

JWJ

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

JOINT WITNESS STATEMENT

PLANNING - CONSENT CONDITIONS

DATED: ^{29th} ~~8~~ NOVEMBER 2019

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Introduction

1. This Joint Witness Statement (**JWS**):
 - (a) Relates to the resource consent conditions that may be imposed should the proposal to establish, maintain and close the Roydon Quarry, be granted; and
 - (b) Reports on the outcome of expert conferencing between the eight planning experts¹ who have filed evidence in this matter.
2. The expert conference was held on 28 November 2019, at the Christchurch office of Golder Associates. Ken Gimblett facilitated the conference.
3. The experts involved have read Appendix 3 of the Environment Court Practice Note and confirm compliance with it.
4. In particular (and as set out in paragraphs 1(a) and (b) of Appendix 3):
 - (a) The witnesses acknowledge the JWS is to clearly record the issues agreed and not agreed, between them. Succinct reasons are to be captured in the JWS. This will assist all parties and the decision-makers in focussing on the matters that remain in dispute and the significance of them;
 - (b) Expert conferencing is not a forum in which compromise or a mediated outcome between the experts is anticipated. Unlike mediation, the “aim” is not resolution. Rather, the aim is clear identification of and narrowing of points of difference.
5. Based on the evidence filed to-date as well as matters raised during the first week of the hearing, the Fulton Hogan witnesses have prepared a list of topics as a starting point for discussions. These have been circulated to the other attendees in advance, but only limited feedback has been received:
 - (a) Evening activities and night-time activities;

¹ Hannah Goslin (Section 42A Officer for Canterbury Regional Council); Andrew Henderson (section 42A Officer for Selwyn District Council); Kevin Bligh and John Kyle (witnesses for Fulton Hogan Ltd); Susan Ruston (witness for Christchurch City Council); Lara Stace (witness for NZ Motor Caravan Assn); Gemma Conlon (witness for Templeton Residents Assn).

Richard Shaw (witness for NZ Transport Agency) and John Kyle have been separately liaising about the conditions relating to traffic safety. As such, Mr Shaw did not participate in this wider conference.

- (b) Traffic routing;
- (c) Covenants regarding post-quarry land uses;
- (d) Bond instrument;
- (e) Term of consents;
- (f) Management Plan conditions (taking into account Minute 11);
- (g) Defining "construction activities" and the hours applying;
- (h) Dust monitoring during bund construction;
- (i) Conditions regarding public holiday works;
- (j) Water quality conditions regarding nearby domestic water supplies;
- (k) Review of permissible extraction depths;
- (l) Duplication of conditions between Regional and District consents;
- (m) Mobile plant setbacks;
- (n) Tonal alarms;
- (o) Stormwater Basins
- (p) Water Permit conditions.

Procedural Matters

6. Owing to the additional air quality conferencing proposed on Monday 2 December, it was agreed between the experts not to discuss item (h) at this conference.
7. Owing to expert availability and matters of interest to the relevant experts, it was also agreed to split the conferencing into the Selwyn District Council (SDC) land use consent matters, and the Canterbury Regional Council (CRC) matters.
8. Conferencing on the SDC conditions was participated in by all the experts with the exception of Ms Goslin who observed these proceedings, while Ms Stace and Ms Conlon did not see the need to participate in the CRC conditions.

9. Mr Richard Shaw on behalf of the NZ Transport Agency did not attend the whole conference but attended to discuss Conditions 42A to 42L pertaining to transportation matters as they relate to managing queuing at the Dawsons Road/SH1 roundabout.

