

**IN THE MATTER** of the Resource Management Act 1991 (the Act)

**AND**

**IN THE MATTER** Applications for Resource Consents by Road Metals Company  
Limited – Proposed Quarry Expansion, Yaldhurst

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**STATEMENT OF EVIDENCE OF KEVIN MICHAEL BLIGH  
ON BEHALF OF ROAD METALS COMPANY LIMITED**

Dated: 15 March 2018

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## **1. INTRODUCTION**

- 1.1** My name is Kevin Michael Bligh. I hold the position of Senior Planner and Environment Group Leader at Golder Associates (NZ) Limited (Golder), a ground engineering and environmental consultancy firm. I have been employed by Golder since May 2012.
- 1.2** Prior to joining Golder, I worked for Winstone Aggregates (Winstone) in the role of Resource and Development Planner, and before that as a Consents Planner at the former Rodney District Council. I hold the qualifications of a Bachelor of Resource Studies from Lincoln University and a Master of Resource and Environmental Planning with First Class Honours from Massey University.
- 1.3** I am a full member of the New Zealand Planning Institute (NZPI) and have over 14 years' experience in the field of resource management and planning in New Zealand. I am responsible for overseeing Golder's involvement as a partner organisation of NZPI.
- 1.4** I have extensive experience with quarrying activities including site identification and selection, submissions on planning documents, community consultation, resource consenting and management of reverse sensitivity effects.
- 1.5** During my employment with Winstone I was involved in a wide range of environmental and consenting matters relating to quarrying operations. This included managing resource consent and plan change projects for site development and rehabilitation, site environmental auditing, submitting on planning documents, and involvement in Environment Court processes.
- 1.6** I also have had involvement in quarry related matters while working at Rodney District Council.
- 1.7** Since joining Golder I have worked on a number of projects for quarry operators within the Christchurch area. Some examples of this work include:
- (a) Preparation of resource consent applications on behalf of Fulton Hogan Limited (Fulton Hogan) for a 10 hectare quarry at Templeton (the Barters Road Quarry) approved in February 2013;
  - (b) Preparation of resource consent applications on behalf of Fulton Hogan and KB Contracting and Quarries Limited for a 165 hectare quarry at McLeans Island (McLeans Island Quarry) approved in November 2013;

- (c) Preparation of resource consent applications on behalf of Fulton Hogan for a 20 hectare quarry at Islington (Roberts Road Quarry) approved in October 2014;
- (d) Preparation of resource consent applications on behalf of Winstone Aggregates for a 4 hectare extension (the 'Dunns' extension) to Winstone's existing quarry at Yaldhurst approved in January 2015;
- (e) Preparation of numerous exploration and mining permit applications for extraction of Crown owned minerals within the Christchurch area; and
- (f) Submissions on the proposed Christchurch Replacement District Plan on behalf of Fulton Hogan.
- (g) Preparation of resource consent applications on behalf of Harewood Gravels for a 28 hectare quarry at Conservators Road, McLeans Island (currently under appeal to the High Court).

**1.8** Over the previous decade, I have also been involved in the preparation of guidance notes and codes of practice as they relate to quarrying within Canterbury and New Zealand. A CV of my experience is attached within Appendix 1.

**1.9** Golder was engaged by Road Metals Company Limited (Road Metals) in 2017 to prepare resource consent applications and an accompanying assessment of effects on the environment for the expansion of Road Metals Yaldhurst Quarry operation ('the proposal') or 'RM4'. I was subsequently asked to prepare and present this planning evidence.

**1.10** I have visited the site and am familiar with the surrounding area.

**1.11** Whilst this is a Council Hearing, I acknowledge that I have read and am familiar with the Environment Court's Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2014, and agree to comply with it. My qualifications and experience are set out, above. I am giving evidence in my capacity as a planning expert.

**1.12** In preparing my evidence I have reviewed:

- (a) The Christchurch City Council (CCC) and Canterbury Regional Council (CRC) s42A officers' reports on the application.
- (b) Submissions on the applications.
- (c) The evidence of:

- (i) Mr Murray Francis (Road Metals Company Evidence)
- (ii) Mr Lindsay Forbes (Road Metals Operational Evidence)
- (iii) Mr Gary Walton (Acoustics)
- (iv) Mr Richard Chilton (Air Quality)
- (v) Mr David Compton-Moen (Landscape and Visual)
- (vi) Mr Mike Copeland (Economics)
- (vii) Mr Andrew Metherell (Traffic)
- (viii) Mr Victor Mthamo (Rehabilitation); and
- (ix) Mr Eric Van Nieuwkerk (Groundwater).

## **2. SCOPE OF EVIDENCE**

### **2.1** My evidence will describe the following:

- (a) Reasons for the applications to both CRC and CCC;
- (b) The statutory assessment required by the Resource Management Act 1991 (RMA) and the associated statutory policy and planning instruments;
- (c) The positive and adverse effects that may arise from the proposal;
- (d) The submissions made on the applications that raise specific planning issues;
- (e) The recommended consent conditions.

### **2.2 EXECUTIVE SUMMARY**

### **2.3** Overall the activity constitutes a discretionary activity. In terms of section 104, the proposal has a number of positive effects, most notably those which relate to the efficient use and development of natural and physical resources, including the existing quarry infrastructure, to provide a supply of aggregate to the wider Christchurch market and the development and maintenance of roads, buildings and infrastructure.

