

Date released: 20th October 2023

Request: OIA- 1288

Original LGOIMA Request:

Can I please request all files relating to the Road Metals consent at Corbett Road. I believe the relevant consent references are LRC06/15, LTC99/27 and 201.2016.846 and LRC10/73.

I would ideally like the original applications, any s92 requests and responses, officers reports and decisions. Monitoring documents are less relevant.

Official LGOIMA Response:

Council Officers have reviewed your request and have collated and provided these documents.



Phone +64 3 433 0300

Web www.waitaki.govt.nz

Office 20 Thames Street
Private Bag 50058

9th November 2010

Road Metals Co Ltd
PO Box 212
OAMARU 9444

Attention : Jonny Francis

Dear Sir

Land Use Application: Road Metals Co Ltd, Corbett Rd , PAPA KAI O

Your application has now been partially assessed by Council however further information is required.

Through the initial assessment of the application it has been identified that the existing quarry on the site was established by way of a notified resource consent application (LRC99/27) and subsequent consent (subject to conditions). A further notified resource consent was granted (LRC06/15) to allow the quarry trucks to utilise Steward Road as part of the operation.

It is noted that the following parties were notified of the application LRC99/27 in 1999:

- Otago Regional Council Private Bag Dunedin
- Transit N.Z. PO Box 5241 Dunedin
- Drumena Farm Company c/- Raymond Sullivan McGlashan PO Box 557 Timaru Attn K McKenzie
- Department of Conservation Coastal Otago Area Office PO Box 5244 Dunedin Attn J Fyfe
- DA & IM Smith Stoneycreek Road RD 7 Waimate
- TT & OC Edzes 7 H RD Oamaru
- Tranzrail Ltd Box 431 Dunedin Attn RH Storm
- N.Z. Historic Places Trust 15 Wharfe St. Oamaru Attn Deputy Chairperson N.O. Branch Helen Stead
- Mr H Steenson c/- Postal Delivery Centre Kakanui
- MA Needham 3 H RD Oamaru
- S Hayes 4 H RD Hilderthorpe Oamaru

- Polson Hope PO Box 46 Attn Mr D Polson
- Mr J Shirley 269 Homestead Rd 1 C RD Oamaru

The following parties were notified of the application LRC06/15 in 2006:

- North Otago Aero Club, PO Box 44, Oamaru 8915
- N L Smith, 5 HRD, Oamaru
- G F Porter, 27 McDonalds Road, 7HRD, Oamaru
- W W Liddicoat, 27 McDonalds Road, Oamaru
- Lower North Otago Golf Club, PO Box 180, Oamaru
- Grays Road Farm, 15 KRD, Oamaru
- Drumena Farm Company Ltd, C/- JH & CJ Dennison, RD 3H, Oamaru
- S & T Hayes, 4 HRD, Oamaru
- R C Beale, 4 HRD, Oamaru
- G Hooper, 4 HRD, Oamaru
- Edzes Farm Ltd. C/- TT & OC Edzes, 4 HRD, Oamaru
- Dufour Holsteins Ltd, C/- D & P Wood, 2 RD, Featherston, Oamaru
- Department of Conservation, Coastal Otago Area Office, PO Box 5244, Dunedin
- DA & IM Smith, Stoneycreek Road, RD 7, Waimate
- TranzRail Ltd
- NZ Historic Places Trust
- M A Needham, 3 HRD, Oamaru

LRC99/27 was granted for a duration of 25 years, and given the consent was granted in 1999, this consent would lapse in 2024. The current application seeks a consent term of 35 years, resulting in any consent granted lapsing in approximately 2045. The above listed parties may have an expectation that the quarry activity (including vehicular traffic) will cease in 2024 or that they will be notified of any subsequent changes to the consent(s).

It has also been identified that, over time, Council has received several complaints regarding dust nuisance on Corbett Road as a result of the existing quarry activity. Council's Rooding Department have identified dust as a potential adverse effect that may result from the proposed activity.

Given the above consent processing history, the history of dust issues on Corbett Road, and the fact that the current application constitutes an extension of the activity timeframe, please supply Council with the following additional information:

Either

1. A description of voluntary works/solutions to effectively mitigate the potential traffic/dust effects such that no parties are potentially affected; or

2. The written approval of the previously identified affected parties (listed above), and/or any new landowners adjoining, and accessing their properties from, Corbett and Steward Roads; or
3. Your written request to proceed with notification of the application and the balance of the required processing deposit fee.

Pursuant to Section 92(1) of the Resource Management Act 1991, please supply Waitaki District Council with the above further information as requested.

Under Section 92A of the Resource Management Act 1991 you have 15 working days from the date of this request to take one of the following options:

1. Provide the information; or
2. Respond in writing of your intention to supply the requested information; or
3. Respond in writing of your intention not to supply the requested information.

Please note that your application has been put on hold until the above information is supplied to Council.

Yours faithfully

James White
Planning Officer

17th November 2010

22 NOV 2010

Waitaki District Council
Private Bag 50058
OAMARU 9444

Attention: James White

Dear James

Extension of Corbett Road Quarry – LRC10/73

Further to your letter dated 9th November we would like to amend our application to extend our quarry at Corbett Road and provide further information regarding traffic movements.

We wish to amend the duration of consent to coincide with the existing quarry land use consent LRC99/27 that expires in 2024.

The existing consent LRC99/27 contains conditions relating to traffic and we wish to make the following comments on these conditions.

5(i) That trucks and loaders working within the site shall be restricted to a maximum speed of 25km/hr.

This is best industry practise to minimise dust nuisance and for health and safety purposes. We would propose the same condition for this new application.

5(ii) Trucks access and egress to and from the site shall be limited to an average of seven return trips per day, calculated on a per annum basis.

We would envisage that this condition would cover both sites with the total number of trucks for both sites combined, limited to seven return trips per day.

5(iii) Trucks travelling to and from the site shall use Corbett Road as the access and egress route from State Highway 1.

Consent LRC06/15 granted the removal of this condition which then allowed trucks to use alternative roads to access State Highway 1. These alternative roads including Steward Road and Richmond Road are sealed roads and are now the main roads used to access the quarry.

It is our understanding that the complaints relating to dust nuisance were received prior to this change of condition and were as a result of trucks using the section of Corbett Road between Steward Road and State Highway 1 that has a gravel surface. This section of Corbett Road now has considerably less quarry traffic using it due to the removal of this consent condition.

We are unaware of any complaints regarding dust nuisance on Corbett Road since this condition was changed.

5(iv) *The consent holder shall supply, install and maintain PW50 "Trucks Crossing" warning signs. These shall be installed in locations approved by the Council's Infrastructural Assets Manager for use when cartage of quarry material is in operation.*

These signs were installed after the consent was granted and have been maintained since then as required.

5(v) *The consent holder shall construct an approximately 300m long passing bay on Corbett Road, east of Steward Road. The passing bay shall be located mid-way between Steward Road and the last house before the site. Detailed construction and location to be approved by the Infrastructural Assets Manager.*

The passing bay shall be of sufficient width to allow two trucks to pass each other on Corbett Road. The passing bay shall be constructed to the Council's standards that accommodate quarry trucks, sheep trucks or other vehicles and construction details are to be forwarded to Councils Infrastructural Assets Manager for his approval. All costs of construction fall with the consent holder.

Passing bays were constructed after the granting of this consent as per the above condition. Subsequent road works and flood events have resulted in the majority of this section of Corbett Road being wide enough for trucks to pass each other.

5(vi) *The consent holder shall upgrade the intersection of Corbett Road and State Highway 1 to a design set out in Plan 4 attached with this consent and detailed standards shall be in accordance with Transit New Zealand standards in order to enable the safe operation of the State Highway.*

This work was also completed after this consent was granted.

It is proposed that, if the application to extend the quarry is granted, both sites would be run together as one site. Certainly for the initial few years all processing plant and material stockpiles would remain in the same locations. The only noticeable difference in these initial years would be where the raw material is sourced from. Processed material would still exit the existing quarry at the same volumes as in the past.

This application does not seek to increase the total volumes of material sold from the sites and as such the traffic volume from the quarry will not change from the present numbers.

Consent LRC99/27 also contains a condition relating to a performance bond agreement which was completed in May 2001. This bond was registered on the title of the property in June 2001. We would envisage that this new application could include a condition that would extend the value of the existing bond to include the existing quarry area and the application area.

Yours sincerely



Jonny Francis
Road Metals Co Ltd

ROAD METALS

CO LTD



RESOURCE CONSENT APPLICATION
CORBETT ROAD

REF : RM933-001 FINAL | 20 OCTOBER 2010



APPLICATION FOR LANDUSE RESOURCE CONSENT

(Section 88 of the Resource Management Act 1991)

Form 9

Use this form to apply to Waitaki District Council for Landuse Resource Consent in the instance that a proposal is unable to comply with the provisions of the District Plan. We recommend, in order to avoid unnecessary delay in processing, that planning staff be consulted upon lodging application to determine the receipt of all required information, including written consent of affected persons.

Road Metals Co Ltd, being the applicant residing at the below address, apply to the Waitaki District Council for **Landuse Resource Consent**.

Address: 2 Caledonian Road
PO Box 212
Oamaru 9444.

Phone: (03) 437 0458 (work)

Fax: (03) 437 2233

Email: jonny@roadmetals.co.nz

The site details of the location at which the below described activity is to take place are:

Street address: Corbett Road, Hilderthorpe

Legal description: Section 64 Block V Papakaio Survey District

Valuation number (if known):

The names and address of the owner/occupier (other than the applicant) of any land to which this application relates are as follows:

Name: Dennison Farms Limited

Mailing address: Attn: Chris Dennison, R D 3-H, Hilderthorpe, Oamaru.

Contact phone: (03) 431 3850

NOTE: The owners WRITTEN approval of the application must accompany this application.

The following additional Resource consents are required in relation to this proposal and have or have not been applied for:

No other resource consents are required for this activity.

FULL DESCRIPTION OF THE ACTIVITY TO WHICH THIS APPLICATION RELATES

(statement specifically defining degree of non-compliance, including *all* details that clearly identify the proposal enabling planning staff to *fully* determine the extent of the activity and its impacts, scaled plan to be included as appropriate.) *We recommend you consult the appropriate pamphlet to help you with this.*

To extend an existing quarry at Corbett Road. See attached description of proposal.

.....
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.....
.....
.....
Associated reasons for non-compliance, justifying application:
.....
.....
.....

(any further information should be attached to your application)

I include an assessment of any effects that the proposed activity may have on the environment in accordance with Section 88 of, and the Fourth Schedule to, the Resource Management Act 1991. You will probably need to complete this on a separate piece of paper and attach it to this application form. *(Please refer to the appropriate pamphlet that will guide you in your assessment)*
.....
.....

I include other information (if any) required to be included in the application by the District or Regional Plan or Regulations (for example: written consents, location plan, scaled plan, traffic assessment, building plans, noise assessment).

A deposit fee must accompany your application. If the costs incurred in processing this application exceed the deposit, the applicant will be invoiced for the balance.

I enclose the required DEPOSIT FEE of:



\$500.00 deposit for a non-notified application



\$4,000.00 deposit for a notified application

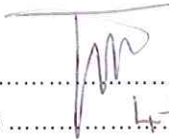
NOTE: PLEASE RESEARCH THE FULL EXPECTED COST OF YOUR APPLICATION PRIOR TO LODGEMENT. FAILURE TO APPRECIATE THE POTENTIAL COST LIABILITY BY AN APPLICANT PRIOR TO LODGEMENT OF AN APPLICATION WILL NOT BE A BASIS FOR LATER ARGUMENTS ABOUT COSTS.