Selwyn District Council

Evening and night-time activities and public holiday works; (Conditions 19 to 22, and consequentially Condition 47)

10. Ms Conlon's preference is that there is no quarry related activity on Sundays or Public Holidays, but if there is work on those days, there should be a time limit specified in proposed condition 19. Ms Conlon and Ms Stace consider that 7 am to 1 pm would be appropriate for such days. Mr Kyle, Ms Ruston, Mr Henderson and Mr Bligh agree that it would be appropriate to limit the hours on Sunday's and public holidays. They consider 7 am to 6 pm would be appropriate although they acknowledge another time period within these hours may also be appropriate. This is based on the premise that the quarry related work enabled on such days is limited by the range of activities included for these days by proposed condition 19.
11. Ms Stace has concerns about the potential for the amenity of users of the New Zealand Motor Caravan Association (NZMCA) to be adversely affected during evenings because evening work is enabled on 150 days per annum by proposed condition 19.
12. Ms Stace also notes the uncertainty of when these activities will occur and whether they will be concentrated within the summer months or spread over the year. Ms Stace has set out these concerns in her evidence.
13. Both Ms Stace and Ms Conlon agree however that 60 evenings per year would be appropriate.
14. Mr Bligh, Mr Kyle, Mr Henderson and Ms Ruston agree with the hours of operation table as circulated in proposed condition 19, and with the 150 evenings per year.
15. All the experts consider it would be appropriate to remove the '*ancillary activities such as operation of weighbridge and site offices*' from the night time activities row of proposed condition 19, as these activities are already provided for in the bottom row of the table at any time, and it removes

potential uncertainty and confusion around what 'ancillary activities' may entail. The proposed amendment is shown below:

~~Load out of trucks and truck movements, and ancillary activities such as operation of weighbridge and site offices and cleanfill deposition.~~

16. Ms Conlon and Ms Stace also considered that some form of advance warning for nearby stakeholders would be helpful prior to undertaking works on Sundays and Public Holidays. Mr Kyle noted this could be done by way of the Noise Management Plan if required. There was general agreement this could be achieved and is desirable. An amendment to Condition 47 is proposed to reflect this:

...

As a minimum the Noise Management Plan shall describe:

- a. *the proposed managerial measures to be used to control noise generated by the operator.*
 - b. *the role of staff in the management of noise, and nominate the specific staff member(s) responsible for overseeing the implementation and upkeep of the Plan.*
 - c. *The procedures should any complaint in relation to noise be received.*
 - d. *A procedure for advising nearby properties of any proposed Sunday or public holiday works.*
 - e. *The process for review of the Noise Management Plan.*
17. All the experts agree that the advice note under proposed condition 22 can be deleted as subclauses a - c of proposed condition 22 already restricts trucks from using Curraghs Road during night-time hours, and the wording is therefore superfluous. The suggested amendment to the proposed condition is as follows:

22. *Heavy vehicle movements leaving or accessing the Roydon Quarry between the hours of 8.00 pm and 6.00 am shall not travel on the following roads:*

- (a) *Jones Road west of access (between the access and Curraghs Road)*
- (b) *Dawsons Road north of Jones Road (between Jones Road and Maddisons Road)*
- (c) *Jones Road east of Dawsons Road (between Dawsons Road and Railway Terrace)*

Advice note: The above conditions will also avoid travel down Curraghs Road.

Management Plans (Conditions 5, 6, 10, 11, 38, 42A-L, 47, 67, 68, 77, 78)

23. Mr Bligh outlined how the management plan conditions had been rewritten in accordance with the Commissioners' Minute 11.
24. All the experts agree that it would be preferable to have individual management plans, which deal with each issue, as opposed to an overarching Quarry Management Plan seeking to address all the issues within a single management plan.
25. All the experts also agreed that there would be benefit in the proposed conditions which guide the way that management plans are to be prepared and certified being grouped together, within the SDC land use consent.
26. Ms Conlon notes that proposed condition 77 seems too long and discursive. All agreed that the preamble within this condition does not add any particular value and covers matters dealt with in other conditions and therefore should be deleted.
27. Ms Conlon suggested that proposed condition 77 be moved to become proposed condition 5. All witnesses agreed with this. All agreed that the order of the plans listed in this condition, should also reflect the order the plans as they appear in conditions.
28. All agreed that the Landscape Management Plan appears to be missing from the list within this condition and needs to be included, and that the Dust Management Plan (which was noted as an area of duplication) should be removed from proposed condition 77 (now 5). It was subsequently noted that neither the Cleanfill Management Plan or Spill Management Plan are included in the SDC consent and could also be removed from this list.
29. Proposed condition 77 (now proposed to be condition 5) is to be amended as follows:

A number of management plans are proposed for the quarry to ensure that the conditions of this consent are complied with. The management plans are intended to describe how conditions will be met and address how potential adverse effects are to be monitored and managed. The management plans may change and evolve over time in order to remain responsive to current operations and environmental

~~conditions:~~ The site shall operate in accordance with the following management plans:

- a. *Landscape Management Plan*
- b. *Transportation Management and Routing Plan*
- c. *Roydon Quarry, SH1 / Dawsons Road Queue Management Plan*
- d. *Noise Management Plan*
- e. *Rehabilitation Management Plan.*
- f. ~~*Dust Management Plan.*~~
- g. ~~*Cleanfill Management Plan.*~~
- h. ~~*Spill Management Plan.*~~
- i. ~~*Transportation Management and Routing Plan.*~~
- j. ~~*Noise Management Plan.*~~
- k. ~~*Roydon Quarry, SH1 / Dawsons Road Queue Management Plan*~~

In the event of an inconsistency between the management plans and a condition of this consent, these conditions shall prevail.

30. All witnesses agreed that it would be appropriate to include a clause in each Management Plan condition regarding the process guiding the updating of management plans. The following wording was agreed, although it was acknowledged further tweaks could be appropriate. For the SDC consent, the following wording could be incorporated in the overarching certification condition, and on the CRC consents it could stand alone in each management plan.

The XXX Management Plan may be amended at any time. Any amendment shall be

- a. *Consistent with the conditions of the resource consent and the original objectives or purpose stated within the Management Plan;*
- b. *Submitted in writing to the Canterbury Regional Council Attention: RMA Monitoring and Compliance Manager, , for re-certification, prior to any amendment being implemented.*
- c. *Any changes shall be reported at the following CLG meeting.*

31. A change to proposed condition 78G around feedback from the CLG on the management plans was agreed by all. The following amendments are proposed:

The CLG shall be provided with copies of any management plans in draft, for review and comment at least 20 working days prior to the next CLG meeting. The consent holder shall invite the CLG to provide a written response to the management plan within 10 working days after this CLG meeting. Prior to submitting these management plans for certification to SDC or CRC, the consent holder shall outline how this feedback has been incorporated or not into each management plan.

Mobile Plant setbacks (Condition 31 SDC land use consent; Condition 22 of the ECan Air Discharge Permit)

32. Mr Bligh outlined that the applicant now proposes to use mobile plant within 500 m of the eastern site boundary and no mobile plant is to be used within 250 m of the other site boundaries.
33. Ms Stace considers that mobile plant should also not be used within 500 m of the western site boundary. Ms Stace considers this is an amenity issue as noise limits at the western boundary will come close to noise limits proposed by the applicant for the quarry. Mr Bligh noted these limits are still below what the District Plan provides for.
34. All the other experts are comfortable with current wording of proposed condition 31 insofar as it guides where mobile plant is able to operate on the basis that the technical evidence does not show that adverse effects would arise from this siting.

Tonal Alarms (Condition 46 and immediately following 'New Condition')

35. All the experts agreed that proposed condition 46 and the immediately accompanying condition as written are unclear, and that the following rewording would be helpful:

Should audible vehicle reversing alarms be required on quarry-based equipment, only broadband noise alarms are to be used on quarry-based equipment. ~~Tonal reversing alarms are not permitted.~~

Between the hours of 8 pm and 6 am, the consent holder Fulton Hogan shall not allow trucks or quarry-based equipment to be used on the site which use tonal reversing alarms. (i.e. quarry based equipment and trucks shall use broadband or hiss beepers or similar, or alternatively flashing lights, which meet workplace safety requirements).

36. All witnesses agreed with these conditions as reworded above except for Ms Stace who considers that tonal alarms should not be used on any trucks or machinery at any time if practical.

Defining “construction activities” and the hours applying (Condition 45)

37. The need for an additional condition setting out further definition around construction activities and the times of day that such activities are able to occur was discussed. All the experts agreed that proposed condition 45 is sufficiently certain as to the limitations that will be imposed on noise effects from construction activities (and the times of the day that construction noise effects will occur) and a new condition or a refinement to this condition was not necessary.