- 2.4** The proposal is consistent with the policy direction of the relevant planning documents, being the Canterbury Regional Policy Statement (CRPS), the Canterbury Land and Water Regional Plan (LWRP), Canterbury Air Regional Plan (CARP) and the Christchurch District Plan (District Plan).
- 2.5** The adverse effects of the proposal will be avoided, remedied or mitigated, such that they will be less than minor, subject to the proposed mitigation measures as reflected in the proposed conditions to be attached to the legal submissions of Mr Chapman. The proposal is supported by the abovementioned experts who have presented evidence.

### **3. REASONS FOR THE APPLICATIONS**

#### **Application**

- 3.1** Applications for resource consent were lodged in September 2017 for the extraction of aggregate material, backfilling and rehabilitation of the proposed RM4 site. Consent was also sought to enable aggregate extracted from the RM4 site to be transported via an internal haul road for processing at the existing Road Metals Yaldhurst Quarry site.

#### **Canterbury Regional Council**

- 3.2** The resource consents required from CRC are set out below:

- (a) A land use consent (s.9 of the RMA) for:
  - (i) The deposition of more than 50 m<sup>3</sup> of material over an unconfined or semi-confined aquifer, where the seasonal high water table is less than 5 m below the deepest point in the excavation, as a controlled activity, pursuant to Rule 5.177, subject to complying with a number of conditions.
- (b) A discharge permit (s.15 of the RMA) for:
  - (i) The discharge of contaminants to air, not meeting the requirements of Rule 7.35, as a discretionary activity pursuant to Rule 7.63.<sup>1</sup>

- (ii) The discharge of contaminants to land from backfilling, pursuant to Rule 5.100 as a discretionary activity not complying with Rule 5.98.
- (c) An application to change the conditions (s.127 of the RMA) of water take CRC154397:
  - (i) For the use of water from irrigation for dust suppression. There is an existing take for the site which Road Metals will utilise for this purpose. This involves a change to condition 3 as a discretionary activity.

**3.3** I understand that all the applications to CRC with the exception of the air discharge permit are being processed on a non-notified basis and at the time of writing this evidence I have not seen the officer's reports for these applications.

#### **Christchurch City Council**

**3.4** The proposed extraction site, is located within the Rural Urban Fringe Zone under the District Plan. The Yaldhurst Quarry site, where the processing is proposed to be undertaken, is located within the Rural Quarry Zone.

**3.5** Land use consent was sought under the District Plan, for the following infringements:

- (a) a discretionary activity pursuant to Rule 17.5.1.4 (D3) for a quarrying activity located more than 250 m from a residential zone or Specific Purpose (school) zone boundary; and
- (b) a discretionary activity pursuant to Rule 17.8.1.4 (D1) because the aggregates processing facility does not have a site rehabilitation plan and will not be operating in accordance with 17.8.1.3 (RD8) d.

## **4. STATUTORY ASSESSMENT – RMA**

### **Section 104 and 104B**

**4.1** Section 104 of the RMA requires that when considering an application for a resource consent and any submissions received, the consent authority must consider a number of matters, subject to Part 2 of the RMA. Those matters include any actual and potential effects on the environment of allowing the activity; and any relevant provisions

of a national environmental standard, other regulation, any national policy statement, regional policy statement(s) and plan(s) (both proposed and operative), along with any other matter the consent authority considers relevant in determining the application.

- 4.2** There is policy at a regional and district level which is relevant to the applications before the commissioners and which has been discussed in detail in the officers reports of Mr Harrison and Mrs Chapman. I agree with the broad range of policy matters discussed by the Council officers as being relevant to these applications
- 4.3** The key relevant statutory planning documents include the CRPS, the LWRP, the CARP and the District Plan.
- 4.4** All the above documents have been recently reviewed in full, are now operative, and were prepared in accordance with the requirements of the RMA. I consider that the provisions of the relevant plans give effect to Part II of the RMA and do not consider these to be invalid, uncertain or incomplete. Accordingly in relation to this application, I regard any further consideration of Part II to be unnecessary.
- 4.5** As part of the application documents submitted to both CRC and CCC, a statutory assessment was provided which considered the key planning documents discussed above. Mrs Chapman's assessment has concluded that the proposed quarry extension is consistent with the objectives and policies of the District Plan. In respect of the air discharge permit, Mr Harrison concluded (prior to receiving the written approval from the property at 659 Buchanans Road), that the proposed quarry extension is consistent with most, but not all of the objectives and policies of the CRPS and CARP.
- 4.6** I understand Mr Harrison is likely to prepare an addendum to his report to reflect the written approval from 659 Buchanans Road having been obtained.
- 4.7** Section 104B of the RMA states that when considering a resource consent for a discretionary or non-complying activity a consent authority may grant or refuse the application; and if it grants the application, may impose conditions under section 108.
- 4.8** Based on the evidence provided for the applicant and the reports for the Councils, the adverse effects of the activity on the environment will be less than minor subject to mitigation measures proposed, which are to be reflected in the consent conditions to be attached to the submissions of Mr Chapman.

