BEFORE AN INDEPENDENT HEARING PANEL APPOINTED BY CANTERBURY REGIONAL COUNCIL AND SELWYN DISTRICT COUNCIL

UNDER THE Resource Management Act 1991

IN THE MATTER OF Application by Fulton Hogan Limited for all resource consents necessary to establish, operate, maintain an aggregate quarry (Roydon Quarry) between Curraghs, Dawsons, Maddisons and Jones Roads, Templeton

ARTHUR PEARCE
ASP GROUP LTD

Dated: 5 December 2019

TABLED AT HEARING

Application: .................................................................

.................................................................

Date: .................................................................
BEFORE AN INDEPENDENT HEARING PANEL APPOINTED BY CANTERBURY REGIONAL COUNCIL AND SELWYN DISTRICT COUNCIL

UNDER THE Resource Management Act 1991

IN THE MATTER OF Application by Fulton Hogan Limited for all resource consents necessary to establish, operate, maintain an aggregate quarry (Roydon Quarry) between Curraghs, Dawsons, Maddisons and Jones Roads, Templeton

ARTHUR PEARCE ASP GROUP LTD

Dated: 5 December 2019

TABLED AT HEARING

Application: ..................................................

..........................................................

Date: ...........................
Hello, my name is Arthur Pearce, this is my wife Esther and there are my two ratbags Tom and Isaac. We are the owners of 96 hectares of irrigated farmland on Maddisons Rd, under the name of ASP Group Ltd, approximately 300 metres northeast as a crow flies to the closest point of Fulton Hogan’s proposed new quarry. This is where we have enjoyed living for the last 15 years.

Before I get started, I would like to thank everyone here for the opportunity to speak of my concerns relating to this application. I would also like to thank Don Chittock of Fulton Hogan for coming to my property back in August to discuss my concerns and voice Fulton Hogan’s viewpoints. At this point I’d like to make it clear to Don that I found him pleasant and good to communicate with. I do however have major concerns about Fulton Hogan’s plans.

My opinions are a layman’s point of view, from a person who has lived and worked in the area all his life. I have a passion and understanding for anything related to land and the people involved with it. This passion has taken me from farming to land development. My primary concerns are health, safety, wellbeing and community amenity values. Water consenting is also of concern. Funnily enough, Fulton Hogan
stated in week one of the hearing, that their values are health, safety and wellbeing too. Their other catch phrase is “Building Communities”.

On the topic of wellbeing and building communities, I would like to mention a point which was brought up in week one of the hearing by a Fulton Hogan representative in relation to our Brackenridge patients. It was stated that patients suffering autism or with hyper sensitivities could not be deemed “reasonable people” and therefore under the rules of the RMA, Fulton Hogan would not need to consider their needs. Or words to that effect. Now I know the term “Reasonable Person” is given as a technical term, but I find it disappointing to think that Fulton Hogan could ignore the needs of the vulnerable people in our community whether or not they can be classed as “reasonable people”. In fact, these people should be given extra care because of their vulnerability. This view has really upset some locals. I think it’s a shame that on this point they haven’t followed the values posted on their own website about respect, respecting differences and treating others the way that they would expect to be treated. Remember too that Brackenridge have been in the community well before Fulton Hogan bought their new proposed quarry land.

I can understand the basis of why Fulton Hogan would like to be on the site that they have chosen. It is very handy to Christchurch, it’s close to the new motorway and is of a size that will suit their needs for many years. The proximity to town will ensure that Fulton Hogan will make sales over other quarries further away. Fulton Hogan have said that the financial benefits are for Christchurch but I feel that most of the financial benefit will be for Fulton Hogan’s own coffers.

Given the massive growth in Selwyn, even though the land has no long-term development plans by councils currently, it is obvious that the land between Rolleston and Templeton will be developed in one manner or another. Does anyone want or need a quarry smack bang between two growing townships for all to see and have to cope with? The answer is no. For those coming into Christchurch there will be a grand aerial view via the Southern Motorway Overpass which is adjacent to the proposed quarry. Is this really the first impression we want our visitors to have of our garden city? Of course not.

Some people would argue that we already have a nearby quarry at Pound Rd and the operation is simply being moved, but that is not out in full view of mainstream traffic going to Christchurch and already has noise issues there with the Ruapuna racetrack being adjacent. The Pound Road quarry is further away from our township and has been going for a long time, as has Ruapuna. We as residents have moved into the area well aware of these operations but this does not mean we should become a dumping ground for Christchurch’s future undesirable activities. I believe that with
the proposed cemetery and sports hub, Templeton has a new opportunity for some positive progress for the area and its people. Would it really make sense or be appropriate to have quarrying next door to this with its noise, dust and traffic issues? Absolutely not.