Duplication of conditions (Refer Appendix A)

38. Mr Bligh had circulated a table setting out items of duplication between the SDC and CRC consent condition sets. This is attached as **Appendix A**. This was prepared for discussion in response to comments from the Panel around avoiding duplication where appropriate.
39. All agreed that the proposals to address duplication as set out in the table were appropriate, although all agreed the conditions relating to bunding and stockpiles should remain in both the SDC and CRC Air Discharge Permit. In summary, the following amendments are proposed to reduce duplication between the consents:
- a) Removing proposed condition 23 pertaining to depth of extraction from the SDC land use consent;
 - b) Removing proposed fencing condition 26 from the SDC land use consent as this pertains to protecting groundwater;
 - c) Removing proposed site areas condition 12 from the CRC land use consent;
 - d) Remove proposed cleanfilling condition 34 from the SDC land use consent;
 - e) Remove proposed hazardous substances conditions 55 and 56 from the SDC land use consent;

- f) Remove the accidental discovery protocol condition 35 from the CRC land use consent.

Traffic routing through Templeton (Condition 37A)

40. Miss Conlon would like proposed condition 37A to be amended to give more certainty around when trucks will travel through Templeton and consequently potential volumes of trucks through Templeton. Ms Conlon's concern relates to what constitutes deliveries within the 'immediate vicinity'. Mr Bligh and Mr Kyle noted that a lot of consideration had been given to trying to provide more certainty but limited factors such as the length of trucks able to cross the railway line at Kirk Road (as noted by Mr Metherell at the hearing) and difficulties in changing wording without precluding some roads entirely from deliveries has meant the immediate vicinity is the most practicable term. Ms Ruston noted the possibility of using a map to help define the 'immediate vicinity'. The other experts were comfortable in principle with tightening this condition or the provision of a map, but are cognisant of difficulties with writing the condition. All agreed engine 'breaks' needs to be corrected to 'brakes'. The condition reads as follows:

37A) The Consent Holder shall take all practicable steps to ensure:

- a. heavy vehicles associated with the operations of the quarry shall not travel into or through Templeton, unless the vehicle movement is for a delivery in the immediate vicinity; and*
- b. heavy vehicles associated with the operations of the quarry do not use engine breaks brakes when onsite and while on Jones Road approaching or leaving the site.*

New Zealand Transport Agency Conditions 42A to 42L

41. Mr Shaw on behalf of the NZ Transport Agency joined the group to discuss proposed conditions 42A to 42L. It was agreed by the experts that CCC and SDC can be included in proposed condition 42E owing to works on Dawsons Road, if these parties wish to be. Mr Henderson has confirmed SDC wishes to be included and Ms Ruston intends to confirm the same or otherwise with the CCC.
42. Mr Shaw considered wording in proposed conditions 42D and 42K, should be amended to reflect that reporting should occur within 6 months of the quarry becoming operational and open to the public as opposed to consent being

granted or commencing, as it is only after the former, that traffic movements of relevance have commenced.

43. Corresponding changes to proposed conditions 42D and 42K were considered appropriate by all the experts as set out below:

42D. *The QMP shall include details relating to:*

- a. *The monitoring required to identify any changes in the operation and safety risk at the SH1 / Dawsons Road roundabout arising from the impact of quarry operations on northbound traffic queuing back from the railway level crossing into the roundabout, and southbound traffic on Dawsons Road queuing back from SH1 towards the railway, including:*
 - i. *baseline traffic monitoring (required to be undertaken prior to the quarry becoming operational);*
 - ii. *monitoring post-after the quarry becoming operational is established, operational and open to the public; and...*

42K *Once the QMP is certified, the Consent Holder shall report to the New Zealand Transport Agency, KiwiRail, Community Liaison Group and the Consent Authority at the following times:*

- a. *At the completion of baseline monitoring and prior to the quarry commencing operation;*
- b. *Six months after the quarry commences operation is established, operational and open to the public; and*
- c. *Annually thereafter for a period of three years, or until the New Zealand Transport Agency and KiwiRail agree no further monitoring and mitigation is needed to achieve the objective set out in condition 42C, whichever is earlier.*

44. Mr Shaw noted the NZ Transport Agency has comments on the Queue Management Plan which Mr Metherell provided at the hearing. It was agreed feedback on this should be provided directly to Mr Metherell and Mr Kelly and Mr Shaw could present any updates with his evidence when he appears before the Hearings Panel on Thursday 5 December.