## **Section 105**

- 4.9** Section 105 of the RMA requires decision makers to have regard to particular matters with respect to discharge permit applications. These include the nature of the discharge and the sensitivity of the receiving environment to adverse effects, the applicant's reasons for the proposed choice, and any possible alternative methods of discharge, including discharge into any other receiving environment.
- 4.10** The discharges associated with this proposal are the discharge of contaminants to air from the handling of bulk materials and the discharge of contaminants to land from imported topsoil to assist with the formation of bunds and rehabilitation, for which consent is sought from CRC as a discretionary activity.
- 4.11** At the time of writing, Mr Harrison's report addresses only matters relating to the discharge of contaminants to air.
- 4.12** The effects of the discharge to air and the sensitivity of the receiving environment have been discussed in the evidence of Mr Chilton for the applicant and the officer's report of Ms Jennifer Simpson, for CRC. Mr Chilton has recommended a range of mitigation measures which take into account measures proposed with the application and the conditions proposed by the reporting officers.
- 4.13** —As discussed by Mr Chilton, the discharges relate primarily to dust emissions which is a reflection of the location of the quarry site, the type of material to be extracted, its state at point of extraction, extraction and rehabilitation activities, the nature and condition of the access road, the number of vehicle movements and the direction and strength of wind. As a consequence, dust must be controlled by the adoption of targeted dust mitigation measures including those outlined in the Dust Management Plan attached to Mr Chilton's evidence.
- 4.14** Acknowledging that there are a number of sensitive receivers in close proximity to the proposed quarry site, Mr Chilton has recommended tailored mitigation measures such as restricting works during certain wind conditions, along with continuous wind speed and direction monitoring and the implementation of the Dust Management Plan. I am of the opinion that such an approach is appropriate to manage the potential for adverse effects on nearby properties and represents best practice in the local aggregates industry.



## Canterbury Regional Policy Statement

- 4.15** The CRPS includes objectives, policies and methods which seek to address the resource management issues for the Canterbury Region with a goal to achieve integrated management of the region's natural and physical resources. Of relevance to this application, the CRPS seeks to protect freshwater resources, maintain and enhance air quality and protect soil quality.
- 4.16** Chapter 7 (Fresh Water) seeks to ensure that the quality of water bodies are not degraded by changes in land use (Policy 7.3.7). I consider that the proposal is consistent with the direction of Chapter 7, in particular it is consistent with Policy 7.3.7 owing to the minimum separation distance of 1 metre that will be maintained between the base of the quarry excavation and the seasonal highest recorded groundwater level in the vicinity of the site, and as all backfilling will be restricted to clean material. Additionally, no hazardous substance storage and refuelling will be undertaken on the proposed extraction site.
- 4.17** Chapter 14 addresses Air Quality with the general policy direction being the maintenance and enhancement of air quality values, and to locate discharging activities away from sensitive activities unless adverse effects can be avoided or mitigated. Having regard to the range of mitigation measures proposed by the applicant and as reflected in the evidence of Mr Chilton, I consider that the proposed activity is consistent with Chapter 14.
- 4.18** I understand Mr Harrison's conclusion that the effects will be more than minor is based on the proposal not incorporating additional measures proposed by Ms Simpson or there being written approval for 659 Buchanans Road. I note as written approval has now been obtained from this property, effects on this receptor can no longer be considered. In addition to the above, Mr Chilton has commented on the proposed mitigation measures including a 100 m setback from excavation to the nearest point of any dwelling (622 Buchanans Road).
- 4.19** Chapter 15, particularly through Objectives 15.2.1 and 15.3.1, recognises the need to maintain soil quality and avoid, remedy and mitigate soil degradation. The applicant proposes to store topsoil removed from the site in bunds. These are to be either grassed or covered to minimise erosion losses, prior to being re-spread as part of site rehabilitation to ensure that the soil resource is protected while gravel extraction is taking place. It is proposed to rehabilitate the site progressively as quarry operations cease in each part of the quarry. On behalf of the applicant, Mr Mthamo concludes that

the rehabilitated site will be able to sustain pasture grown which can be used for small animal grazing.

- 4.20** In relation to groundwater contamination, Mr Mthamo concludes that the activities over these areas post rehabilitation are unlikely to introduce new risk of contamination and intensification would require various consents under the LWRP.
- 4.21** A Spill Management Plan for the site will be developed, and will incorporate fuel reconciliation, spill management and containment procedures. A spill response plan and having spill kits available at all times to clean up any leaks from quarry vehicles, will help ensure that soil and groundwater resources are not contaminated by the proposed quarrying operation. This is consistent with the current Road Metals extensions.
- 4.22** I note that Mr Harrison has discussed the CRPS policies as they relate to air quality but assessment of other policy will come in subsequent reports. While I can comment on those once I have seen them, I consider it is important to note that the CRPS defines “rural activities” as specifically including quarrying and associated activities.
- 4.23** I consider that the proposal is consistent with the relevant objectives and policies of the CRPS.

## **5. REGIONAL PLANS**

### **Overview**

- 5.1** Both the LWRP and the CARP include a number of objectives and policies which are of relevance to the proposal. Mr Harrison in his officers’ report has discussed the CARP in detail and I understand he will address the LWRP in a separate report, although I have not seen this report at the time of writing.

### **Canterbury Land and Water Regional Plan (LWRP)**

- 5.2** The LWRP establishes a resource management framework for managing land and water resources in the region.
- 5.3** The relevant objectives and policies of the LWRP are included within Sections 3 and 4 of the LWRP and relate to recognising the value of gravel extraction for construction and maintenance of infrastructure, for economic activity and enabling the extraction of gravel from land while protecting groundwater, surface water and soil resources.

