

Before Independent Commissioners Appointed by the Canterbury Regional Council and Selwyn District Council

In the matter of The Resource Management Act 1991

And

In the matter of Applications by **Fulton Hogan Limited** for all resource consents necessary to establish, operate, maintain and close an aggregate quarry (**Roydon Quarry**) between Curraghs, Dawsons, Maddisons and Jones Roads, Templeton

**SUPPLEMENTARY REBUTTAL EVIDENCE OF KEVIN MICHAEL BLIGH
ON BEHALF OF FULTON HOGAN LIMITED**

DAVINA PENNY EVIDENCE

DATED: 30 OCTOBER 2019

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Introduction

1. My name is Kevin Michael Bligh.
2. I have previously provided a written brief of evidence in relation to the Roydon Quarry Proposal and a written brief of rebuttal evidence. That evidence is dated 23 September 2019 and 21 October respectively. I confirm my qualifications and experience as set out in paragraphs 1 to 8 of my evidence in chief.
3. I also confirm I have read and agree to comply with those parts of the Environment Court Practice Note that bear on my role as an expert witness, in accordance with paragraph 12 of my evidence in chief.

Scope

4. In this brief of supplementary rebuttal evidence I address the evidence of Davina Penny.
5. Ms Penny discusses a number of aspects related to the proposal in her evidence and provides suggestions on the consent conditions for the quarry.

Setbacks

6. At paragraph 2 of her evidence, Ms Penny states that Fulton Hogan has not clearly set out the proposed setbacks for the quarry and suggests that a setback of 500 m applying to the entire site would provide certainty on this matter. Ms Penny also seeks that setbacks are measured from the outer quarry boundary to the property boundary of other sites, rather than to the dwelling.
7. I disagree with Ms Penny's statement that these setbacks are not clear. Specific setbacks have been proposed as they relate to the various quarry operations and have been discussed in the section 92 responses and set out in paragraphs 85 to 87 of my evidence in chief. In particular, SDC conditions 31 and 32, CRC192410 condition 17d) and CRC192408/192409 condition 14 each provide for distinct setbacks to be established at the site.
8. The proposed setbacks have been assessed by the various experts and are considered to be appropriate to manage the effects of the proposal.
9. Paragraph 60 of Ms Penny's evidence then raises concerns around the use of mobile plant within 250 m of sensitive locations. For clarity, proposed

CRC192410 conditions 18 f) and h) require that any fixed processing and all mobile processing plants and associated stockpiling, shall be set back at least 250 m and 500 m respectively, from the site boundaries. Following this, condition 19 specifically states that no extraction shall occur within 100 m of any dwelling existing at the date of consent being granted (unless written agreement is provided).

Consideration of alternative sites

10. At paragraph 16 of her evidence, Ms Penny discusses the applicant's lack of consideration of alternative sites for the proposed quarry and failure to provide reasoning within the AEE as to why other land, such as at McLean's Island, presented constraints for pursuing the proposal. The process of site selection involves a number of factors and extensive analysis of other land attributes. The process is set out in Section 2.2 of the AEE.
11. Various constraints are taken into account including the volume of material and rate at which resource can be extracted, depth to groundwater, the nature of the surrounding road network, access to water and proximity to sensitive land uses. A weighing of the various criteria ultimately resulted in Fulton Hogan choosing the Roydon site, as explained in Section 2.3 of the AEE.

Rehabilitation

12. Paragraphs 63 and 64 of my rebuttal evidence dated 21 October 2019 provide clarification around Ms Penny's concerns with the adequacy of the proposed soil depth for rehabilitation, which she perceives to be 300 mm at paragraph 19 of her evidence; and I will highlight again that a 1 m separation depth above the highest recorded groundwater level is proposed when excavating or depositing material at the site. I also discuss the key conditions (particularly SDC Condition 23) which require the retention of the 1 m, and its appropriateness being consistent with Rule 5.175 as a permitted activity within the LWRP, as noted in paragraph 133 of my primary evidence. The evidence of the other experts has established why the rehabilitation proposed is appropriate.