Regional Council matters

Stormwater Basins (CRC Discharge Contaminants to Land Permits CRC192411/192412 New Condition)

45. Ms Goslin recommends a condition requiring the invert of any stormwater detention basins to be no lower than 1 metre above the highest recorded groundwater level. Mr Bligh considers it is a matter better addressed by water experts but agrees with its inclusion. Mr Kyle was comfortable with this amendment on the basis that it was offered as part of the s92 response and

a condition securing this measure provides certainty for the regional council.
The following wording is proposed:

Stormwater basins shall provide no less than 1 metre of separation between the highest recorded groundwater level at the site at the basin invert.

Water quality conditions regarding nearby domestic water supplies (CRC192408/192409 Conditions 24 to 28 and immediately following 'New Condition'); and review of permissible extraction depths (CRC Land Use Consent CRC192408/192409 Condition 6).

46. It was agreed ^{that} these items could be resolved through this conferencing as more technical work is required to appropriately word conditions and this is ongoing and had not been circulated to the planners as yet.
47. In principle, the experts agreed that conditions around establishing baseline conditions insofar as groundwater quality is concerned, requiring up and down gradient monitoring, settling out measures to confirm cause and effect and requiring remediation in circumstances where effects do manifest is appropriate.
48. It was agreed that a similar situation holds true for review of the maximum permissible extraction depth and refinement of levels around this.
49. It was agreed by all experts present that conditions will be developed and circulated once technical experts have provided more detail.

Water Permit to use Groundwater (Existing Water Take CRC182422 Condition 1)

50. Ms Goslin presented revised conditions pertaining to the existing water take and use permit appended to her original section 42A Report as Appendix 7. Amendments to the revised consent conditions were limited to the inclusion of an annual volume and updated water metering conditions in accordance with the Resource Management (Measuring and Reporting of Water Takes) Regulations 2010. It was intended the volumetric limit of water applied to the new use of water for quarrying activities (e.g: dust suppression).
51. Mr Bligh and Mr Kyle do not agree with this suggested amendment. Both questioned whether there was jurisdiction to make this change as the application made did not seek to alter the condition relating to the consented quantum of the take and CRC has previously considered a new use permit

was required. It now seems that the CRC is looking to amend the take in a manner not sought by the applicant. Ms Goslin considers the change of conditions application may provide scope and such a change is consistent with Policy 4.64 of the CLWRP. Ms Goslin highlights that the applicant has applied to vary the conditions of this water permit.

Bond Instrument

52. Mr Bligh circulated a number of proposed conditions pertaining to a bond for rehabilitation and groundwater monitoring. The proposed conditions are set out in **Appendix B**.
53. All the experts agreed with the wording for the proposed bond conditions and that these conditions should be included within the CRC land use consent as opposed to the SDC land use consent.

Covenant regarding post-quarry land uses (CRC Land Use Consent CRC192408/192409)

54. Ms Goslin considers that it would be appropriate to have conditions which require a covenant on the certificates of title to prevent high risk land use activities from occurring on the site post the completion of quarrying. This is to provide a 'belts and braces' approach to protection of the underlying groundwater resource. Ms Goslin considers the proposed condition wording regarding covenants in Appendix 7 of her Section 42A report is appropriate.
55. All the other experts consider a covenant for controlling effects on groundwater is unnecessary as the existing LWRP rules would very likely necessitate consents being required for such uses and it is hard to envisage such rules becoming less restrictive in the future.