Additionally, the LWRP maps identify that the site is located within the CGPZ, and over a semi-confined or unconfined aquifer.

- 5.4** Having regard to the mitigation measures proposed in the application, and the evidence of Mr Van Nieuwkerk, Mr Mthamo and Mr Forbes, I consider that the proposal is consistent with the policy direction of the LWRP. A more detailed analysis of the provisions within the LWRP is included in the applications for resource consent.

### **Canterbury Air Regional Plan (CARP)**

- 5.5** The CARP puts in place processes and methods for managing air quality resources in Canterbury.
- 5.6** The objectives and policies relevant to this application, from sections 5 and 6 of the CARP, are assessed in Mr Harrison's officers' report. The site is identified by the CARP as being within the Clean Air Zone, but is outside the Christchurch gazetted airshed (being a polluted airshed), as shown on Planning Map 11.
- 5.7** I agree with Mr Harrison's identification of the relevant objectives and policies in Paragraph 75 of the officer's report. I also generally agree with Mr Harrison's assessment, that the application will be consistent with the majority of the objectives and policies of the CARP. This is supported by Mr Chilton's evidence and the findings of Ms Simpson's s42A report, which determines that the air discharge will not likely result in any health effects and that it will not contribute to an exceedance of ambient air quality guidelines or standards for PM10.
- 5.8** I disagree however with Mr Harrison's assessment that the application would be inconsistent with Objectives 5.7 and 5.9 and Policies 6.1 and 6.9 which relate to discharges from new activities which are offensive and objectionable beyond the boundary of the site. Based on the evidence provided by Mr Chilton and the s42A report of Ms Simpson the effects of the proposed quarry will be less than minor (with the written approval from 659 Buchanans Road - R1) subject to the mitigation measures and proposed monitoring.
- 5.9** Even without the written approval from 659 Buchanans Road, in my view Mr Harrison's conclusions that the proposal does not meet these provisions, and his subsequent recommendation for decline is somewhat flawed in that he could have recommended conditions addressing some relatively straightforward recommendations proposed by Ms Simpson.

- 5.10** Overall I consider the proposal is consistent with the policy framework set out in the CARP and will maintain the ambient air quality of the surrounding area.
- 5.11** I consider that the location of the proposed quarry is appropriate, being a rural activity as defined under the CRPS, located in a rural area in proximity to other quarrying activities, and close to the major area of demand being Christchurch and surrounds. Mr Chilton has specifically discussed why the proposed quarry will not appreciably increase overall concentrations of PM10 and PM2.5, how the mitigation measures to be employed are expected to ensure that the discharge to air from the quarry will not be offensive or objectionable beyond the site boundary, and how compliance is achieved with the Resource Management (National Environmental Standards for Air Quality) Regulations.

### **Christchurch District Plan**

- 5.12** The District Plan contains a number of objectives and policies which are of direct relevance to the proposal which have been discussed in the s42A report of Mrs Chapman. I concur that the provisions identified by Mrs Chapman are those of relevance to this proposal including Chapter 6 'General Rules and Procedures', Chapter 7 'Transport' and Chapter 17 'Rural', being the chapters relevant to this application.
- 5.13** At paragraph 195, Ms Chapman considers that in an overall sense, the application is consistent with the objectives and policies of the District Plan which seek to enable rural land to be used for rural productive activities provided that conflicts between incompatible activities can be avoided and adverse effects on rural amenity values can be avoided, remedied or mitigated.
- 5.14** I generally agree with Mrs Chapman's assessment, although in my view, now that written approval has not been obtained from 659 Buchanan's Road, the proposal is consistent with the policy framework not only in an overall sense, but across all aspects of the proposal. Specifically I note that it avoids or mitigates adverse effects on the nearby rural residential dwellings to a level which is less than minor, while enabling the use of the land for productive use, and returning it through appropriate rehabilitation to a productive rural use on completion.

I note the recent decision in respect of Harewood Gravels, whereby the court appears to have elevated the word 'avoid' above 'remedy' and 'mitigate'<sup>2</sup>. Specifically, Policy 17.2.2.2 seeks to ensure that activities utilising the rural resource avoids significant

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<sup>2</sup> Paragraph 38 of [2017] NZEnvC165

adverse effects on areas of important natural resources and avoid, remedy or mitigate other adverse effects on rural character and amenity values. This is also reflected in Policy 17.2.2.12 which addresses the 'management' of quarrying activity.

- 5.15** There is no priority given to avoid in this policy in respect of rural character and amenity values and in my view all these options are open to an applicant in managing adverse effects from an activity that utilises the rural resource.
- 5.16** Overall I consider the adverse effects of the activity can be appropriately avoided, mitigated or remedied and that the application is consistent with the objectives and policies of the District Plan. The quarry has a functional need to locate where the resource is and makes best use of existing infrastructure at this location. The proposed mitigation will ensure that the effects are internalised as far as practicable and will be less than minor.

### **Policy Summary**

- 5.17** I consider the proposal is consistent with the objectives and policies set out in the relevant planning documents. The design of the proposed quarry and the mitigation measures proposed adequately and appropriately avoid, remedy or mitigate the potential effects of the proposal, including effects on amenity values, air quality, noise, traffic, landscape and visual effects, as well as rural character.