**NON-NOTIFIED CONSENTS COULD EXCEED \$2,000.00
NOTIFIED CONSENTS COULD EXCEED \$6,000.00**

Address for service:

Attn: Jonny Francis
PO Box 212
Oamaru 9444

Signature of applicant(s) of person authorised to sign on their behalf

.....

.....

Date 4-8-10

(you may apply for 2 or more resource consents that are needed for the same activity on the same form)

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1. INTRODUCTION

1.1 Background

Road Metals Company Ltd (Road Metals) is a specialist company involved in the crushing, production and supply of aggregates and has been involved in the Quarrying industry for over 50 years.

Road Metals currently operate a Quarry at Corbett Road that supplies roading materials and concrete sand and aggregate for the Oamaru market. It is estimated that the raw material resource at the existing Quarry will be completely extracted within the next six to twelve months.

Road Metals propose to establish and operate a Quarry on land adjacent to the existing Quarry (Figure 1, page 3), and are seeking resource consent for this activity for a term of 35 years.

Factors in selecting this site include:

- It is adjacent to the current operation
- The land is available and suitable for the proposed activity
- The proposed activity is compatible with the neighbouring land uses

This document provides an assessment of environmental effects relating to the proposed activities in accordance with the Fourth Schedule of the Resource Management Act 1991.

1.2 Resource Consents Sought

The site is in the Rural General Zone of the Waitaki District and includes land classified as a Significant Coastal Landscape Area.

A land use consent is required from the Waitaki District Council due to the breach of the planning provisions outlined in Table 1.1 on the following page.

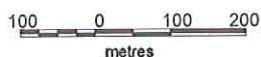
Table 1.1 : Waitaki District Council Consent Requirements

Type of Activity	Planning Provision Reference	Planning Provision	Consent Requirement and Activity Status
Mining Activities	Part 3, Section 4.3.3(4)	Mining activities other than Permitted or Controlled activity.	The site does not comply with the permitted activities of mineral extraction and processing because the site has not been used for the purpose, noise standards may be breached and extraction and processing will occur for more than 60 days per year. Discretionary activity.
Earthworks	Part 3, Section 4.3.2(1)	Maximum volume of earthworks is 100 m ³ or 50 m ² for Rural G Zone.	This volume will be exceeded. Controlled activity.
Earthworks	Part 3, Section 4.3.2(1)	Comply with Site Development Standard 4.4.7. No earthworks allowed 100m inland from coast.	This site is adjacent to the coast. Discretionary activity.
Use and storage of diesel fuel	Part 3, Section 16.1.2 and Table 1.	The use or storage of a hazardous substance exceed 3,000 litres.	It is proposed to store and use up to 10,000 litres of diesel by way of double skinned tanks attached to the mobile processing plant. Discretionary activity.



Note:

1. Site location map NTS



Approximate Scale for
Quarry Plan

ROAD METALS
SOLUTIONS

DRAWN	JF	DATE	22-7-2010
CHECKED		DATE	
SCALE	1:10 000		

PROJECT Consent Application—Corbett Rd

TITLE LOCATION AND QUARRY
PLAN

PROJECT No	RM933-001	FIGURE No	1	REV No	2	A4
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2. DESCRIPTION OF THE PROPOSAL

Road Metals is proposing to establish and undertake quarrying activities at the site which include:

- progressive site establishment;
- site operations:
 - aggregate extraction,
 - aggregate processing,
 - stockpiling,
 - progressive rehabilitation,
 - general site activity; and
- final site rehabilitation.

It is proposed that the area will be progressively quarried and then rehabilitated. As excavation extends into the site and room allows, rehabilitation will commence in the previously excavated area. This will ensure that the majority of the land is available for farming use at all times and will help minimise any potential dust nuisance from the site.

It is further proposed to maintain a 20 metre buffer, where no extraction of aggregate will occur, along the northern and western boundaries of the site. It is also proposed that a 20 metre buffer will be maintained adjacent to the irrigation canal upstream from the energy dissipation drop structure.

2.1 Site Establishment

Prior to commencing site operations a site management plan will be established with consultation with the landowner. This site management plan will describe the operation of the site and include a more detailed description of the work programme. This management plan could be amended as circumstances change and would include consultation with Waitaki District Council and the landowner.

An initial earth bund will be constructed approximately as shown in Figure 1 approximately 150 metres from the coast. The material to form this bund would be sourced by stripping the top soil and silt layers from an area approximately 100 metres long by 150 metres wide. This area would then be the first aggregate extraction area. This initial bund would be extended as and when required to assist with visual screening of the extraction area.

The earth bunds will be approximately 3 metres in height with a 15 metre base width (Figure 2, page 7) and would be sown in grass.

The bunds and stripping work would be completed using either front end loaders or an excavator may be used with trucks.

2.2 Site Operations

2.2.1 Aggregate Extraction

The proposed aggregate extraction will be to a depth similar to the existing Quarry which is approximately four to five metres above mean sea level or about 10 metres below the existing ground level utilising the same methods that are used in the existing quarry.

The initial development consists of excavating, by one or two front end loaders, soil material for the construction of the earth bunds.

Following this initial development extraction will begin adjacent to the existing quarry with aggregates generally being excavated by one or two front end loaders taking material directly from the base of the working face. This creates minor instabilities at the top of the working face which slide onto the quarry floor at the face edge. The working quarry face will stand at around 75° or steeper. In places the material may require use of an excavator to assist with extracting the aggregate out of the working face.

Figure 2 on page 6 shows cross-sections with the general quarry pit profile for both the earth bund with the working pit and the finished profile after rehabilitation at the northern and western boundaries. Figure 3 on page 7 shows cross-sections of the quarry adjacent the irrigation canal upstream of the drop structure both before final rehabilitation and after final rehabilitation.

It is proposed to leave a section of cliff face with an area approximately 50 metres wide by 50 metres long (i.e. an island) as a bird nesting and roosting area for sea birds. This area would be located near the irrigation outlet adjacent to the ocean and Road Metals would request that this be included as a consent condition.

2.2.2 Aggregate Processing

Aggregate processing will be the same as current operations and will involve crushing and screening by way of mobile and skid mounted processing plant(s), which includes a separate mobile workshop. These will be transported to the site as and when required. Aggregate will be placed by front end loaders into a feeder (hopper and conveyor belts) which transports the aggregates into the crushing and screening equipment. The resulting processed aggregate is conveyed by conveyor belts into interim stockpiles next to the plant.

Initially the mobile processing plant will be located within the existing quarry. As the working quarry face becomes further away from the existing quarry, and the processing plant, it may be necessary to locate the mobile plant within the proposed area to minimise material cartage and hence fossil fuel usage. The mobile plant will be away from the site boundaries and placed on the quarry floor, approximately 15 metres below the surface.

The mobile processing plant is generally about 3 metres in height and has a footprint of 1,200m².

2.2.3 Stockpiling

Crushed and screened aggregate will be placed into stockpiles, located within the site and the existing quarry by front end loaders. For the most part stockpiles will be located on the quarry pit floor. It is envisaged that for the early stages all stockpiling will be in the existing quarry.

The approximate maximum height of the stockpiles is 3-6 metres. The stockpiles are expected to cover a 5ha area and contain up to 40,000m³.

2.2.4 General Site Activity

The site will operate between the hours of 6 am and 7 pm Monday to Friday, and 7 am to 5 pm Saturday, throughout the year. It is not intended to operate on Sundays and public holidays.

Fuel is not to be stored permanently on site but the mobile plant associated with the processing plants has double skinned diesel fuel tanks for operational use with an approximate capacity of 10,000 litres.

Processed aggregate, and at times pit run aggregate (directly excavated from the pit face and not processed) will be removed from the site by road trucks. The number of traffic movements to and from the existing quarry will not increase as a result of this application.

Access to the site will be via the existing quarry entranceway at the end of Corbett Road.

2.3 Site Rehabilitation

The site will be progressively rehabilitated as room allows. When the initial extraction area has created sufficient room at the quarry floor level and the next extraction area requires the topsoil layers to be stripped this stripped material would be used to rehabilitate the initial extraction area. This method of progressive rehabilitation would be used for the whole site.

Rehabilitation at the northern and western boundaries of the quarry area would involve creating a final gradient at these boundaries of 3H : 1V.

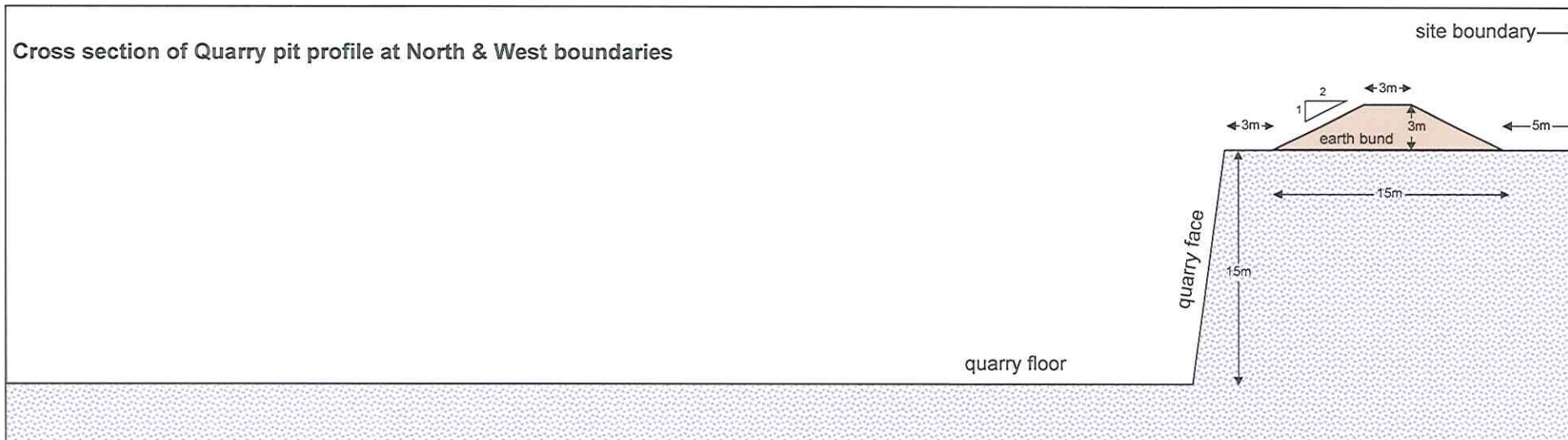
The rehabilitated landform will be sown in permanent pasture for grazing use or a suitable alternative. Irrigation could be gravity fed.