Term of consents

56. Mr Bligh asked Ms Goslin about her recommendation in her s42A report, that if consents are granted they only be for a 13 year term to align with the expiry of the water take consent.
57. Ms Goslin acknowledged that the applicant has access to other sources of water that is able to provide contingency in the event access to water was restricted at the site, and, that the water quality limit policies which discuss common expiry dates relate primarily to contaminants arising from farming activities in the Selwyn Te Waihorasub-region .

58. Ms Goslin is therefore flexible with regards to the term of consents and is open to a longer consent term than 13 years.

Conditions generally

59. All the experts agreed they are generally happy with the remainder of the latest revision of consent conditions subject to minor editing matters, other than where the need for further technical input has been noted.
60. In terms of the roundabout options, Ms Ruston questioned whether the applicant had further considered which of the 2 options they were pursuing with respect to the Dawsons Road/Jones Road intersection. Mr Kyle advised that while both options were still part of the application, Mr Metherell had indicated a slight preference for Option 2 in his response to the commissioners, and this is the Option that is located on the applicant's land, rather than CCC's land.

Revised conditions of consent

61. The proposed consent conditions have been amended to reflect the areas of agreement above. A track changes version including these amendments in pink is attached as **Appendix C**.
62. A 'clean' set of proposed consent conditions is also attached as **Appendix D** which shows the conditions with the track changes accepted, but notes areas that are not agreed or require further technical work in grey highlight with accompanying comments.

Signed



Hannah Goslin



Andrew Henderson



Gemma Conlon



Sue Ruston



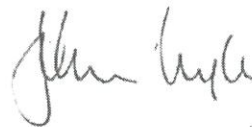
Lara Stace



Richard Shaw



Kevin Bligh



John Kyle

Type of Condition	SDC Consent	CRC192410 (Air)	CRC192408 & CRC192409 (Land use)	Ways to address
Bunding	<p>13) Prior to quarrying operations commencing on the site, site bunding and landscaping shall be established in accordance with the Landscape Management Plan LMP approved-certified in Condition 4 and Visual Impact Assessment by DCM Urban, referenced as Appendix E of the Resource Consent Application report by Golder Associates dated November 2018 together with subsequent updates to this documentation from the 12 March 2019 and 16 August 2019 further information responses. This shall include:</p> <p><u><i>Bunding</i></u></p> <p>a. Establishment of 3 m high earth bunds around the site perimeter, with the exception of site accessways, with a 1 m wide flat top shall be constructed around the site. The bunds shall have a profile with an outside slope of up to 1:3 (one vertical to three horizontal) and a 1 m wide top and shall have a minimum width of 15 m.</p> <p>b. Overlapping bunding, or a planted island barrier, shall be established to the heavy vehicle accessway entrance adjacent to Jones Road, so as to obscure views into the quarry from Jones Road (as per the example shown on Page 25 of the LVIA prepared by DCM Urban, Project No. 2017_31, dated 12 August 2019, or as otherwise may be approved by the Team Leader, Resource Consents).</p>	<p>Excavation and Rehabilitation</p> <p>11) The consent holder shall establish at least 3 m high vegetated earth bunds around the site perimeter, with the exception of site accessways, which shall be constructed with a 1 m wide flat top around the site. The bunds shall have a profile with an outside slope of up to 1:3 (one vertical to three horizontal), be compacted to minimise top soil loss, and shall have a 1 m wide top at least 1 m wide, and shall have a minimum width of 15 m, to remain in place for the duration of extraction and rehabilitation activities.</p> <p>12) As soon as practicable, but within 14 days, following construction, the bunds are to be sown with grass (or another suitable vegetative cover) or hydro-seeded to achieve swift grass cover and watered regularly to ensure grass cover is established and maintained.</p> <p>13) To assist in achieving swift grass and vegetative cover, construction of the bunds shall take place outside of summer months and in favourable weather, to avoid significant potential dust risk (e.g. during the months of February to November inclusive) and enable grassing of the bunds to occur in autumn or spring, in order to align with periods of good grass strike.</p> <p>14) The grassed and vegetated bunds shall be watered, when required to suppress potential dust, until a grass or vegetative cover has been established.</p>		<p>Potentially remove some or all of this from the air discharge consent.</p>