The Templeton area was once known as the Golden Mile and is well known for its farming and horse industries. In fact, the site being proposed was once one of the most prestigious racing establishments Roydon Lodge. Roydon Lodge was established in 1928 by Sir John McKenzie, originally in Yaldhurst, before moving to its Templeton site. It was home to some of New Zealand’s best stallions and broodmares. Many famous horses were bred, trained and buried on this site. There is even a special area within the stable block at Roydon Lodge which has memorial headstones paying tribute some of the iconic horses. It seems such a shame to give up the history of Roydon Lodge and turn it into Roydon Quarry - a gravel pit.
Road safety has become a horrible problem for us in recent times due to the increased amount of traffic and declining state of our country roads. Only just within the last fortnight there were two accidents in the space of only a few hours on the corner of Maddisons and Dawsons Rds. I've literally lost count of the amount of accidents on this intersection alone. I attended a serious accident earlier this year involving a truck versus car. I was amazed that there were no fatalities given that one person looked to be wrapped around a power pole from within the cab of the truck. Obviously, each accident is truly disturbing for those involved and attending, and increased traffic can only make matters worse.

Interestingly, I had to widen 2 kilometers of Dawsons and Maddisons road for the addition of 13 new lifestyle blocks 15 years ago. Fulton Hogan appear to have no plans to upgrade roads or intersections in our area to accommodate the extra traffic they cause other than the main Dawsons Rd, Jones Rd part close to the quarry entrance.

Don Chittock said at our meeting that there would be a code of conduct in regards to drivers using our roads unnecessarily and that there would be signage at the quarry gates. I can't see how drivers who are not under Fulton Hogan's employment (80% of them), could be controlled by Fulton Hogan not to drive down a country road if it is more efficient, when they have paid their road user charges and are legally entitled to.

This brings me onto the covering of trucks to minimize dust while in transit. Don Chittock said at our meeting that Fulton Hogan would be unable to enforce the covering of loads. I can't see how hard this could be. No cover, no load. Simple. If they are unable to enforce covering within their own quarry, how can they be confident that trucks will follow a code of conduct off the premises, and by whom and how is this conduct going to be policed and disciplined?

As a farmer, the water consent for this quarry is of particular interest to me. I realise that the current water consent is not a part of the commissioners decision making, but still is an integral part of their operations, so I would like to mention details of this consent. The water consent they currently hold allows for a maximum 9 days take of 8.7 litres per second down to a maximum of 2.9 litres per second, subject to ground water trigger levels. This consent is for the purpose of irrigation to the Roydon block only (approximately 60 odd hectares) not the remainder of 170 hectares. The consent also states that the water can be used on that property ONLY and for agricultural purposes ONLY. The water is not to be put onto non-productive land such as impermeable surfaces. Fulton Hogan intend to apply for a New Use Permit. Considering that they are not following many (if any) conditions of the
existing consent, surely a new consent would have to be applied for. Remembering that this is already an overallocated water area.

By my understanding of the rules that the rest of us follow, for Fulton Hogan to transfer their current water consent to the rest of the land, they would need to surrender to Environment Canterbury 50% of the consent water allowance for the water being moved. For example, if they started with an allowance of 5 litres per second, they would have to surrender 2.5 litres per second, leaving them with 2.5 for their land. I imagine this would also be the case should they try to transfer a consent from another area into this overallocated area.

So potentially this does not give them much water left at all. When I questioned Don Chittock about this, he said they intended to look at local stock water races for additional supply. It concerns me that we could potentially use council stock water races for purposes that are not truly agricultural. In dry Norwest times, these stock races are often either shutdown or on restrictions, due to silt being in the water or simply lack of water.

If Fulton Hogan are to obtain a new water consent there will be much interest by other parties who would like water consents also, who to date thought it was out of the question in this area due to the overallocation.

As a side note, if Fulton Hogan are successful in obtaining a quarry consent, the amount of water they are talking seems miniscule to me to use for irrigation of plantings on raised earth bunds, processing and dust control during a hot Norwest Canterbury summer. For comparison, my little farm is currently requiring 4.5-5mm per day, to maintain soil moisture levels after plant use and evaporation. This equates to a water use of 50 litres per second. Or in other words, 4.3 million litres per day.

Like all farmers I am required to ensure that no chemical drift, dust, smoke or the likes are to leave the confines of my property, which is why I am more than a little miffed how quarrying can seemingly have another set of rules. Fulton Hogan are suggesting that they have a trigger of 30 metres outside of their boundary lines for visible plumes of dust before mitigation to control the dust kicks in. This seems hardly fair or reasonable.

Only yesterday (Tuesday 3.30pm on a crystal-clear day, 23 degrees with blustery Norwest winds), large amounts of dust could be clearly seen leaving Fulton Hogan’s Pound Road Quarry, crossing Pound Road and travelling at least 100m away. The photo I’ve supplied was taken at the time. It’s not a very clear photo. This is because
of the dust in the air, not from the camera being out of focus. The sky should be blue not grey. If this same scenario played out at the new proposed site, dust would be clearly crossing the new southern motorway. I would have thought Fulton Hogan would be doing their utmost to mitigate dust issues around their current quarries at the time they are sitting at hearings, pushing for new consents. Or maybe this is their best, and this is what to expect from their new quarry.