3. DESCRIPTION OF ALTERNATIVES

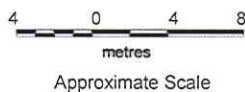
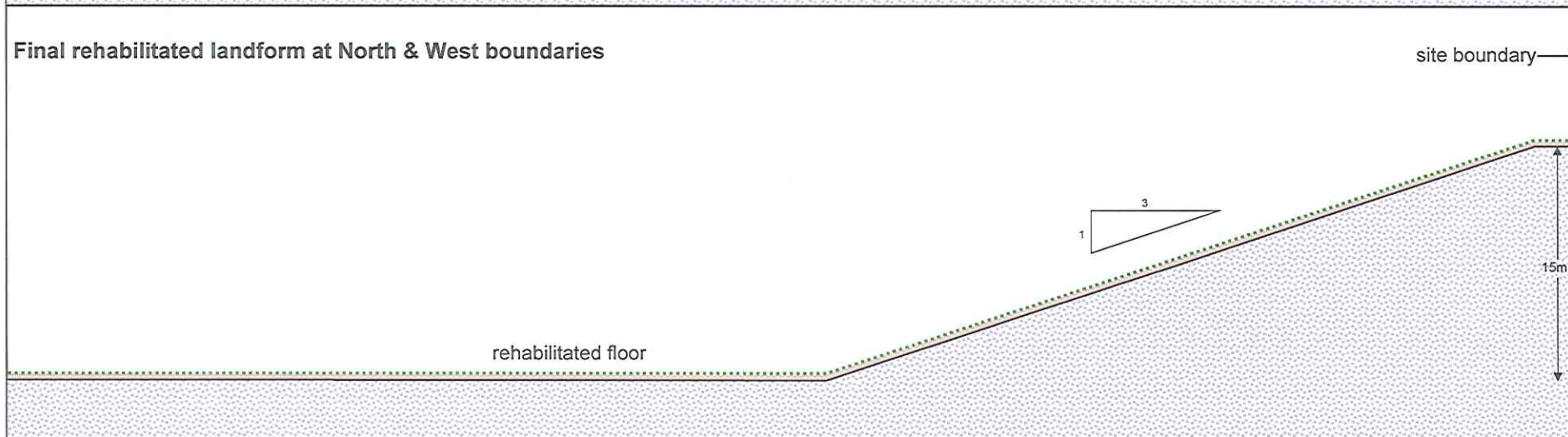
There are no practicable alternatives currently available for Road Metals to establish quarrying activities. Traditionally most roading aggregate has been extracted from the various rivers within the District. With the lack of major flood events over the past few years together with an increase in demand for materials as the district grows, the rivers are no longer able to sustain further extraction. The Otago Regional Council has dropped considerably the volumes of gravel consented from the rivers throughout Otago. The site chosen by Road Metals is ideal due to being situated within an area adjacent to an existing quarry with considerable separation distance from dwellings.

Further, is that the demand for aggregate is strong and is only likely to increase given upcoming infrastructure projects.

Cross section of Quarry pit profile at North & West boundaries



Final rehabilitated landform at North & West boundaries



ROAD METALS

DRAWN	JF	DATE	27-7-2010
CHECKED		DATE	
SCALE	1:400		

PROJECT Consent Application—Corbett Rd

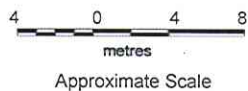
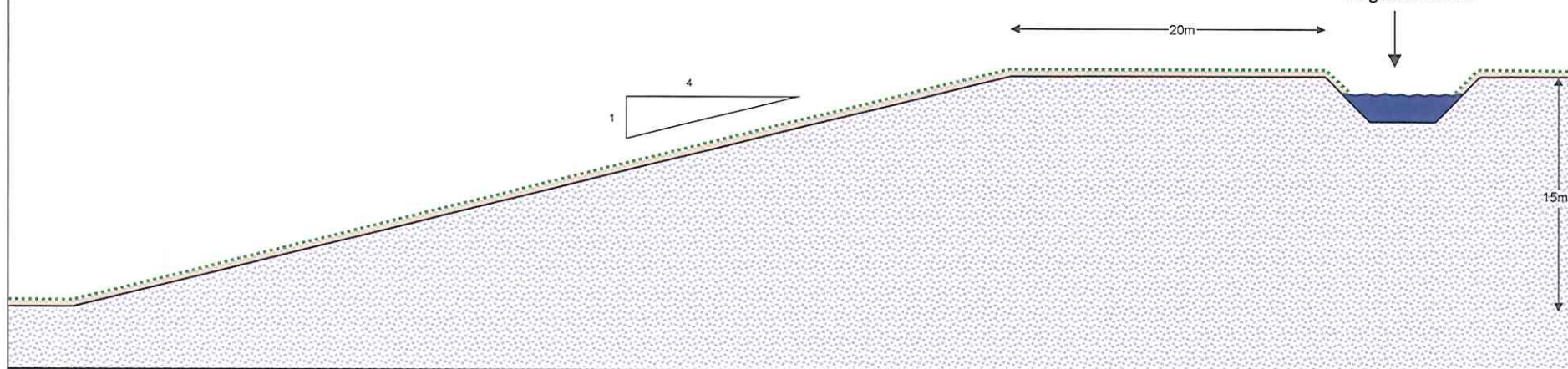
TITLE QUARRY PIT PROFILE
NORTH & WEST BOUNDARIES

PROJECT No	RM933-001	FIGURE No	2	REV No	2	A4
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Cross section of Quarry pit profile adjacent to irrigation canal



Final rehabilitated landform adjacent to irrigation canal



ROAD METALS

DRAWN JF

DATE 27-7-2010

CHECKED

DATE

SCALE 1:400

PROJECT Consent Application—Corbett Rd

TITLE QUARRY PIT PROFILE
ADJACENT TO IRRIGATION CANAL

PROJECT No RM933-001

FIGURE No 3

REV No 2

A4

4. THE EXISTING ENVIRONMENT

The site is approximately 40ha in area and comprises grass paddocks with some windrows of trees.

As with the existing quarry the coastal area of the site is shown to be a significant coastal landscape area under the Proposed Variation Number 2 of the Waitaki District Plan. .

The site is shown in Photographs 1 to 7 and the positions from which these were taken are identified in Figure 4 on page 12.



Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5

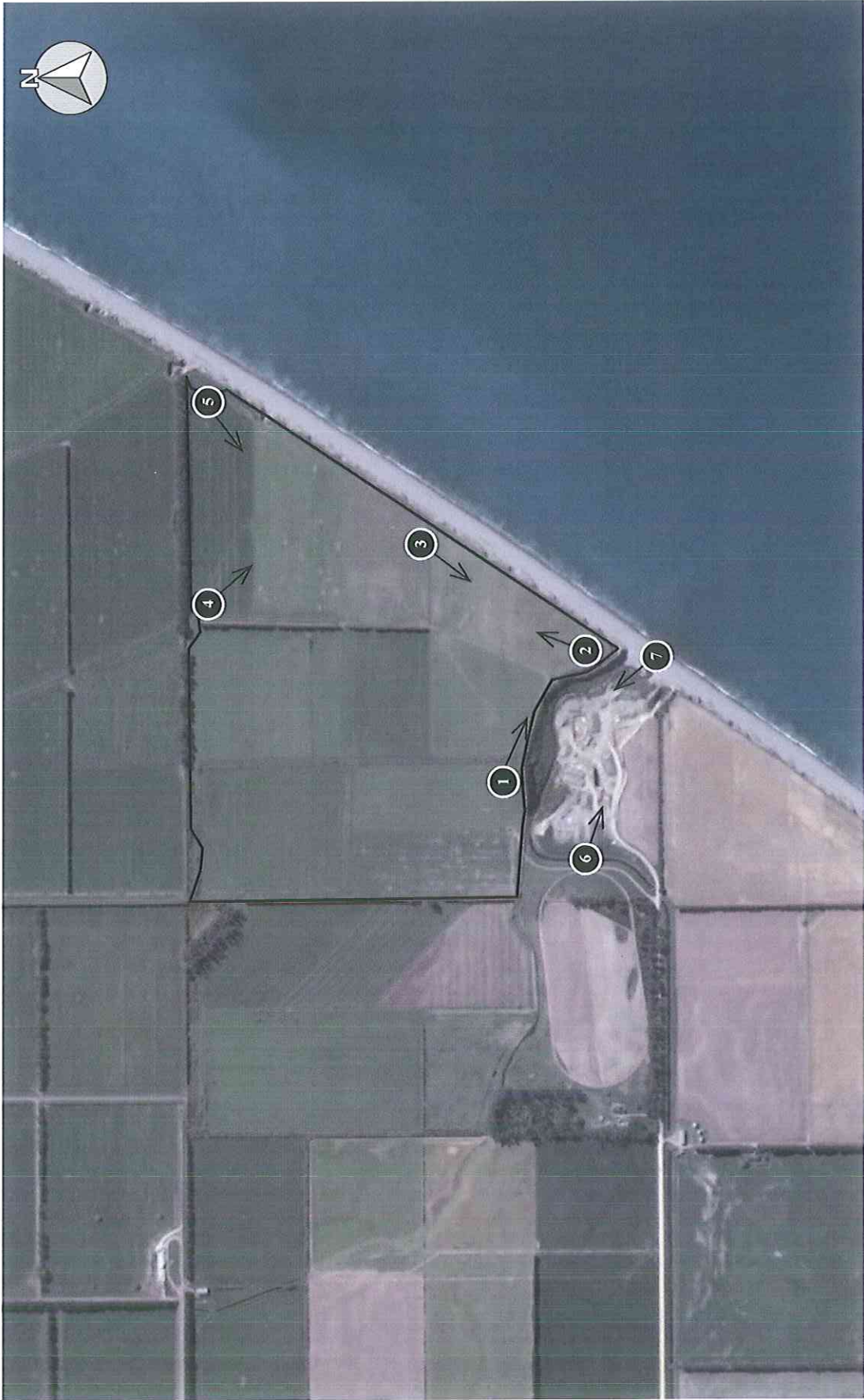
The surrounding area is characterised by a mixture of land uses including open farm paddocks to the north and west and aggregate quarrying activities to the south. Photos of the existing quarry are shown in Photographs 6 and 7.



Photograph 6



Photograph 7



ROAD METALS <small>GROUP</small>	
DRAWN	JF
CHECKED	
SCALE	1:10 000
DATE	15-2-2010
DATE	

PROJECT		Consent Application—Corbett Road	
TITLE		PHOTOGRAPH LOCATIONS	
PROJECT No	RM933-001	FIGURE No	4
REV No	2		A4

5. ASSESSMENT OF POTENTIAL ENVIRONMENTAL EFFECTS

5.1 Introduction

The potential effects associated with the establishment and operation of the quarrying activities, and the means of avoiding, remedying or mitigating any significant effects, are discussed in the flowing sections of this document.

Given the nature of the activities, and the natural and physical resources that will potentially be affected, this assessment covers the potential effects associated with the following matters:

- landscape and visual amenity;
- land stability;
- noise nuisance;
- dust nuisance;
- hazardous substances;
- positive effects;
- ground water quality;
- traffic;
- historic values.

In accordance with the relevant planning documents, this assessment provides the information of relevance for the required resource consents sought.

5.2 Landscape and Visual Amenity

The acceptability of the quarrying activities within their surrounding environment depends on whether:

- the physical form of the landscape is altered such that it no longer fits into its surrounds; and
- a reduction in visual amenity occurs if the activities or changes in the landscape are highly visible from public or private places, becoming visibly out of character with or intrusive into the surrounding landscape.

Part of the site is identified as an area of significant coastal landscape. The significant coastal landscape area also includes the majority of the existing quarry. The proposed site will effectively carry on from the existing quarry and because of this, it would be considered an area that had a high potential to absorb change.