## **6. ASSESSEMENT OF EFFECTS ON THE ENVIRONMENT**

### **Introduction**

- 6.1** Each of the expert witnesses for the applicant has provided comment on the effects that they are qualified to address, together with recommended mitigation measures in respect of those effects. Below I have summarised the conclusion of the relevant experts on each effect.
- 6.2** I have reviewed the officers' reports I am in general agreement with Mrs Chapman's assessment. Whilst I agree with a number of points in Mr Harrison's officers' report, I disagree with his conclusion that the effects will be more than minor (at R1).

### **Positive Effects – Social and Economic**

- 6.3** Positive effects associated with the activity include providing a sustained supply of aggregate required for new construction and maintenance of buildings and

infrastructure within the Christchurch area, maintaining direct and indirect employment opportunities.

**6.4** Mr Copeland has addressed the economic contribution of the proposed quarry extension including the future demand and supply situation within the Christchurch area, the economic importance of low cost aggregate supplies, the continued use of existing assets and economic benefits. Mr Francis has also discussed some of the benefits arising from the proposal including how having a ready, long-term supply of low-cost aggregate benefits businesses and residents.

**6.5** Mr Copeland concludes that the proposed quarry extension will have numerous economic benefits including:

- (a) Enabling the continued use of existing assets used for the production and processing of aggregate;
- (b) Deferring economic and other costs associated with developing new quarries;
- (c) Deferring the need to source aggregate from more distant sources of supply and help to prevent the delivered cost of aggregate from increasing benefitting local residents and businesses both directly and indirectly as ratepayers and taxpayers;
- (d) Maintaining jobs for Road Metals staff (and contractors).

**6.6** Mr Copeland also notes that the proposed quarry extension is not expected to have any negative impacts on neighbouring property values.

## **Air Quality Effects**

**6.7** Mr Chilton has addressed the discharges to air expected to arise from the proposed quarry operations with the main discharge being dust.

**6.8** To address potential dust effects, a number of mitigation measures are proposed including ceasing works during dry conditions when winds exceed 7m/s and are generally in the direction of nearby receivers, the suppression of dust through the application of water, opening the site in stages, progressive rehabilitation, restricting vehicle speeds and not working within 100 m of any dwelling which is not part of the site, or for which written approval has not been obtained. Taking into account the

written approval from 659 Buchanans Road, and that effects on this dwelling can no longer be taken into account, Mr Chilton concludes that with the mitigation measures proposed, adverse air quality effects are expected to be less than minor.

In coming to the conclusion that effects were more than minor, Mr Harrison did not have the benefit of having seen the written approval from 659 Buchanans Road. As noted above, I consider that the mitigation suggested by Ms Simpson would have been reasonable had this party not given written approval.

## **Noise Effects**

- 6.9** Mr Walton concludes that the activities associated with the quarry can be undertaken so that noise effects, including cumulative noise effects and effects from road noise, are minimal.

## **Landscape and Visual Effects**

- 6.10** Mr Compton-Moen concludes that the application site and receiving environment, has a low to moderate level of sensitivity to change, and the topography in the area is flat with no notable features. Mr Compton Moen notes that the receiving environment includes established quarries which have been present for many decades.
- 6.11** Mr Compton Moen finds that subject to the proposed rehabilitation measures, adverse landscape and visual effects, including cumulative effects, of the proposal will be less than minor. Mr Compton Moen notes that while the site will not be restored to its pre-quarry condition, the proposed rehabilitation will still result in a high level of rural amenity with effects on landscape character to be less than minor.

## **Rural Character and Amenity**

- 6.12** Potential effects on amenity values typically associated with quarry operations include dust, noise, visual and landscape and traffic effects. These matters have all been assessed within the application documents and/or in the evidence presented.
- 6.13** I also note that the surrounding environment includes the Rural Quarry zone with existing aggregate extraction, and as such, forms part of the established rural character in the wider area.

- 6.14** The District Plan places a focus on the need to avoid, remedy or mitigate adverse effects on amenity values and effects on amenity values have been raised by submitters.
- 6.15** Amenity values associated with an area generally relate to an area's landscape and visual amenity values, the noise environment and air quality values. The evidence of Mr Chilton (Dust), Mr Walton (Noise), Mr Compton-Moen (Landscape) all confirm that adverse effects of the proposal on the amenity values of the area can be appropriately avoided, remedied or mitigated.
- 6.16** I note that while quarrying is being expanded onto the RM4 land, Road Metals is progressively rehabilitating the RM2 and RM3 sites, whilst also committing to rehabilitation of areas of the main Yaldhurst Quarry. Rehabilitation of the site is proposed to occur progressively as the site is extracted and backfilled. It is common for quarries within Christchurch to be rehabilitated on completion of quarrying activities. In response to the concerns raised by the submitters regarding rehabilitation, I consider that appropriate conditions specifically addressing this matter should be applied to the consent.
- 6.17** The scale of assessment of rural character and amenity values, takes guidance from the zone, and the locality generally. Assessment of amenity values, for the purposes of this hearing have been addressed by various witnesses on that scale. I accept that an individual submitter may express views which are property specific, but I have taken greater guidance from the overall assessment of Mr Chilton, Mr Compton-Moen, and Mr Walton. On the basis that there is a sequential programme of rehabilitation, it is difficult to conclude how there is any demonstrable change to rural character or amenity values, when a new area of excavation is replaced by an area rehabilitated back to pasture, noting that the sites will ~~also~~ continue to be used for rural residential living during quarrying.

