66. Mr Henderson in his s42A report considers that the application is consistent with the Greater Christchurch Regeneration Act 2016 and the Land Use Recovery Plan. I agree with his assessment.

Selwyn District Plan

67. Mr Henderson's s42A report provides a comprehensive assessment regarding the relevant objectives and policies of the SDP. I agree with his assessment and outline the following:

68. Objective B3.4.2 (Quality of the Environment objective) of the SDP seeks "*a variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects*".

69. The SDP states that "*Objective B3.4.2 recognises the Rural zone as an area where are variety of activities can take place:*

- *All sorts of primary production,*
- *outdoor recreation;*
- *A variety of business activities*
- *residential activities; and community facilities.*

This diversity may increase in the future if farming and other business activities continue to diversify; and District Plans do not require activities in the rural area to be associated with primary production.

A variety of activities in the rural area creates the potential for reverse sensitivity effects, particularly between residential activities and other activities. Objective B3.4.2 recognises that while a variety of activities may be appropriate in the rural area, rural character must be maintained; and potential reverse sensitivity effects must be avoided.

Objective B3.4.2 is achieved by policies and rules which:

- *Describe the character of the rural character and seek to maintain it.*
- *Require resource consents for activities to set up which may affect surrounding properties; **recognise and protect existing lawful activities from potential reverse sensitivity effects once they are set up**.*

[emphasis added]

70. I acknowledge that the proposed large suite of proposed conditions will go some way to protecting the NZMCA from adverse effects. However, as discussed earlier, this needs to be extended further and the proposal amended so that no quarry crushing, or screening activities are permitted in the 'evening period' when NZMCA members have quiet enjoyment of the campground site and use of the mobile crusher restricted to the middle portion of the site. The NZMCA is an existing lawfully established activity. If these amendments are undertaken, then I am of the view that the proposal would be consistent with the above objective.

71. Policy B3.4.1 (Rural Character) 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*".

72. The NZMCA and its members acknowledge and tolerate the effects associated with day to day farming activities and temporary effects associated with seasonal activities on their site. The District Plan clearly states that the Rural zone is principally a business area and the policies and rules are designed to allow people to undertake farming activity and other business activities relatively freely. I acknowledge that quarrying activities are expected in the Rural (Inner Plains) zone. However, with the proposed full range of quarry activities for the hours proposed including in the evening for 150 days of the year, in my opinion, this could unduly compromise the enjoyment of camp ground users.

73. Policy B3.4.3 (Rural Character) seeks to "*avoid, remedy or mitigate adverse effects of activities on the amenity values of the rural area*".

74. I acknowledge that the proposed suite of conditions will mitigate some adverse effects on amenity values (ie dust management, noise levels, limits on heavy vehicle numbers). However, I am of the view the conditions need to go further and no crushing or screening activities should occur in the evenings (6pm to 8pm) and the

operation of the mobile crusher should be restricted to the central portion of the quarry site.

75. I am of the view that when the SDP is considered as a whole, the proposal is considered to be generally consistent with the intent of the SDP. However, with some changes to the conditions regarding the proposed activities to be undertaken in the evenings, use of the mobile crusher restricted to the central portion of the quarry site, the proposal would then be consistent with the above objective and policies.

PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

76. Ms Goslin and Mr Henderson's s42A Officers' reports have provided consideration to Part 2 of the RMA. Whilst I generally agree with Ms Goslin and Mr Henderson's conclusions, I note the following.

77. Part 2 of the RMA outlines the purposes and principles of the RMA. Section 5 states the purpose of the Act is sustainable management.

78. I am of the view that there are no Section 6 "Matters of National importance" that require consideration with the proposal.

79. Section 7 of the RMA identifies "other matters" which shall "have particular regard to". The most relevant section 7 "other matters" in my view are:

(b) the efficient use and development of natural and physical resources;

(c) the maintenance and enhancement of amenity values;

(f) maintenance and enhancement of the quality of the environment;

(g) the finite characteristics of natural and physical resources.

80. I am of the view that subject to the implementation of the proposed operational and control mitigation measures, the proposal is consistent with sections 7 (b) and (g) of the RMA. However, I am of the view that the proposal in its current form provides some inconsistencies with 7(c) and 7(f) of the RMA.

81. As already discussed, the proposal in its current form, will not maintain or let alone enhance amenity values. However, in my view, with some changes to the application with the removal of crushing and screening activities in the evening (from 6pm to 8pm) for 150 days a year and confining the use of the mobile crusher to the centre of the site, then the proposal would be consistent with 7(c) and 7(f) of the RMA.
82. I am also of the view that the proposal is generally consistent with sections 7(b) and 7(g) of the RMA and agree with the applicant and Mr Henderson's assessment in the s42A report regarding this matter.
83. Section 8 of the RMA requires specific regard to be held to the principles of the Treaty of Waitangi. I am of the view that there are no specific Treaty of Waitangi matters requiring consideration under Section 8 of the RMA.
84. Overall, I conclude that there are some inconsistencies with Part 2 of the RMA with the proposal not meeting Sections 7(c) and 7(f). However, my view of this would change if the application was amended to exclude crushing or screening activities to occur during the evenings for 150 nights of the year and restricting the operation of the mobile crusher to the central portion of the quarry site.
85. I agree with Mr Henderson's recommendation that the application be declined pursuant to section 104 and 104B of the RMA. However, my view would change if the full range of quarry activities for 150 days a year in the 'evening' from 6pm to 8pm were to be removed from the proposal and the operation of the mobile crusher is limited to the central portion of the quarry site.