Basically, this quarry proposal has felt like a fight between David and Goliath. I’ve found that seeking professional advice on this process has been very difficult as most professional consultants have cited a conflict of interest. The process has been long and stressful for our community.

Fulton Hogan may well have all the consultants they have paid to tell us everything will be fine, but I’ve never seen their transportation consultants at any motor vehicle accidents in our area, or go home from that accident with someone else’s blood on their clothes. Likewise, I am not too sure how many of these consultants or Fulton Hogan’s management live in our area. The residents of Templeton know the area and its problems most probably better than any Fulton Hogan paid consultant.

I am left to wonder at what stage Fulton Hogan will realize that the majority of the community are not in support of their quarry and the adverse effects from it. It seems not in keeping with one of their catch phrases “Building Communities”.

There is an old English legal saying, which I’m sure that most of you would have heard of. It’s “What the man on the Clapham omnibus would think”, or in kiwi terms “What the average, reasonable man on the street would think”. Any reasonable person when asked if a quarry should be built within a growing community would respond with a resounding “No!”, I’m sure.

For the reasons that I have given, I ask that the application from Fulton Hogan be declined in its entirety, so that the people in our community can continue to enjoy the healthy lifestyle that we had before the proposal of this quarry began two long years ago. Surely this is not too much to ask in this modern day and age. It seems ridiculous to me that this conversation is even being had.

Thank you for your time.
RESOURCES CONSENT CRC182422
Pursuant to Section 104 of the Resource Management Act 1991

The Canterbury Regional Council (known as Environment Canterbury)

GRANTS TO: Fulton Hogan Limited
A WATER PERMIT (S14): to take and use groundwater.
COMMENCEMENT DATE: 06 Nov 2017
EXPIRY DATE: 01 Jul 2032
LOCATION: Jones Road, TEMPLETON

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The rate at which water is taken from bore M35/0257, 200 millimetres diameter and 63.4 metres deep, at or about map reference NZMS 260 M26:8505-3830, shall not exceed 9.5 litres per second, with a volume not exceeding 6,772 cubic metres in any period of nine consecutive days.

2. a. The volume of water taken in terms of this permit from bore M35/0257 shall not exceed 4,515 cubic metres in any nine consecutive day period whenever the standing water level in bore M36/217 (at or about map reference NZMS 260 M36:628-369) is lower than 20.0 metres below ground level (33.08 metres above mean sea level).
   b. The volume of water taken in terms of this permit from bore M35/0257 shall not exceed 2,257 cubic metres in any nine consecutive day period whenever the standing water level in bore M36/217 (at or about map reference NZMS 260 M36:628-369) is lower than 21.8 metres below ground level (31.28 metres above mean sea level). PROVIDED THAT Whenever the Canterbury Regional Council, in consultation with the Water Users Committee representing all water users who are subject to this condition, has determined upon a water sharing regime which limits the total daily abstraction from the resource in accordance with the limits set out in these conditions, then the taking of water in accordance with that determination shall be deemed to be in compliance with parts (a) and (b) of this condition.
   c. The taking of water in terms of this permit from bore M35/0257 shall cease whenever the standing water level in bore M36/217 (at or about map reference NZMS 260 M36:628-369) is lower than 23.5 metres below ground level (29.58 metres above mean sea level).

3. Water taken for irrigation shall only be applied to the area of land shown on the accompanying plan CRC010516.

4. This consent shall not be exercised concurrently with consent CRC91824.

5. The consent holder shall take all practicable steps to:
   a. ensure that the volume of water applied does not exceed that required for the soil to reach field capacity; and
b. avoid leakage from pipes and structures forming part of the reticulation system associated with the abstraction; and
c. avoid the application of abstracted water onto non-productive land such as impermeable surfaces and river or stream riparian strips.

6 The consent holder shall, within twelve months of the commencement of this consent, install, or provide for the installation of:
   a. an easily accessible straight pipe, of a length at least 15 times the diameter of the pipe, or
   b. a water flow measurement device which will measure the rate at which water is taken to within an accuracy of 10 percent as part of the pump outlet plumbing or within the mainline distribution system.

7 When requested in writing by the Canterbury Regional Council, the rate at which water is taken shall be measured to within an accuracy of 10 percent, and the measurement and the hours during which water is taken shall be recorded. A copy of the records shall be provided to the Canterbury Regional Council in accordance with the request.

8 The Canterbury Regional Council may, on any of the last five working days of June each year, serve notice of its intention to review the conditions of this consent for the purpose of dealing with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage.

Issued at Christchurch on 9 November 2017

Canterbury Regional Council