The quarrying activities themselves will not be visible from public places or surrounding land due to screening provided by the earth bunds and the location of the aggregate extraction and mobile processing plant being located below the ground surface. There are no key views or viewpoints in this area nor are there any rare or distinctive geological outcrops.

The earth bunds are the only feature that will be visible from the surrounding private property. Additionally, once grass is established on the bunds they will be in keeping with the pasture type character of any surrounding farm land.

It is not proposed to remove any native vegetation, plant any exotic trees or plant any shelter belts as part of this proposal.

In the longer term, upon completion of all activities, the site will be rehabilitated (re-contoured and sown in permanent pasture) returning it to a similar state but with the advantage of being able to use gravity fed irrigation. In addition, the form of the rehabilitated site will not be dissimilar to that which is currently present. While there will be a depression in the land surface the site will be able to integrate into the surrounding environment as a result of the grass crop and the gentle 3H : 1V battered slope.

In addition, the type of machinery used and the activities are not dissimilar to machinery working in the rural environment or used in surrounding activities therefore they are not considered to be out of character.

The site is only visible from the immediate neighbouring properties, who have all given their written approval, and from the coast.

To summarise, effects on visual amenity, and in turn on landscape character, will not be significant because the activities are not considered to be out of context within this environment nor are they highly visible.

5.3 Land Stability

Potential effects that may arise include erosion and/or collapse of adjoining land and roads which have the potential to become unstable if the aggregate extraction leads to eroding beyond the site boundaries.

In general, the stability of quarry faces will depend on a combination of the quarrying method used and the nature of the material being extracted.

The geology of the existing quarry consists of minor sandy silts and medium to coarse size gravels with some cobbles and boulders. The aggregate is tightly packed when not disturbed with a high natural moisture content. The proposed quarry is expected to have the same geology.

The extraction method proposed is common practice for alluvial aggregates and has been used safely without recorded major instability at the existing quarry for a number of years.

The potential for the proposed extraction method to impact the stability of land adjoining the site is highly unlikely due to the distance between the edge of the extraction area and the site boundaries, and the suitability of the extraction method.

5.4 Noise Nuisance

Noise generated on site has the potential to intrude upon the amenity of the surrounding environment. The level of noise disturbance varies depending on the level of the noise from the activities on site, whether the activities occur in an environment in which noise is present or a quieter environment with limited activity, the measures that may reduce the audibility of noise, and proximity of sensitive receptors, such as dwellings, in relation to the noise sources.

Noise will be generated:

- during the construction of the earth bunds;
- during the earthworks required for re-contouring of the land surface during rehabilitation;
- from on site activity such as loader extracting aggregate and trucks moving around the site; and
- from the mobile processing plant.

The closest dwelling is approximately 500 meters to the south-west of the site boundary.

The existing noise environment includes the existing quarry activities and farming activities.

With respect to the construction and deconstruction of the earth bunds (for the rehabilitation of the site) a front end loader will be used. The noise generated from these is expected to be relatively short term, i.e. 7 to 14 days. The Volvo loaders to be used may breach the NZS6803:1999 noise limit of 75dBA at the site boundary but this will be for a limited time and similar to rural machinery working the land. With respect to the noise received at the closet dwelling, it is unlikely that this will be audible given that noisier loaders at a distance of 200 metres were assessed at 51dBA L₁₀.

The daytime noise limit of 55dBA L₁₀ applies at the site boundaries for activities on the site.

Marshall Day Acoustics Ltd have provided a previous assessment of loader noise using a Volvo L180. It is likely that smaller and quieter Volvo loaders will be used to work the quarry face and load the processing plant and trucks, therefore this is a worst case scenario. At a distance of 200 metres the noise was assessed at 51dBA L₁₀ based on a direct lines of sight with no obstacles in the way and 50% soft ground cover (i.e., farm paddock) between the loader and the receiver.

With respect to all other quarry operations these will be approximately 15 metres below the ground surface and shielded by both the quarry pit face and the 3 metre high earth bund which sits above ground level. The quarry operations are expected to be within the noise limits due to the attenuation measures provided and the distance from the site boundaries.

Given the size of the site and that the mobile plant is able to be located well away from the boundaries of the site, and that the plant will be located 15 metres below the ground surface and screened by an additional 3 metre high earth bund around the perimeter of the site it is expected that the noise standards will be met.

The plant will not operate continuously and will only be brought to site and used when required, therefore this noise is not a constant presence within the environment.

5.5 Dust Nuisance

Where dust is generated in significant amounts it can be a nuisance for surrounding land uses. The amount of dust generated during quarrying activities, being aggregate extraction, aggregate processing, loaders and trucks moving across the quarry pit floor and aggregate stored in stockpiles, depends on the scale and frequency of activities, nature of the material exposed and weather conditions.

Some dust is likely to be generated during the construction and deconstruction of the earth bunds but given that the soil material will be damp the amount of dust is limited. The dust arising is no different to the rural activity of ploughing a paddock. There is a considerable distance (over 500 meters) to the nearest dwelling and any dust within the air will settle well before it reaches this dwelling. Following the construction of the earth bunds these will be watered whereby a crust will form and then grassed hence will not generate dust.

Aggregate extraction and processing have the potential to generate dust emissions because the material being disturbed by these activities may include finer particles of aggregate or sand. This potential is reduced at the site because the material that will be excavated is generally damp and consolidated. Any dust generated by aggregate extraction and processing will be

limited to small localised emissions. In saying this, dust can be generated as the aggregates dry out, to prevent this the material processed by the mobile processing plant will be sprayed with a fine mist of water to ensure that these remain damp.

Vehicle movements have the potential to generate small, localised dust emissions from the unconsolidated surfaces such as the quarry pit floor and haul roads where finer particles of aggregate or sand may be deposited and get "kicked up" by the tyres of plant and vehicles as these move across the surfaces. Dust emissions from the quarry pit floor are expected to be mostly contained within the pit and site due to the surfaces being relatively consolidated, the small number of loaders and damp conditions.

There is also the potential for greater dust emissions from the surfaces at the site that will be driven on regularly by heavy vehicles coming and going from the site. A water cart or water dust suppression system will be used to dampen down the surfaces on which vehicles move to prevent significant dust emissions.

The quarry depth will provide an initial barrier to the potential release of dust from the activities within the site. The earth bunds will act as a secondary barrier to further reduce dust from these activities.

Dust particles from the activities are generally at the larger end of distribution (i.e., greater than PM₁₀). This means that they are less likely to become entrained in the air, and if they do the dust will settle out relatively quickly with the majority being able to settle within the site bounds. Also, this sort of dust does not pose a potential health problem.

5.6 Hazardous Substance Use

Where hazardous substances, such as fuel, are stored and used there is the potential for spillages to occur when the fuel is not handled properly or safeguards are not in place. These may result in the surface material being contaminated and if left may permeate downwards towards the groundwater.

It is proposed to store approximately 10,000 litres of diesel to power the mobile plant. The fuel tanks are double skinned and/or fully contained. They form part of the mobile plant and are connected to this hence not permanently fixed on the site. When in use they are removed from the plant and placed on the ground.

Given that the tanks are double skinned and the storage can be secured there is very low, if any, risk of a fuel spill.

Leaks from loaders or other machinery is highly unlikely.

If spills occur there is machinery on site that is able to immediately "scoop up" the impact area there by removing the source of contamination. Spill kits will be also be provided on site to soak up and contain any spills if these occur.

It is not proposed to have any other hazardous substances on site for this operation.

5.7 Positive Effects

Positive effects that may arise include:

- productive rural end use for the site;
- proximity to the market which keeps aggregate products at a reasonable cost to end users and reduced greenhouse gas emissions from vehicles;

- employment at the site; and
- keeping quarrying activities within an area in which it is already present.

The proposed rehabilitation of the site at the completion of use includes re-contouring and establishing permanent pasture.

The close proximity of the site to Oamaru means that the aggregate is located close to the market where it is in demand which reduces transport costs. Shorter transport distances also reduce fossil fuel usage and in turn greenhouse gas emissions.

The proposed quarry extension will mean retaining the employment of existing staff. This is a critical issue in the economic climate facing us today and in the near future.

The proposed quarry extension will give a guaranteed aggregate supply for the North Otago area where many traditional sources are depleting. In a recent resource consent hearing to extend a quarry near Christchurch, the commissioners considered that making available a further aggregate source, in an area where the adverse effects can be appropriately managed, is a positive effect of granting consent.

The proposed quarry excavation is located in an area where like activities are already occurring. This means that the area is accustomed to the activity.

5.8 Groundwater Quality

Excavation of land has the potential to impact groundwater quality either directly by exposing groundwater, or indirectly by leaching contaminants into groundwater.

The use of machinery and vehicles within the quarry pit, including the potential for hydraulic oil leaks, has the potential to impact groundwater through contamination infiltration. The aggregate extraction will remove some of the protective aggregate layer above the groundwater table but this is not considered to increase the vulnerability of the groundwater to contamination. This is because at least a one meter aggregate buffer between the quarry pit floor and the groundwater table will be left and in the unlikely event that hydraulic oil is leaked from machinery this is able to be soaked up with spills kits and/or the impacted aggregate can be dug up thus removing the potential source of contamination.

Existing or permitted activities, such as rural uses (septic tanks, chemical applications and machinery) pose a similar or greater risk to groundwater quality.

The rehabilitation of the site and return to a pasture crop represents a low risk future rural use from a groundwater perspective.

The excavation only creates a very low risk to the local groundwater quality.

With respect to stormwater, this is unlikely to pond within the quarry pit and due to the buffer groundwater should not be intercepted. Any stormwater runoff that collects in the quarry pit will infiltrate to ground. Stormwater ponding is not expected.

Stormwater is not considered to pose a threat to groundwater, as it is natural land drainage and because of the minimum separation distance from groundwater. Natural filtration will occur through the gravels hence sedimentation of the groundwater is unlikely.

5.9 Traffic

Heavy vehicles associated with transporting the material from the site may affect the sustainability of the road network. This depends on the classification of the road, the volume and pattern of traffic on the road, the speed that vehicles travel at and lines of site.

This application does not seek to increase the number of traffic movements to and from the site. The vehicles will access the site from Corbett Road via the existing quarry.

Corbett Road is straight, flat and has been used for this purpose for some time now.

5.10 Historic Values

Although the existing quarry has not shown any evidence of any artefacts, if the excavation was to uncover any artefacts, kōiwi tangata (human skeletal remains), or Māori artefact material, these would be reported to Te Rūnanga o Mōeraki and New Zealand Historic Places Trust. Site work would only recommence following consultation with these parties.

5.11 Coastal Erosion

An Otago Regional Council (1991) report gives an annual erosion rate of about 0.8 m per year in the area between north Oamaru and the Waitaki River, based on aerial photography.

A NIWA study (Hicks & Todd 2006) calculated typical long-term erosion rates of 0.6 to 0.7 m per year on the south Waitaki fan, covering the period 1864/5 to 2000. Some periods have greater erosion rates than others – for example, a period of accelerated erosion was identified between 1943 and 1977. Even longer-term erosion rates, calculated over the past 7000 years (from the time of postglacial sea level rise), are close to 0.8 m per year (Dickson et al. 2009 in press).

Sediment supply to the North Otago and Canterbury coast is derived from numerous sources such as, but not exclusively, rivers, eroding cliffs, eroding beaches themselves and longshore transport from other parts of the coast. Generally speaking mixed sand and gravel beaches make up most of this coastline.