#### **Effects on Groundwater and the Land Resource**

- 6.18** Mr Van Nieuwkerk and Mr Mthamo have discussed the potential effects of the proposed quarry on groundwater resources and the land resource and have concluded that these effects will be less than minor.



## Traffic

- 6.19** Mr Metherell has addressed traffic matters and concludes that the proposed quarry expansion will have a negligible change in the performance of the transport network compared with existing operations, and that NZTA concerns about material being transported onto the road can be addressed through a management plan.

## Cumulative Effects

- 6.20** Overall, I consider that any cumulative effects will also be less than minor, subject to the implementation of the various mitigation measures proposed. Each of the experts has assessed cumulative effects relating to their field of expertise and consider any such effects to be less than minor.
- 6.21** The Council officers have come to the same conclusion in their s42A reports. I note that while Ms Dray considers that the visual impacts of the quarrying activity can be adequately mitigated, she also stated the concentration of quarries in the immediate area is eroding the “sense of place of the Canterbury Plains as an open, rural landscape.” Mr Compton Moen has addressed this comment specifically and considers that the receiving environment has a low to moderate level of sensitivity to change, with a high absorption level for development, due to the flatness of the area combined with the existing land uses in the receiving environment. He does not consider that the proposal is of a scale that it will erode the ‘sense of place’ of the Canterbury Plains as any effects can be successfully mitigated by the proposed grass bunds, retention of existing shelter belts and eventual re-grassing of the quarry pit as has been completed for area RM1.
- 6.22** I would also like to discuss cumulative effects on amenity values. Section 2 of the RMA defines amenity values as follows:

*“**amenity values** means those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes”*

- 6.23** Turning to the relevant parts of this definition it refers to four key elements against which people’s appreciation is to be assessed against. The definition refers to the amenity values of an area and I interpret this to mean that one does not attach an amenity value to a particular house or part of a street – but rather the locality generally.

- 6.24** Mr Compton-Moen has set out his views which analyse the natural and physical qualities relating to pleasantness. Attributes of the locality which contribute to amenity values include a greenery and low density of buildings, along with the opportunities this affords in terms of providing a rural outlook. His conclusions are that the locality affords a low to moderate degree of landscape values and that the operation will not compromise those values, with the mitigation measures suggested.
- 6.25** Aesthetic coherence is the second element, which is in part a landscape issue and in part, an assessment of the coherence of the various land uses being undertaken in the area. In this regard, the area has a diverse range of land uses – as is contemplated in the plan. On the north side of Buchanans Road sites appear to be used primarily for lifestyle or small rural allotments, with a lesser focus on the land being the primary source of income.
- 6.26** Shelterbelts along the roadside and around the entranceways screen the dwellings to provide privacy and protection from winds.
- 6.27** Accordingly from a land use perspective, the area has a very diverse range of uses, which do not lead to an identifiable coherent pattern of land uses.
- 6.28** There appear to be no areas of cultural significance attaching to the area or the site.
- 6.29** The last element is the recreational attributes of the area. I accept that like any rural area, there are opportunities for a recreational activities generally. From an aerial photograph of the site it is clear that some recreational activities such as horse training tracks are internalised, and clearly the use of shelterbelts will enhance the internal recreational opportunities for gardening and living generally.
- 6.30** External opportunities for recreational activities on the road verges, I accept these are limited because of the busy nature of the State Highway and traffic volumes on Buchanans Road. On this aspect the proposal will not add to any traffic on Buchanans Road because there is no external access to that road and in the same manner there will be the same traffic volumes on State Highway 73 because the focus of this consent is for the continued extraction from the site at levels currently operated by Road Metals – rather than for increased traffic numbers.
- 6.31** While environmental effects of an activity can compromise amenity values if they are inappropriate within the surrounding environment, I do not consider that this is the case here for the reasons I outline. Quarrying will be confined to the southern side of Buchanans Road, over a relatively short period, while rehabilitation will be progressive. Additionally while this site is being quarried, other Road Metals owned land will be being

rehabilitated in the immediate vicinity while the Winstone 'Dunns' extension at 199 Old West Coast Road is also required to be completely rehabilitated by 2020 under its existing consents.

- 6.32** Quarries are recognised by the CRPS and District Plan as a 'rural activity' and (subject to the management of effects) are appropriately located and to be enabled within rural zones under the District Plan.
- 6.33** Specifically, Policy 17.2.2.3 (Contributing elements to rural character and amenity values) of the District Plan clearly recognises that rural productive activities, including quarrying, in rural areas can produce noise, odour, dust and traffic consistent with a rural working environment, which may be noticeable to residents and visitors in rural areas.
- 6.34** This recognition that rural productive activities in rural areas can produce effects such as those which are consistent with a rural working environment, provides a clear indication that those residing in these zones could reasonably anticipate such effects to be present subject to these being appropriately managed.
- 6.35** Moreover, in my view, the environment cannot be considered to be one of complete peace and tranquillity. The effects of other rural activities, including quarrying are already present in the location,
- 6.36** I acknowledge that there has been an increase in quarrying activities within rural zones since the Christchurch earthquakes. However, providing for this increase has been recognised throughout the District Plan review process, and is not unexpected considering the additional demand generated by the Christchurch rebuild, as discussed by Mr Francis.
- 6.37** Having regard to the evidence that has been presented for the applicant, I consider that the proposal (subject to the mitigation measures proposed), will be consistent with the level of amenity envisaged for rural zones by the District Plan, and not out of character with the surrounding environment.
- 6.38** Quarrying operations will at all times being located a minimum of 100 m from any dwelling for which written approval has not been obtained or which is not on the immediate site, and no property will be 'surrounded' by quarrying activities as a result of this proposal.