DRAFT CONDITIONS

86. NZMCA are generally supportive of the suite of draft conditions proposed by Mr Henderson and Ms Goslin. The key condition that NZMCA seek amendments to is operational general condition 19 proposed by Mr Henderson and Table 1. NZMCA seeks the following amendments:

19) The hours of operation are 7.00am to 8.00 pm, Monday to Saturday. Outside of these hours restricted processing operations and load out trucks may occur as detailed in Table 1 below.

Table 1: Hours of operation/activities.

Hours	Duration	Range of Activities
6.00am to 7.00am	Monday to Saturday	Load out of trucks, site pre-start up including operational warm up of conveyors and machinery. Clean fill deposition. <u>No crushing or screening activities to occur.</u>
7.00am to 6.00pm	Monday to Saturday	Full range of quarry activities.
6.00pm to 8.00pm	Monday to Saturday on 150 days per annum <u>and a maximum of 12.5 days in any one calendar month.</u>	Full <u>Limited</u> range of quarry activities with the exception of processing using mobile plant, <u>processing using crushing or screening</u> and backfilling. <u>These activities are prohibited at these times.</u>
8.00pm to 6.00am	Monday to Saturday 150 <u>60</u> nights per annum <u>and a maximum of 5 nights in any one calendar month.</u>	Load out of trucks and truck movements, and ancillary activities such as operation of weighbridge and site offices and clean fill deposition. <u>No crushing or screening activities to occur.</u>
Sunday and public holidays	For up to 15 days per year	Truck movements, and ancillary activities such as operation of weighbridge and site offices and clean fill deposition. <u>No crushing or screening activities to occur.</u>
At all times, dust suppression, operation of weighbridge, office activities, site security and light maintenance as required.		

87. Mr Henderson’s draft condition 30 should be amended as follows or with a similar wording to achieve the same intent of the mobile processing plant being set back at least 500m from the site boundaries.

30) Any fixed processing plant and associated stockpiling shall be set back at least 500m from the site boundaries. and any mobile processing plant and associated stockpiling shall be set back at least ~~250m~~ **500 m** from the site boundaries.

88. Mr Henderson’s draft condition 37(a) should be amended as follows or with a similar wording to achieve the same intent:

37(a) *'Fulton Hogan controlled trucks will only travel into or through Templeton or on Curraghs Road if a delivery is to Templeton or on or adjacent to Curraghs Road.*
~~in the immediate vicinity'~~

89. Mr Henderson's draft condition 47 on reversing beepers should be retained using his wording rather than the wording suggested in the application.

CONCLUSION

90. In my opinion, the proposed 'evening' quarry activities (between 6pm and 8pm) for 150 days per year will create an annoyance for campground users under certain weather conditions especially when considered in the context of the quarry also operating for most of the year from 7am to 6pm. As Mr Jackett has outlined in his evidence, this is due to the repetitive character of noise from the crushing and screening plant as the background road noise levels drop off as the evening approaches. This will impact on NZMCA members enjoying using the campground site, particularly over the summer months when the campground is at its busiest.

91. The NZMCA camp ground is a lawfully established activity. Whilst it is acknowledged that a working rural noise environment might be reasonably expected during the day. The cumulative effects of a full day of distinctive quarry noise followed by a continuation of that noise into the evening until 8pm would contribute to a loss of evening enjoyment by campground users. This could have an impact on the ability for NZMCA members and their families to continue enjoying using the Weedons campground. My opinion on this matter would change if the applicant was to amend their proposal to not undertake any processing using crushing or screening in the evenings between 6pm and 8pm.

92. I am of the view that the proposal is generally consistent with the CRPS and the LURP. The proposal is generally consistent with the objectives and policies of the SDP when considered as a whole. In my opinion, the proposal would be consistent with Objective B3.4.2 and Policy B3.4.1 and Policy B3.4.3 of the SDP if the application was amended and there was no using crushing or screening activities to occur during the evenings (between 6pm and 8pm) and use of the mobile crusher should be restricted to the central portion of the quarry site.

93. Overall, I conclude that the proposal is generally consistent of Part 2 of the RMA and in my opinion, with some modification to the application, the proposal could meet Sections 7(c) and 7 (f) of the RMA.

94. For the foregoing reasons, I consider that the consents in their current form should be **declined** pursuant to section 104 and 104B of the RMA, unless the applicant amends their proposal to totally prohibit the crushing and screening of quarry material in the evenings between 6pm and 8pm and use of the mobile crusher should be restricted to the central portion of the quarry site.