Whether a beach is stable, accretionary or erosional, is dependant on the balance between the quantity of beach sediment entering the coastal system (for example from rivers or cliff erosion) and the quantity of material lost from the system (for example wind-blow into dunes, entrapment in lagoons or estuaries, or abrasion). If the input of sediment to the coast remains the same as the losses, then the coast should remain stable. If losses exceed inputs then the coast will erode. Any reduction in the supply of sediment to the coast could cause a change in this balance, either initiating erosion or exacerbating erosion on an already erosional coast.

Inputs of gravel to the South Canterbury Coast include point and line sources. The point sources are the rivers (Waitaki, Waihao, Makikihi, Otaio and Pareora), while the line sources are the cliffs. There is also some input of sand and gravel from south of the Waitaki River.

Table 2 shows an estimate of the overall gravel budget for the South Canterbury Coast. Reductions in the Waitaki River source are expected to be accommodated by an increase in the cliff erosion source on the northern Waitaki fan. (From Hicks and Todd, 2003).

Table 2 'Natural' beach material budget for sub-cells of the Waitaki littoral cell.

Cell	Distance N of Waitaki (km)	Cliff Supply (m ³ /yr)	River supply (m ³ /yr)	Abrasion losses in each cell (m ³ /yr)	Passing north (m ³ /yr)
South fan	-21.4 to -2.6	250151	0	-77948	172203
Waitaki Mouth Area	-2.6 to 3.2	41820	153000	-53530	313493
North fan	3.2 to 13.3	79656	0	-108623	284526
Wainono lowland	13.3 to 36.4	0	0	-160907	123620
Makikihi-Pareora	36.4 to 51.4	5600	17200	-52906	93514
Pareora-Timaru	51.4 to 63.9	0	0	-33887	59627
Sum/net		371626	170200	-487800	59627
% of total supply		69%	31%	89%	11%

Estimates of gravel inputs to the coast from the rivers and cliffs is subject to a large amount of variation. For example the estimate of bedload from the Waitaki River from Hicks and Todd (2003) has possibly a factor of 2 uncertainty. Total river supply to the coast will vary widely depending on which estimate is used in the calculation. The estimates used below come from a variety of sources, and so provide for a range of uncertainty. In effect the amounts of sediment supply are indicative only, the actual sediment (bedload, suspended or both) arriving at the coast will vary year to year due to supply variability along the river, and flooding variability in transporting the sediment downstream.

The bedload supply from the Waitaki River was calculated by Hicks and Todd (2003) to be between 69,000 and 153,000 m³/yr. Input from the Waihao ranges from 0 to about 7,900 m³/yr, estimates range for the Makikihi from 0 to 6,000 m³/yr (Hicks and Todd 2003, Kirk 1987, MWH studies, 2005), for the Otaio from 0 to about 12,400 (Hicks and Todd 2003, MWH studies, 2005) and for the Pareora from about 11,000 to 17,200 m³/yr (Kirk 1987, Hicks and Todd 2003).

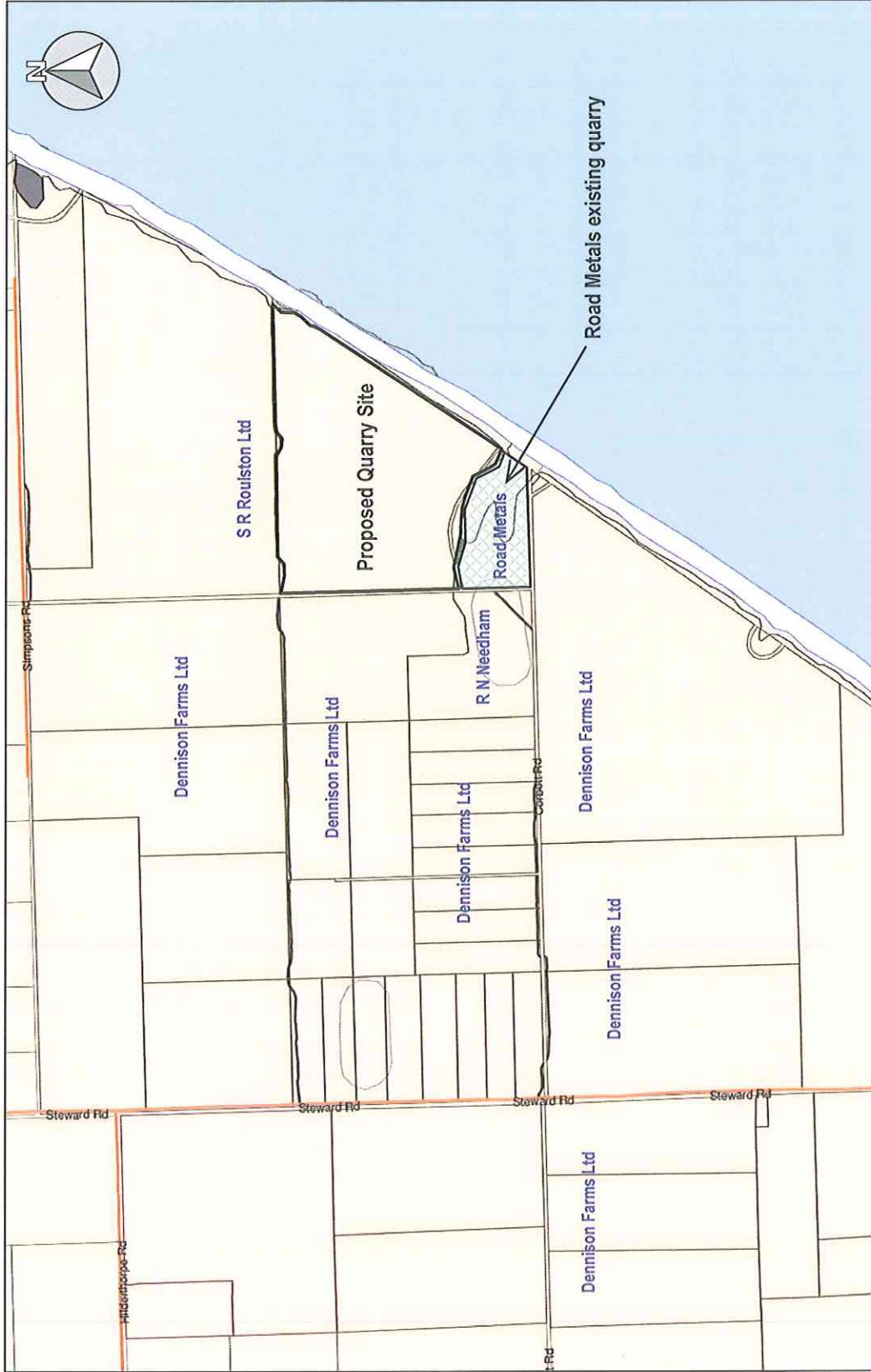
The total river supply is up to about 196,500 m³/yr (using the upper estimates for each river).

Hicks and Todd (2003) estimate that the sand and gravel supply from erosion of the alluvial cliffs north of the Waitaki River is about 120,000 m³/yr, with approximately 172,000 m³/yr passing north from cliff erosion south of the Waitaki River.

The input of sand and gravel from south of the Waitaki River is uncertain, and has been thought to be small by some researchers (various estimates have been given from 0 to 25 m³/yr by Kirk, 1987 and Gibb and Adams, 1982 respectively). The value from Hicks and Todd (2003) has been used in calculating the total supply.

The total gravel supply to the coast is therefore $196,500 + 292,000 = 488,500$ m³/yr.

This compares to Hicks and Todd's estimate of about 462,400 m³/yr.



Approximate Scale

ROAD METALS
Group

PROJECT

Consent Application—Corbett Road

DRAWN

JF

DATE

16-7-2010

TITLE

NEIGHBOURING LANDOWNERS

CHECKED

DATE

FIGURE No

5

REV No

2

A4

PROJECT No

RM933-001

8. STATUTORY CONSIDERATIONS

8.1 Resource Management Act 1991 (RMA)

8.1.1 Part II Considerations

Part II of the RMA outlines the Purpose (s 5) and Principals (ss 6, 7, 8). The relevant sections as they apply to this application are ss 5, 7(b), 7(c), 7(f) and 7(g). Mineral (i.e., aggregate) extraction is exempt from s5(2)(a) but it is not excluded from achieving the values of the rest of s5.

The aggregate supply within the existing quarry is running out. There is an immediate need for new aggregate resources and this site is well suited due to the close proximity to the existing quarry and infrastructure and the ability for the amenity and environmental values of the surrounding area being able to be maintained without the activities giving rise to adverse effects.

Aggregates are an essential raw material to the development of and within the Waitaki district being utilised in most public and private infrastructure and construction projects. In turn, the labour and service markets are supported both directly and indirectly. The rehabilitation of the site will allow for the shorter term quarrying activities as well as ensuring that future sustainable rural land uses are provided at the site.

8.2 District Council Planning Documents

8.2.1 Waitaki District Plan – Assessment Matters

Part 3, Section 17.2 of the Partly Operative District Plan states the following for mineral extraction.

xxiii Mining Activities and Gravel Extraction - Rural Zones

- a) *The extent to which the activities of vegetation clearance and the excavation and removal of material associated with mining impact on amenity values, landscapes values and natural conservation values. (Refer to relevant Assessment Matters.)*
- b) *The extent to which roads or buildings impact on amenity values, landscape values and natural conservation values. (Refer to relevant Assessment Matters.)*
- c) *The ability of the proposal to rehabilitate the site after mining so:*
 - i) *that the long term stability of the site is ensured;*
 - ii) *that the landforms or vegetation on finished areas are visually integrated into the landscape;*
 - iii) *that the land is returned to its original productive capacity, where appropriate;*
 - iv) *that water and soil values are protected.*

- d) *The ability of operation to minimise dust, noise, lighting and vibration so that amenity or natural conservation values are not at risk.*
- e) *The ability of the company to provide a contingency plan for early mine closure, including an evaluation of the risk to the neighbouring community and environment.*
- f) *The ability of the company to provide a bond to the Council annually for the purpose of rehabilitating operation areas in the event of a premature closure.*
- g) *The ability of the company to adequately monitor the operations and its effects on the receiving environment.*

The proposed rehabilitation will allow the land to be able to support a rural use and will ensure the long term stability of the land.

The creation of the earth bunds for storage of the soils are to be managed. Once the soils are in the storage bunds they will be sprayed with water and grassed to prevent erosion.

It is recognised that aggregate is an important resource for roading and construction in the Waitaki district.

The ability to access aggregate from various rivers within the District is becoming more and more difficult. In addition, it has been demonstrated that the effects of the activities are not significant. From this it can be concluded that this use of the site and quarrying activities at this location is appropriate.

Part 3, Section 17.2 of the Partly Operative District Plan states the following for activities located in Significant coastal landscape areas.

xxv Areas of Landscape Importance – Rural Zones

- a) *The extent to which the activity will cause:*
 - i) *the loss of key views or viewpoints;*
 - ii) *the loss of accessibility to key views or viewpoints;*
 - iii) *any obscuring of landforms or natural features;*
 - iv) *the loss of the natural landscape pattern; including the loss of underlying landform pattern;*
 - v) *the loss or obscuring of present vegetation patterns;*
 - vi) *the loss of openness and spaciousness of the landscape, and the apparent naturalness of the landscape.*

"Utilisation of mineral resources within the District, providing that the scale of each operation and its effects, both short and long-term, are appropriate to its environment."