Dust from trucks and wheel washing

13. Robust mitigation in terms of dust related effects from trucks, is sought by Ms Penny in paragraph 57 of her evidence, where she asserts no indication has been given as to the use of wheel wash in any of the applicant's

documentation or proposed conditions. Ms Penny says that paragraph 91 of my evidence in chief briefly mentions the applicant's intention to provide for tray and wheel washing. Paragraph 91 reads as follows:

Truck washing is proposed to take place on site with the final location yet to be determined. The truck washdown site will be a roofed concrete and bunded wash pad close to the site workshop. It will be designed and built so that any contaminated water is collected in an appropriately sized holding tank with a water-oil separator to remove hydrocarbons, intended to provide some level of pre-treatment. Provision is also intended to be made for tray and wheel washing.

14. In terms of my comment regarding wheel washing, I have clarified with Fulton Hogan that it intends to have a dedicated 'wheel wash' onsite near the exit point to the cleanfill area where trucks to remove any dirt on wheels. Washing of wheels can also occur within the truck wash area if required.
15. Mr Cudmore, discusses wheel generated dust emissions at paragraphs 47 to 51 of his primary evidence. He concludes that based on the design for this proposal, including sealed access roads together with the proposed layout of the central processing area and periodic vacuum extraction of the access road surface, the formation of internal access routes to the cleanfill area with readily available reject gravel, and the use of conveyor systems to transfer aggregate within the site; he is satisfied that the vast majority of dust discharge from vehicle induced emissions are effectively eliminated.
16. I note that CRC192410 condition 18p) provides for the use of pea gravel, reject gravel, or pit run gravel on exposed surfaces for dust suppression. Additionally, proposed CRC192410 condition 7 requires the development of specific Standard Operation Procedures (SOP) under the site's DMP, with each SOP dedicated to managing dust discharge from key sources, including from site roads (sealed and gravelled); based on the recommendations of Mr Cudmore in paragraphs 78 to 82 of his evidence in chief.
17. I also note proposed CRC192410 condition 18x) requires the use of a rumble strip to assist in removing muddy material from vehicle wheels before entering and exiting the site, in conjunction with sections of the internal site access road being sealed.

Vehicle movements through Templeton

18. Ms Penny suggests at paragraph 73 of her evidence, in relation to Fulton Hogan's proposal to limit heavy vehicle movements through Templeton to only deliveries in the vicinity, that there should be no need for trucks to

travel through Templeton; with the only exception to this being deliveries to Jones Road or Railway Terrace.

19. I note that a number of streets are accessed via this section of Jones Road and via Railway Terrace. Should a delivery need to be made to any of these streets, incorporating Ms Penny's suggestion into the current wording of SDC condition 38 would unnecessarily close out these access options.
20. I would not envisage a large number of, or any substantial deliveries, being made to the township of Templeton as set out in the information provided with the AEE. I am also satisfied that the SDC condition 38 as it is proposed is appropriately drafted to avoid significant traffic effects on the residents of Templeton, should any deliveries require trucks to pass through the township. It may be appropriate however, to reword the condition to refer to the 'Templeton urban area' as opposed to the 'immediate vicinity', based on the endorsement of Mr Metherell in Annexure B of his evidence, and having regard to the concerns of Ms Penny.

Compliance with consent conditions

21. Paragraphs 88 to 95 of Ms Penny's evidence discuss the proposed monitoring for the Roydon Quarry, CRC's ability to enforce the associated conditions or carry out site inspections; and the burden of any condition breaches, investigation and reporting being placed on residents and the local community.
22. I acknowledge in my primary evidence that these concerns have been raised in a number of submissions on the application, where I respond to the associated matters in paragraphs 153 to 161 of my evidence in chief.
23. I note again and as discussed in Mr Chittock's primary evidence, Fulton Hogan has sought to achieve high levels of control over environmental effects to minimise any monitoring burden on either the community or CRC, wherever practicable.
24. As set out in paragraph 159 of my evidence in chief, a number of continuous or periodic monitoring measures are proposed which include trigger levels, alerts and reporting requirements by the applicant.
25. I would also like to highlight that several conditions (pre-establishment or site establishment) are required to be implemented prior to any quarrying activities commencing on site.

26. The comprehensive review conditions proposed enable any concerns to be dealt with at a later stage. Importantly, the proposed establishment of a community liaison group (SDC condition 79) will assist in increasing the level of transparency of the quarry operations with the community, by providing surrounding residents with ongoing information and confidence that compliance is being achieved with the consent conditions.

Kevin Bligh

30 October 2019