## **Effects Conclusion**

- 6.39** It is my opinion that the overall adverse effects of this proposal on the environment will be less than minor subject to the proposed mitigation measures to be implemented, including the daytime hours of operation, visual and acoustic mitigation measures, dust suppression measures and progressive site rehabilitation.

## **7. ISSUES RAISED BY SUBMITTERS**

- 7.1** The key matters as they relate to planning raised in the submissions are amenity values and separation distances. Mr Chilton has discussed the adequacy of the setbacks proposed and its relevance to the Victoria EPA standards, while I have addressed effects on amenity values above.

## **8. CONDITIONS**

- 8.1** Both Mrs Chapman and Mr Harrison have provided sets of draft conditions. I would like to briefly comment on some these conditions.

### **CCC**

- 8.2** Condition 13 of the draft conditions requires that the quarrying activity on the RM4 site and the aggregates-processing activity on the existing Yaldhurst Quarry site shall only operate between the hours of 0700 to 1800 Monday to Friday and 0700 to 1300 Saturday. It is my opinion that the Yaldhurst Quarry aspect of the draft conditions should be removed and re-worded in accordance with the proposed conditions to be tabled by Mr Chapman to reflect the Built Form Standards provisions as they apply to the Rural Quarry zone which are 0600 to 1800 Monday to Saturday.
- 8.3** As discussed by Mr Forbes, I understand there is remaining aggregate within the existing quarry site which may be able to be extracted and processed under that permitted activity criteria with more permissive hours of operation.
- 8.4** A maximum excavation depth of 10.1 m is proposed but in my view it is more appropriate this is simply tied to a depth of 1 m above groundwater to reflect changes in understanding over time or new information that may occur.
- 8.5** Having regard to the evidence of Mr Metherell, conditions 19 – 21 should be adjusted in accordance with his evidence.

- 8.6** Condition 44 should be amended to cease after the word cessation, as in accordance with Mr Forbes evidence, Road Metals have retained aggregate within the Yaldhurst Quarry site which is currently uneconomic to extract to extract due to the location of infrastructure over the top of it. It is reasonable to expect rehabilitation within 12 months of activities on that site ceasing, but there does not need to be reference to consents as there is still life in this site which can occur as a permitted activity.
- 8.7** In respect of the proposed CRC conditions, Mr Chilton has recommended amendments to a number of draft conditions which I consider to be appropriate.

## **9. SUMMARY AND CONCLUSION**

- 9.1** I consider the proposal is consistent with the objectives and policies of the relevant planning documents.
- 9.2** The adverse effects of the proposed quarry can be adequately avoided or mitigated through the conditions proposed in the CCC and CRC officers' report, subject to some amendment, to a level which is less than minor.
- 9.3** The proposal also has a number of positive effects, most notably those which relate to the efficient use and development of natural and physical resources, and associated economic benefits.
- 9.4** Having considered all of the relevant matters under Sections 104 and 104B, I consider that the consents should be granted subject to appropriate conditions.

Kevin Bligh  
15 March 2018

## **APPENDIX 1: CV OF KEVIN BLIGH**

## 1. ATTACHMENT A: QUALIFICATIONS AND AFFILIATIONS

I hold a Bachelor of Resource Studies (Majoring in Environmental Policy and Planning) gained from Lincoln University in 2003.

I hold a Masters of Resource and Environment Planning with honours gained from the Massey University in 2008.

My professional affiliations include the following:

- Full Member of the New Zealand Planning Institute (NZPI)
- Resource Management Law Association of NZ (RMLA)

## 2. EMPLOYMENT

Senior Planner and Team Leader – Planning (since 2014)  
Golder Associates (NZ) Limited (Christchurch, NZ) – 2012 to present

Resource and Development Planner  
Winstone Aggregates, a division of Fletcher Concrete and Infrastructure (Auckland, NZ)  
– 2005 to 2011

Consents Planner  
Rodney District Council (Auckland, NZ) – 2003 to 2005.

## 3. RELEVANT WORK EXPERIENCE

I have worked on numerous quarrying projects over the course of my career as well as being involved with the development good practice guides, environmental audits, consultation with community and iwi groups, working with residents on quarry setback distances and development within these, presenting to Select Committees and obtaining permits on behalf of quarry operators from New Zealand Petroleum and Minerals. I have been involved with many quarry cases that have gone to appeal, as well as policy documents that have been appealed in relation to provisions directly relevant to quarrying.

Examples are listed below.

**Canterbury Air Regional Plan:** Preparation of expert planning evidence on the Canterbury Air Regional Plan addressing matters pertaining to aggregate extraction; presentation of this evidence to the Hearings Panel. For Canterbury Aggregate Producers Group. 2016.

**Christchurch Replacement District Plan:** Preparation of submissions and further submissions on the Christchurch Replacement District Plan on behalf of Fulton Hogan Limited. Presentation of this evidence to the Independent Hearings Panel. For Fulton Hogan Limited. 2014 to 2016.