Corbett Road is considered to have capacity and be able to deal with the vehicle movements that will be generated by the activity without inhibiting traffic movements.

The area to be quarried is not an area identified as having high class soils on the District Planning Maps.

The gravel is a valuable resource to the district within this land area and the proposed activity will use this to support both urban and rural development needs. The activity is temporary and the proposed rehabilitation will return the land to a similar state.

On a whole the effects are not significant and the rural amenity of the adjoining land uses will be upheld and any effects effectively mitigated. The proposed activity is designed such that there is significant separation from the adjoining land uses.

16.8.2 Landscape Objective

Subdivision, use and development are managed so that :

- *the values identified for the outstanding or significant natural features, the outstanding landscapes, and the coastal landscapes are protected from inappropriate use and development; and*
- *the overall landscape qualities of the Rural Scenic Zone are retained.*

16.8.3 Policies

- 1 *To adopt a shared values approach which recognises that members of the community can be given the opportunity to consider what are the important landscapes in the district and the appropriate means by which to manage these landscapes.*
- 5 *To manage the effects of use and development so that the values of the significant coastal landscapes are protected and so that the natural character of the coastal environment is preserved generally (Also refer to Policy 10 under Issue 8).*
- 6 *To ensure that those characteristics leading to the identification of an outstanding or significant natural feature, are protected.*
- 7 *To achieve the outcomes in Policies 2 to 6 above, the following policies on subdivision, use or development are to apply:*
 - e. *In the outstanding natural features and landscapes and significant coastal landscapes buildings are to be located in areas with higher potential to absorb change and, together with residential units in the Rural Scenic Zone, where possible, are to avoid using skylines, ridgelines, prominent places and features within important views and are to be encouraged to reflect the dominant forms and colours in the landscape;*
 - f. *Earthworks are encouraged to be located away from visually sensitive areas, and where practicable towards the edges of landform and vegetation patterns;*

- g. *Earthworks should not compromise any rare or distinctive geological outcrops or any other values associated with an identified as an outstanding or significant natural feature;*
 - h. *Earthworks, where possible, should be restored and finished to a contour sympathetic to the surrounding physiography and should also be revegetated with a cover appropriate to the site and setting;*
 - i. *Use and development is to take into account the effects of indigenous vegetation clearance on landscape character, and in particular, clearance is to be avoided where the values identified for the outstanding or significant natural features or landscapes, or the coastal landscapes, would effectively be irreversibly lost.*
- 9 *To recognise that the Rural General Zone is made up of landscapes that are generally of a lesser value because the land has been more intensively developed, and contains a greater range of landuses with a greater dominance of buildings and structures; at the same time acknowledging that the rural amenity of this zone still needs to be managed (refer to Issue 4 and the Associated Objective and Policies).*
- 10 *To protect site-specific and outstanding geological geomorphological features that are of scientific importance; further sites that come before the Council will be included by way of a Plan Change at a later date.*

The proposed site is adjacent to an existing quarry that shares the same zoning and is also considered to be an area of significant coastal landscape. The proposed site will effectively carry on from the existing quarry. Due to the existing quarry, this would be considered an area that had a high potential to absorb change.

There are no rare or distinctive geological outcrops in the proposed site.

The final landform when rehabilitated will be in keeping with surrounding area as the existing quarry will have a similar ground level and when pasture has been established will be in keeping with previous and neighbouring land uses.

It is not proposed to remove any native vegetation, plant any exotic trees or to plant any shelter belts as part of the proposal to quarry this site.

The site is only visible from the immediately neighbouring properties and from the coast.

13 December 2010

Road Metals Co Ltd
PO Box 212
OAMARU 9444

Attention : Jonny Francis

Dear Sir

Resource Consent - LRC10/73 Corbett Rd , PAPAIAIO

Council has granted Land Use resource consent to your application LRC10/73 pursuant to sections 104(5), 104B and 108 of the Resource Management Act 1991.

The decision on your resource consent was made by the Planning Manager pursuant to authority delegated in accordance with Section 34A(1) of the Resource Management Act 1991.

Granted to: Road Metals Co Ltd

Consent: To establish and operate a gravel extraction quarry located at the eastern extent of Corbett Road, Oamaru, on land legally described as Section 64 Block V Papakaio SD (CFR OT13A/1118).

Date Granted: 13 December 2010

In connection with the following property:

Property Address: Corbett Rd , PAPAIAIO

Legal Description: SECS 64 BLOCK V PAPAIAIO SD

Land Use Conditions:

General

- 1) That the activity be in general accordance with the application and plans lodged by the applicant, submitted with application LRC 10/73 and received by Council on 22nd October 2010 and the further information received by Council on 22nd November 2010. A copy of the approved site plan is attached.

- 2) That if any urupa, traditional sites, taonga (significant artifacts), koiwi (human remains) or other archaeological sites are exposed during site works then the following procedures shall apply:
- (i.) Immediately it becomes apparent that an urupa, traditional site, taonga, koiwi or other archaeological site has been exposed, all site works in the immediate vicinity shall cease.
 - (ii.) The site supervisor shall immediately secure the area in a way that ensures that any artifacts or remains are not further disturbed.
 - (iii.) The site supervisor shall notify relevant takata Whenua, New Zealand Historic Places Trust and the Waitaki District Council that an archaeological or traditional site has been exposed so that appropriate action can be taken. This includes such persons being given reasonable time as determined by the Council to record and recover archaeological features discovered before work may recommence on the site.

Site Management Plan:

- 3) The consent holder shall submit to the Council a detailed Site Management Plan on the 1 year anniversary date of this consent. The consent holder shall then submit to the Council a reviewed and updated Site Management Plan at least annually thereafter, unless the Council notifies the consent holder in writing that a lesser frequency is required. The Site Management Plan shall include:
- (i.) A detailed site plan of the entire quarry area showing the extent of the quarry operations. The site plan shall show (but not be limited to) site access, waterways, extraction areas, stockpiling areas, processing areas and rehabilitated land).
 - (ii.) A description of the sequence of works and procedures adopted during quarrying and processing. This shall include a description of the work conducted in and around the existing waterway (irrigation water), a description of the previous year's rehabilitation work and an assessment of whether the previous rehabilitation work meets the rehabilitation objectives set out under Condition 11.
 - (iii.) A description of the measures to be undertaken so that the conditions of this consent will be met at all times.
 - (iv.) An assessment/description of compliance with the conditions of this consent.

Quarry operation:

- 4) That prior to quarrying any land within the unformed legal road reserve located on the southern boundary of Section 64 Block V Papakaio SD (CT OT13A/1118), the applicant shall obtain all necessary legal permissions to allow quarrying to occur.

“Advisory Note”

Adjoining the existing quarry to the north, and separating the existing quarry with the new proposed quarry site, is legal road reserve (unformed). It is understood that Council’s Property Department is willing to issue a licence to occupy (and mine) this area of road – with the option of Road Metals purchasing the land in the future (i.e. road stopping) - however, at the time this consent issued, this process had not been finalised.

- 5) That prior to the storage and use of diesel exceeding 3,000 litres on the site, the consent holder shall supply Council with evidence of full compliance with the Hazardous Substances and New Organisms Act 1996, including copies of all certificates required under the Environmental Risk Management Authority’s jurisdiction.
- 6) That all works associated with the quarry (including on-site transport and extractive processes) shall be limited to the hours of 6.00am to 7.00pm Monday to Friday, and 7.00am to 5.00pm Saturday. Other than where necessary for safety, health or environmental reasons, no work associated with the quarry site shall be carried out on Sundays or public holidays.
- 7) The maximum height of any gravel stockpile shall not exceed 3 metres above the natural surrounding ground level (no higher than the earth bunds around the perimeter).

Roading/Access:

- 8) That all vehicles (including trucks and loaders) travelling on and through the site shall be restricted to a maximum speed of 25km/hr.
- 9) That the truck access and egress to and from the site shall be limited to an average of seven return trips per day, calculated on a per annum basis, excluding Sundays and public holidays.

Air Quality:

- 10) The consent holder shall ensure that dust is not offensive or objectionable at or beyond the boundary of the site during all rock and gravel extraction and works incidental to rock and gravel extraction, using the following methods:
 - Minimising the area being disturbed at one time;
 - Avoiding, as far as possible, disturbance to the site - including access to and from the site during dry, windy periods when dust is most likely to be a problem;
 - Using water to damp down potential dust at source;
 - Rehabilitating and re-vegetating mined areas at the earliest opportunity.

Rehabilitation:

11) The consent holder shall ensure that rehabilitation work is completed as per the application and as follows:

- (i.) **QUARRYING AREA:** The maximum area of land disturbed and not fully restored, shall not exceed 5 hectares at any time. Disturbed areas shall include the extraction pit, tailings and overburden, re-levelled area and land pre-stripped ready for mining.
- (ii.) **TOPSOIL:** The consent holder shall, as far as practicable, strip and stockpile topsoil from all areas separately from the remaining overburden. All salvaged topsoil shall be used for rehabilitation purposes. Waste rock and overburden shall be returned to the excavations, levelled off and contoured prior to re-spreading topsoil on fines.
- (iii.) **VEGETATION:** The consent holder shall progressively undertake vegetation rehabilitation, as areas of practical working size become available. The consent holder shall ensure that the vegetation cover is permanently established.

Bond:

12) That prior to any works giving effect to this consent (on the new application site), a performance bond agreement shall be entered into between the consent holder and the Council to ensure compliance with the rehabilitation conditions of this consent as per the following:

- (i.) In order to establish an agreed bond amount, the consent holder shall supply Council's Planning Department with two separate quotes from independent contractors/companies for the site rehabilitation. The total bond amount shall be set at the midpoint amount between the two quotes with an additional 20% contingency added.
- (ii.) The bond is to be registered on the title to the application site by way of a memorandum of encumbrance and shall bind any subsequent owners and operators of the site.

"Advisory Note"

The proposed site is held in a separate certificate of title and is not currently owned by Road Metals. In the event that Road Metals purchases the land legally described as Section 64 Blk V Papakaio SD (proposed site) and the land is amalgamated with the existing quarry land (Section 67 Blk V Papakaio SD) it may be appropriate for the two bonds to be combined into one.

- (iii.) That every two years following the anniversary date of this consent, the consent holder shall review the quantum of the bond in order to take into account inflation. The review shall be achieved using the criteria set out in appendix A of New Zealand Standard NZS 3910:2003 (Cost fluctuation adjustment by indexation). The reviewed and adjusted bond shall replace the

bond as per condition 12(ii.) above. The consent holder shall supply Council with evidence that this has been completed.

- (iv.) The bond shall be released upon application and evidence of the site being completely rehabilitated to Council's satisfaction.

Water Races and Flood Channels:

- 13) The consent holder is responsible for the safeguarding of the existing water race and flood channel, which lie on the perimeter of the site. Any damage incurred as a result of extraction operations must be repaired at the consent holder's expense. The consent holder shall also be responsible for the maintenance and repair of the western and southern facing batter slopes. Gravel extraction shall not occur within 20 metres of the adjacent watercourse.

Consent Expiry:

- 14) This resource consent shall expire on the 1st December 2024.