	<p>c. As soon as practicable following construction of the bunds, the bunds are to be sown with grass or hydro-seeded to achieve swift grass cover and watered regularly to ensure grass cover is established and maintained.</p> <p>d. To assist in achieving swift grass cover, construction of the bunds shall take place outside of summer months and in favourable weather, to avoid significant potential dust risk (e.g. during the months of February to November inclusive) and enable grassing of the bunds to occur in autumn or spring, in order to align with periods of good grass strike.</p> <p>e. The grassed bunds shall be mown regularly or grazed to give a tidy appearance.</p> <p>f. The grassed bunds shall be watered, when required to suppress potential dust, until a grass cover has been established. <u>An 80% grass cover is to be maintained on earth bunds at all times during quarry operations.</u></p>			
<p>Excavation below 1m</p>	<p><u>Excavation</u> 23) No excavation shall occur below 1 m above the highest recorded groundwater level at the site, as at the date of this consent being granted.</p>		<p>7) No excavation shall occur below 1 m above the highest recorded groundwater level at the site, as at the date of this consent being granted.</p>	<p>Remove from SDC consent as primarily ECan matter.</p>
<p>Fencing and gates</p>	<p>26) Access to the quarry excavation areas shall be secured by fencing and lockable gates.</p>		<p>Preliminary Works</p> <p>2) Site Management</p> <p>(a) The perimeter of the quarry site shall be surrounded by secure</p>	<p>Remove from SDC consent.</p>

			fencing with lockable access gates.	
Stockpiles	<p>27) After the establishment of the quarry pit, no processed aggregate stockpiles shall be above the height of natural ground level.</p> <p>28) All processed aggregate products shall be stockpiled by grade within the quarry floor area. All stockpile volumes shall have a maximum total volume of 200,000 m³ at any one time and shall be located below the height of the level of the bunds, following the establishment of the central processing area.</p>	<p>Dust Mitigation</p> <p>17) The consent holder shall take all reasonably practicable measures to minimise the discharge of dust from stockpiles. These shall include but not be limited to:</p> <p><u>a) After the initial site preparation and establishment, locating stockpiles of processed aggregate below natural ground level;</u></p> <p><u>b) All processed aggregate products shall be stockpiled by grade within the quarry floor area.</u></p> <p><u>c) Stockpile volumes will have a maximum total volume of 200,000m³ at any one time;</u></p>		Covers different effects. Maybe leave in both.
Active quarrying areas	<p>29) Site areas shall be limited to a maximum area in accordance with the following specified open ground limitations, at any one time, as set out in the table below:</p> <p>[Table 2 – Open area limits for active quarrying]</p>		<p>11) Site areas shall be limited to a maximum area in accordance with the following specified open ground limitations, at any one time, as set out in the table below:</p> <p>[Table 1 – Open area limits for active quarrying]</p>	Remove from ECan consent. Not that relevant to ECan land use.
Cleanfilling	All of Condition 34)		All of Condition 16) – <i>Note – an advice note has been added to this condition but has not been added in to SDC Condition 34).</i>	Remove from SDC consent and simply refer to SDC in ECan consent.
Spills	<p>Hazardous Substances</p> <p>55) The consent holder will take all practicable step to mitigate fuel spills or contaminants. In the event of a spill of fuel or any other contaminant, the consent</p>		<p>Spills</p> <p>32) The consent holder shall take all practicable measures to prevent leaks and avoid spills of fuel or any other</p>	Remove from SDC consent as primarily ECan issue.