**Yaldhurst Cleanfill:** Preparing resource consent applications for cleanfilling and rehabilitation of an existing quarry at West Coast Road, Yaldhurst, on behalf of Road Metals Company Limited. For Road Metals Company Limited. 2015.

**Exploration and Mining Permits:** Preparing Exploration and Mining Permit applications for a range of quarry operators throughout Christchurch. Various clients. 2012 to 2017.

**Yaldhurst Quarry Expansion:** Preparing resource consent applications for quarrying, backfilling and rehabilitation of a 4 ha expansion to Winstone Aggregates existing quarry at Old West Coast Road, Yaldhurst. For Winstone Aggregates. 2014 to 2015.

**Christchurch Quarries Deepening:** Preparation of resource consent applications and assessment of effects on the environment to authorise deepening of quarries across

Greater Christchurch to overcome rising groundwater levels from irrigation schemes and facilitate supply of aggregates for Canterbury rebuild. Co-ordinating expert inputs from internal and external teams and leading consultation processes. For Canterbury Aggregate Producers Group. 2012 ongoing.

**Islington Quarry:** Preparing resource consents for a new 22 hectare quarry for Fulton Hogan at Islington, Christchurch. Co-ordinating expert inputs from internal and external teams including acoustic, visual and traffic assessment for quarry development in close proximity to residential area. For Fulton Hogan Limited. 2014.

**McLeans Island Quarry:** Preparing resource consent applications for a new 165 hectare quarry for Fulton Hogan and K B Contracting and Quarries at McLeans Island, Christchurch. Liaison with neighbours and affected parties, and development of mitigation measures in conjunction with client to obtain consents without the need for Council hearings. For Fulton Hogan Limited. 2013.

**Regional Council Consent Processing:** Processing of a range of resource consent applications on behalf of the Canterbury Regional Council including stormwater and contaminant discharges to land and water, air discharges and land use consents. Major consent applications that were notified including non-compliant sites that were subject to prosecution and NZTA Russley Road improvement work. Processing of resource consent applications as a consultant on behalf of Auckland Council.

**District Council Consent processing e.g., subdivision, utilities, land use consents:** Processing of resource consent applications, applications for outline plans of works and subdivision consents when employed as a consents planner at Rodney District Council, including large proposals and presentation of officer's reports at Council hearings. Processing of resource consent applications as a consultant on behalf of Auckland Council.

**Environmental Auditing:** Undertaking environmental auditing of Winstone Aggregates quarries throughout New Zealand to determine consent compliance, the need for additional authorisations and areas for environmental improvement. Undertaking environmental audits of quarries and cleanfill sites as a component of due diligence requests for other quarry clients. For Winstone Aggregates and others. 2005 ongoing.

**Templeton Quarry (and cleanfill):** Preparing resource consent applications for a new Fulton Hogan Quarry at Templeton, Christchurch. Liaising with neighbours and affected parties to obtain necessary written approvals. Development and liaison with Christchurch International Airport on appropriate mitigation measures to address potential effects on Airport operations such as bird strike effects. For Fulton Hogan Limited. 2012. Subsequently preparing resource consent applications for backfilling and rehabilitation of the same. For Fulton Hogan Limited. 2016.

**Wiri North Plan Change – Quarry Rehabilitation and Industrial Rezoning:** Project managing the plan change application to Auckland Council to rezone and rehabilitate a large worked out quarry in South Auckland, into a large prime located industrially zoned land resource, including consultation with affected parties, managing consultants and preparing evidence. For Winstone Aggregates. 2011.

**Puhinui Stream Restoration Works:** Working collaboratively for Winstone Aggregates with local Iwi Ngati Te Ata to develop a restoration plan for a section of the Puhinui Stream in South Auckland which has been heavily degraded. Developing an approach which involved members of the local iwi undertaking weed clearance and planting to achieve social, cultural, environmental and economic benefits for all parties involved. For Winstone Aggregates. 2011.



**Distribution Site Consenting:** Preparation of resource consent applications and assessment of effects on the environment to authorise new distribution yard and associated stormwater discharges at Ensors Road, Christchurch. For Fulton Hogan Limited. 2015 ongoing.

**Select Committee Evidence:** Presenting evidence to Parliamentary Select Committee on RMA Reforms including provisions regarding trade competition and interested party involvement in appeal processes. For Winstone Aggregates. 2009.

**Guidance Note Preparation:** Actively involved as an industry representative in the preparation of the MfE, AQA and LGNZ guidance note on Planning for the Aggregate and Quarry Industry. The guidance note outlines the key matters in planning for quarrying, describes the key effects of quarrying and the methods available to manage these effects under the Resource Management Act, including examples of methods in practice. 2009. Additionally, preparing a code of practice for aggregate producers in the Canterbury region. 2012.

**Belmont Quarry Expansion:** Project managing expansion of Winstone Aggregates Belmont Quarry in Wellington through development of a large scale overburden disposal area. Co-ordination of expert reports and assessments, overseeing preparation of AEE and consent applications to both District and Regional Councils, and consulting with affected neighbours and stakeholders such as Iwi and DoC. Preparing and presenting evidence at Council hearing and managing mediation process and affected party mitigation packages to consent approval stage, following successful Council decisions. For Winstone Aggregates. 2007 to 2009.

**New Zealand Coastal Policy Statement:** Co-ordinate the preparation of submissions and hearing evidence for Winstone Aggregates on the review of the NZCPS. For Winstone Aggregates. 2006 to 2008.