Review/Monitoring:

- 15) That under section 128 of the Resource Management Act 1991, the Council may review the conditions of this consent to ensure that the adverse effects on the environment which may arise from the exercise of this consent are adequately mitigated.
- 16) Charges set in accordance with Section 36(1) of the Resource Management Act 1991 and Section 150 of the Local Government Act 2002, shall be paid to the Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Resource Management Act.

Reasons for Decision:

- A. Having considered the effects of the activity on the environment in accordance with Section 104(1)(a) of the Resource Management Act 1991, Council is satisfied that the actual and potential effects of the activity on the environment will be no more than minor provided that the recommended conditions are complied with.
- B. The granting of the consent will not be contrary to the policies and objectives contained within the Operative Waitaki District Plan in accordance with Section 104(1)(b) of the Resource Management Act 1991.
- C. Notification was not required under Section 95A of the Resource Management Act 1991. The persons who were considered to be potentially affected pursuant to Section 95B and 95E of the Resource Management Act 1991 provided their written approval to the application. Limited notification was therefore not required under Section 95B of the Resource Management Act 1991.

- D. The proposal to establish and operate a gravel extraction quarry located at the eastern extent of Corbett Road, Oamaru, on land legally described as Section 64 Block V Papakaio SD (CFR OT13A/1118) will have adverse effects that will be no more than minor pursuant to Sections 95-95E of the Resource Management Act 1991.
- E. This land use proposal is located in the Rural General Zone and Significant Coastal Landscape area and has been assessed as a Discretionary Activity for which consent may be granted under Section 104 and 104B of the Resource Management Act 1991.
- F. Pursuant to Section 104B and Section 108 of the Resource Management Act 1991 specific conditions have been imposed to mitigate any adverse effects of the activity on the environment.

Commencement of Consent:

Your attention is drawn to Section 116 of the Resource Management Act 1991 which provides that any resource consent which has been granted shall, unless stated otherwise, commence either, when the time for lodging appeals expires and no appeals have been lodged, or when the Environment Court determines the appeals or all appeals are withdrawn.

Lapsing of Consent:

Your attention is also drawn to Section 125 of the Resource Management Act 1991 which provides that a resource consent lapses on the date specified in the consent or, if no date is specified, five years after the date of commencement of the consent unless before the consent lapses the consent is given effect to or an application is made to the Council to extend the period after which the consent lapses, and the Council decides to grant an extension.

Right of Objection:

Please note that pursuant to Section 357A of the Resource Management Act 1991, you may, within 15 working days of being notified of this decision, object by notice in writing to the Council in respect of any aspect of this decision. The Council is required by the Act to consider any objection and to decide whether to dismiss or uphold the objection wholly or partly. (There is a right of appeal, pursuant to Section 358 of the Resource Management Act 1991, to the Environment Court against Council's decision on any such objection).

Right of Appeal:

As an alternative to your right of objection pursuant to Section 357 of the Resource Management Act 1991, please note that pursuant to Section 120 of the Resource Management Act 1991, you may, within 15 working days of receiving notification of this decision, appeal to the Environmental Court against the whole or any part of Council's decision, in accordance with Section 121 of the Act, by writing to:

The Registrar, Environment Court, P O Box 2069 Christchurch.

Cost of processing consent

Where the costs incurred in processing the application exceed the deposit paid, an invoice will be sent to the applicant within the next few weeks. If you would like to make alternative arrangements for paying the invoice, then please contact us.

Customer Survey

To enable us to provide an efficient and friendly service to our customers we would appreciate your feedback on how we in the Planning Department handled your resource consent.

By answering a few short questions in our on-line survey we can continuously improve our service to you. The link may be found as follows:

<http://www.surveymonkey.com/s/planningloss>

Yours faithfully

Michelle Gardiner
Planning Administration Officer

REPORT ON A NON-NOTIFIED DISCRETIONARY LAND USE RESOURCE CONSENT APPLICATION

Considered under Delegated Authority Section 34 of the resource Management Act 1991

To: David Campbell – Strategy Group Manager

From: James White – Planning Officer

File ID: LRC 10/73

Applicant: Road Metals Co Ltd

Site Address: Corbett Road (eastern/seaward end)

Legal Description: Section 64 Block V Papakaio SD (CFR OT13A/1118)

District Plan & Zoning: Operative Waitaki District Plan, Rural General - Map 23
Part subject to Significant Coastal Landscape overlay
Plan 13

Background:

The applicant currently extracts gravel from a site directly to the south of the proposed site. The existing quarry on the site was established in 1999 by way of a notified resource consent application (LRC99/27) and subsequent consent (subject to conditions). A further notified resource consent was granted in 2006 (LRC06/15) to allow the quarry trucks to utilise Steward Road as part of the operation.

Description of Activity:

Road Metals currently operates a quarry at Corbett Road that supplies roading materials and concrete sand and aggregate for the Oamaru market. The application states that the raw material resource at the existing quarry will be completely extracted within the next six to twelve months (estimated).

It is proposed to establish and undertake quarrying activities at the site which includes:

- Progressive site establishment

- Aggregate extraction
- Aggregate processing
- Stockpiling
- Progressive rehabilitation
- General site activity
- Final site rehabilitation

Essentially, the proposal constitutes an extension of the existing mine area – and there will be no change in the existing consent term or traffic numbers.

It is proposed to leave a section of cliff face with an area approximately 50m x 50m (i.e. and island) as a bird nesting and roosting area for sea birds. This area will be located near the irrigation outlet adjacent to the ocean.

The application contains comprehensive information describing the proposal in detail.

Description of Site:

The site is located at the eastern (seaward) end of Corbett Road, approximately 3.4km east of State Highway 1 (SH 1) north of Oamaru. The legal description of the site is Section 64 Block V Papakaio SD (CFR OT13A/1118). The site is located in the Rural General Zone and parts of the site are also identified as Significant Coastal Landscape (Waitaki District Plan Planning Map 23 and Plan Change 7 Plan 13). Figure 1 below displays an aerial photograph of the subject site and surrounds.

The site has already been extensively mined - the mine area can be seen in Figure 1. An existing irrigation water race runs through the northern portion of the quarry and outlets to the sea. There is a water energy dissipation structure in the north-west corner of the existing quarry site that allows the water to flow from the level of the surrounding plains down to the quarry floor.

The site cannot be readily seen from publicly accessible areas. It was noted during the site visit that top-soil has been stripped from the existing mine site and stockpiled in bunds around the perimeter. The bunds have been re-vegetated with exotic grasses and now largely appears to be part of the natural environment. The bunds also have the effect of partially preventing views of the site from the west.

The surrounding flat farm land is characterised by tall tree windbreaks and hedges – meaning there is no direct line of sight further than one or two paddocks in any direction. The existing site is not easily distinguished when travelling on Corbett Road – except from the very end of the ‘no exit’ road directly outside the quarry

gate. From this position only part of the quarry pit, the tops of several gravel stockpiles and several items of machinery can be seen (Figure 2).

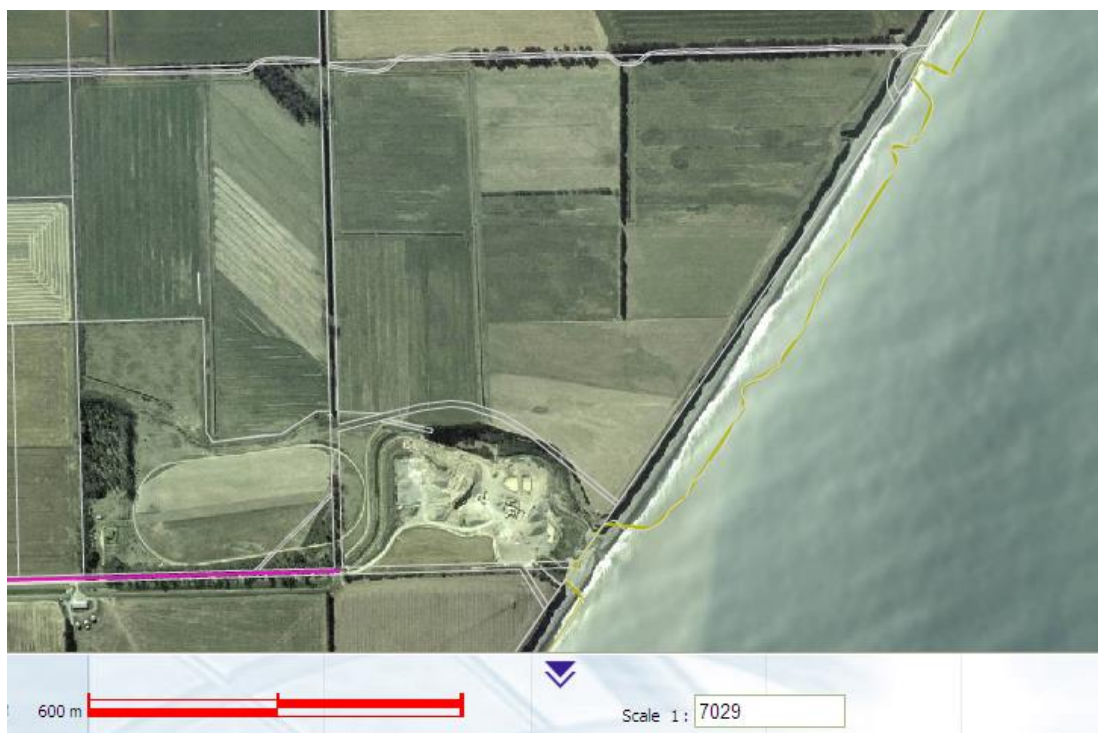


Figure 1: An aerial photograph of the subject site sourced from Council's GIS database and showing approximate property boundaries.

Adjoining the existing quarry to the north, and separating the existing quarry with the new proposed quarry site, is legal road reserve (unformed). It is understood that Council's Property Department is willing to issue a licence to occupy (and mine) this area of road – with the option of Road Metals purchasing the land in the future (i.e. road stopping) - however, this process has yet to be finalised. To the east of the site is a high (approximately 6-10m) clay cliff leading to a gravel beach and the sea. The beach is not readily accessible and is not known to be an attractive area for the general public - being part of a long narrow gravel beach running from Cape Wanbrow in the south to the Waitaki River mouth to the north (approximately 22km).

To the north, west and south is flat farm land that is currently either sown in crops or is grazed as part of a dairy operation. The closest dwelling to the existing site (Chris Dennison (Dennison Farms) – 41 Corbett Road) is located 500m away to the south-west. Dennison Farms also owns land directly adjoining the site to the north-west and south of the site. Directly to the north of the site is farm land, with the owners dwelling located some 650m further to the north (Robyn Roulston (SR Roulston) – 4 HRD Simpson Road). Directly to the west is farm land owned by Raymond Needham (no dwelling on the site).



Figure 2: (a.) Photograph taken from the termination of Corbett Road and the entrance to the existing quarry. (b.) Photograph taken looking through the gate of the existing quarry.

From the quarry entrance, Corbett Road extends approximately 1.6km to the intersection of Corbett and Steward Roads. This section of Corbett Road is a well constructed quartz-gravel formation. A wide irrigation race is located on the northern side, and running the length of, Corbett Road. At the intersection of Corbett and Steward Roads, Corbett Road undertakes a small 'dog-leg' before running straight again through to State Highway 1 (approximately 1.7km length).

This section of Corbett Road is also a well constructed formation but constructed with conventional gravel. It is understood that the existing quarry trucks do not utilise this section of road very often – instead preferring to use Steward and Richmond Roads as alternative routes.