	<p>holder shall clean up the spill as soon as practicable and take measures to prevent a recurrence.</p> <p>56) The consent holder shall inform the Team Leader - Compliance Environmental Services, Selwyn District Council (compliance@selwyn.govt.nz) within 24 hours of any spill event greater than 4 litres and shall provide the following information:</p> <ul style="list-style-type: none"> a) The date, time, location and estimated volume of the spill; b) The cause of the spill; c) The type of contaminant(s) spilled; d) Clean up procedures undertaken; e) Details of the steps taken to control and remediate the effects of the spill on the receiving environment; f) As assessment of any potential effects of the spill and measures to be taken to prevent a recurrence. 		<p>hazardous substances in accordance with a Spill Management Plan. This shall include but not be limited to:</p> <ul style="list-style-type: none"> (a) Refuelling or maintenance of vehicles or machinery maintenance shall not occur on the quarry pit floor with the exception of generators for mobile plant; (b) Appropriate servicing and maintenance of vehicles and machinery such that they do not result in leaks or spills; (c) Only undertaking refuelling or maintenance on vehicles or machinery on hardstand surfaces that are roofed; (d) A spill kit capable of absorbing all fuel and oil products shall be kept on site and available at all times. All staff involved in the implementation of activities in condition (1) are to be trained in the use of spill kits. <p>34) In the event of a spill of fuel or any other hazardous substances:</p> <ul style="list-style-type: none"> (a) The spill shall be cleaned up as soon as practicable, and measures taken to prevent a recurrence; (b) The Canterbury Regional Council, Attention: Regional Lead-r - Monitoring and Compliance shall be informed within 24 hours of a spill 	
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			<p>event exceeding four litres and the following information provided:</p> <p>(i) The date, time, location and estimated volume of the spill;</p> <p>Condition continues but not included here</p>	
Accidental Discovery Protocol	All of Condition 80)		All of Condition 35)	Remove from ECan consents, but cross reference in SDC condition.

1. Prior to the first exercise of this consent, the consent holder shall enter into an enforceable written agreement acceptable to the Canterbury Regional Council, that provides for a bond in favour of Canterbury Regional Council pursuant to sections 108(2)(b) and 108A of the Resource Management Act 1991. The purpose of the bond is to secure the rehabilitation of the site, in accordance with Conditions (29) to (31) of this consent in the event of any default by the consent holder and undertaking groundwater monitoring in accordance with Conditions (24) to (28).
2. The bond amount shall include:
 - a. The estimated costs associated with progressively rehabilitating the site at any one time, in accordance with conditions (29) to (31) of this consent.
 - b. The estimated costs of complying with the groundwater monitoring regime set out in conditions (24) to (28) for 5 years following the completion of cleanfilling activities.
3. The estimated bond costs shall be provided to the Canterbury Regional Council, Attention: RMA Monitoring and Compliance Manager, prior to the commencement of this consent for the purpose of establishing a bond agreement with CRC.
4. The Canterbury Regional Council shall engage a suitably qualified and experienced person to peer review the bond amount proposed by the consent holder.
5. The bond must be with a registered trading bank of New Zealand, to be provided as surety to the satisfaction of the Canterbury Regional Council. The purpose of the bond is to secure performance with the conditions of this consent.
6. The costs of, and incidental to, the preparation of documentation to meet condition (X) to (X), including the consent authority's costs, shall be met by the consent holder.
7. The Canterbury Regional Council shall release the bond upon once:
 - a. The site has been inspected by a CRC Monitoring and Compliance Officer and has been found to be compliant with condition (30) and (31) of this consent; and
 - b. The groundwater monitoring requirements as specified in conditions (24) to (28) have continued for a period of five years following years following the completion of backfilling.
8. The bond amount may be adjusted by the Canterbury Regional Council giving notice on fifth anniversary of the commencement of this consent and every five years thereafter. The consent holder shall provide a report to the Canterbury Regional Council which addresses whether the bond quantum should be revised. The purpose of the adjustment is to reflect changes in the risk profile of the project or to the Consumer Price Index. The Canterbury Regional Council shall engage a suitably qualified and experienced person to peer review the report and respond within two months of receipt of the report on the appropriateness of any proposed revised bond quantum.

9. If the consent holder and the Canterbury Regional Council cannot agree on the terms of the bond as per conditions (x) to (x), the dispute shall be resolved through an agreed disputes resolution process or referred to arbitration.
10. If the consent is transferred in part or whole to another party or person, the bond lodged by the transferor shall be retained until a replacement bond is entered into by the transferee to ensure compliance with conditions of the consent unless condition (X) and (X) is already complied with.