Steward Road is a sealed road and runs approximately north-south. Steward Road intersects directly with SH 1 approximately 3.5km north of the intersection of Corbett and Steward Roads; although a number of side roads also lead from Steward Road to SH 1. Richmond Road (located south of Corbett Road) is also a sealed road and runs east-west from Steward Road to SH 1.

Reason for Application:

This application is to be considered under the requirement of the Operative Waitaki District Plan (the Plan).

The site is located in the Rural General Zone in the Plan. A review of the Planning Maps identified that parts of the site are Significant Coastal Landscape (SCL).

The proposed gravel extraction activity is captured by the definition of 'Mining Activity' within the Plan. This definition states that 'Mining Activity' means *'the use of land and buildings for the primary purpose of the extraction, winning, quarrying, excavation, taking and associated processing of minerals and any ancillary activity related to mining but does not include prospecting and exploration'*.

Mining Activities are listed as a Discretionary Activity in the Plan under Rule 4.3.3 (4). The rule states:

Mining Activities other than Mining, or Mineral prospecting or Exploration provided for as a permitted or controlled Activity. Regional Council consent may be required for any drilling, taking of water, discharges to land or water, dams and diversions;

Earthworks associated with the activity will include stripping of topsoil and reinstatement of the land on completion of the operation. These works will be in excess of the 100 m³ allowed for as a permitted activity in the Plan. However these earthworks are an integral part of the mining activity and therefore it is considered that a separate earthworks consent is not required.

In addition, Site Development Standard Rule 4.4.7.2(f) states that there shall be no earthworks in a significant coastal landscape area. However, again, I consider that earthworks are an integral part of the mining activity and therefore it is considered that a separate earthworks consent is not required.

Lastly, an application for resource consent is required because the activity has been assessed as dealing with Hazardous Substances (diesel). The application proposes to store and use up to 10,000 litres of diesel by way of double skinned tanks attached to the mobile processing plant.

Within the Hazardous Substances Rules (Part III Section 16), Schedule 1 identifies diesel as a class 3c hazardous substance while Table 1 specifies 3,000 litres as the maximum permitted storage amount.

Rule 16.1.2 specifies that the use and/or storage of hazardous substances identified in schedule 1, in quantities exceeding those specified in Column A shall be a Discretionary Activity which therefore requires resource consent.

Given the above, and overall, the application is for a Discretionary Activity resource consent.

Notification Provisions - Sections 95-95F:

Following the implementation of the Resource Management (Simplifying and Streamlining) Amendment Act 2009 (October 2009), the new notification provisions are in sections 95 to 95F of the Resource Management Act 1991.

Under section 95A Council has discretion whether to publicly notify an application for resource consent. The application is required to be publicly notified if:

- Council decides under section 95D that the activity will have or is reasonably likely to have adverse effects on the environment that are more than minor, or
- if the applicant requests, or
- if a rule or national environmental standard requires it.

Council may publicly notify an application if it decides that special circumstances exist in relation to the application.

Under section 95D Council considers effects on the environment, but must disregard the effects on people who own or occupy land on which the activity will occur, or land adjacent to that land.

Under section 95B, if Council does not publicly notify an application, Council must decide if there are any affected persons or affected order holders (customary rights order holders).

Under section 95E Council must decide that:

- a person is an 'affected person' if adverse effects on them are minor or more than minor (but not less than minor)

- a person is not an 'affected person' if:
 - they have given written approval (and not withdrawn approval) to the application, or
 - it is unreasonable in the circumstances to seek their written approval.

As a result of section 95E a person who has provided written approval to an application (and not withdrawn approval) does not need to be included in serving notice for limited notification.

Notification - Sections 95-95F Assessment:

Sections 95A and 95D Assessment:

This section constitutes an assessment of effects in accordance with sections 95A and 95D.

Rule 17.2 (xxv) in the Plan specifies the Mining Activities and Gravel Extraction assessment criteria to be considered in assessing this application. In terms of the actual and potential adverse effects which may result from the proposal I make the following comments:

xxv Mining Activities and Gravel Extraction - Rural Zones

- a) The extent to which the activities of vegetation clearance and the excavation and removal of material associated with mining impact on amenity values, landscapes values and natural conservation values. (Refer to relevant Assessment Matters.)*

Having visited the site and assessed the application, it is my opinion that the proposed activity will have adverse effects on amenity values, landscapes values and natural conservation values that are no more than minor.

My reasons for this conclusion are summarised as follows:

- Part of the site is identified as an area of Significant Coastal Landscape (SCL). Notably, the SCL area also includes the majority of the existing quarry. Council's consultant Landscape Architect Graham Densem (who was instrumental in establishing the SCL area) was consulted in regards to the effects of this proposal and concluded that the landscape effects 'are likely to be minor'.
- The remainder of the site (outside the SCL area) is not identified in the Plan as having any visually significant features or landscape qualities other than those associated with a normal rural landscape. The surrounding

environment is characterised by working farmland and cultivated paddocks are common place.

- The Plan does not identify the site as having any special cultural landscape significance nor has the site been identified as having cultural or archaeological significance in the Plan.
- All the adjoining neighbours and NZHPT, DoC, ORC, and Te Runanga o Moeraki Inc have provided their written approval to the proposal.
- The nearest dwelling (not belonging to the landowner) is located 500m to the south-west. While the quarry site is not visible from this dwelling, the trucks travelling to and from the quarry will be visible from this dwelling – however, I note that the application contains the written approval of the owners of this dwelling. I consider the visual effects to be less than minor from any other dwelling in the vicinity of the site.
- The area will remain dominated by open space, rather than by buildings.
- The site is not located in a visually prominent position, being located in an area not frequented by members of the public and, aside from the earth bunds and the occasional truck, will be below ground level.
- The site will be rehabilitated and revegetated so that it will eventually have the appearance of farmland (albeit at a lower level/topography than the surrounding farmland).
- The daily number of trucks accessing the site will be limited to an average of seven heavy vehicle return trips per day (calculated on a per annum basis). Works will be intermittent and will depend on demand. This level of traffic generation will be compatible with the amenity, quality and character of the area and the effects on amenity will be internalised given the large separation distances from residential dwellings. It is noted that this level of traffic generation is the same as the existing quarry operation (and consent LRC99/27) i.e. there will be no change in the existing consented activity with regard to off-site transport.

b) The extent to which roads or buildings impact on amenity values, landscape values and natural conservation values. (Refer to relevant Assessment Matters.)

In my opinion the activity will not adversely affect the amenity values, landscape values and natural conservation values as a result of roads or buildings primarily for the reasons outlined above.

c) The ability of the proposal to rehabilitate the site after mining so:

- i) that the long term stability of the site is ensured;*
- ii) that the landforms or vegetation on finished areas are visually integrated into the landscape;*
- iii) that the land is returned to its original productive capacity, where appropriate;*

iv) that water and soil values are protected.

The quarry will be developed in a sequential manner so as to retain as much grazing land as possible at any one time and avoid having a large area of land out of production. On completion of mining each area the land will be re-contoured, topsoil will be replaced and grass will be re-sown. This will improve the overall suitability of the site for the current farming operation as well as ensuring the long term stability of the site.

It is noted that the previous resource consent LRC99/27 imposed a bond condition for site rehabilitation in the event that the company was not able to complete the works (up to \$50,000 in value).

In my opinion the proposal will rehabilitate the site satisfactorily so that none of the matters listed in assessment matter xxv(c) will be adversely affected in any way.

d) The ability of operation to minimise dust, noise, lighting and vibration so that amenity or natural conservation values are not at risk.

The quarry site is on private farmland and is not readily accessible to the general public. The nearest dwelling is located 500m to the south-west. It is noted that the application contains the written approval of all the adjoining neighbours to the site.

Aside from the directly adjoining neighbouring properties, it is unlikely that noise from site works will be audible from other properties. In my opinion, the noise generated will certainly not exceed the Critical Zone Standard identified in Rule 4.5.1 of the District Plan at the notional boundary of any nearby residential units. Councils Environmental Health Officer – Richard Davies was asked to assess the proposal with regard to effects (including noise). Mr Davies did not raise any issues.

Truck and trailer units will access the site via the entrance on Corbett Road. This entrance is located 500 m from the above dwelling. However the daily number of trucks accessing the site will be limited to 7 heavy vehicle return trips as per the original consent LRC99/27. Works will be intermittent and it is considered that the heavy vehicle traffic associated with the proposal is within the range that could be expected from normal agricultural operations within the area. It is highly unlikely that fumes from the limited plant on site will have any effect on neighboring properties.

The quarry site will not be visible from any dwellings in the surrounding area. The only sites the quarry will be visible from are privately owned (and written approval given) or from the beach to the east. The beach is not readily accessible and is not known to be an attractive area for the general public - being part of a long narrow

gravel beach running from Cape Wanbrow in the south to the Waitaki River mouth to the north (approximately 22km).

The landscape is currently characterised by flat farmland leading to a 10m (approximately) high clay cliff and gravel beach. Following rehabilitation, the quarry site will be visually integrated into the landscape (returned to productive capacity for farmland) and will have the appearance of a wide low valley leading to the coast with an 'island' landform within it.

Dust may be generated during operation of the proposed quarry, however given the distance of the site from neighboring properties it is unlikely that it will be offensive or objectionable at the property boundary.

Excluding the directly adjoining neighbours, I consider that the adverse effects on amenity values in terms of the activity producing dust, noise, lighting or vibration will be less than minor.

- e) The ability of the company to provide a contingency plan for early mine closure, including an evaluation of the risk to the neighbouring community and environment.*

Given the scale of the operation and the mitigation measures proposed (developed in a sequential manner and re-contoured, topsoiled and grassed as each area is completed), I do not consider it necessary for the applicant to provide a contingency plan for early mine closure. Aside from the rehabilitation liability (which will be covered by a bond), I do not consider there to be any risk to the neighbouring community and environment. It is noted that, during consultation, the applicant and ORC discussed the issue of potential coastal erosion with the outcome that ORC was satisfied that coastal erosion was not likely to be an issue resulting from the proposal.

- f) The ability of the company to provide a bond to the Council annually for the purpose of rehabilitating operation areas in the event of a premature closure.*

As stated above, it is noted that the previous resource consent LRC99/27 imposed a bond condition for site rehabilitation in the event that the company was not able to complete the works (up to \$50,000 in value). The application has volunteered that this bond be re-evaluated and re-imposed as part of this consent. While it is unclear at this stage what form the bond will take, I consider that a bond can be provided in this instance.

- g) The ability of the company to adequately monitor the operations and its effects on the receiving environment.*

Given the nature and scale of the operation, the receiving environment and the mitigation measures proposed, I consider that there will not be any 'more than minor' adverse effects on the environment resulting from the proposal. Road Metals will necessarily have to abide by the activity applied for in their application and any conditions for mitigating adverse effects imposed on the consent. It is noted that a condition was included in LRC99/27 that required Road Metals to submit an annual work programme annually. It appears that Road Metals has substantially complied with this condition since operations began at the site. From this evidence, I consider Road Metals will be able to adequately monitor the operation and its effects on the receiving environment. I consider it appropriate to re-impose the annual work programme condition as part of this consent. A further condition of consent can also be imposed to allow Council to review the consent should any adverse effects arise during the course of the works.

Given the above assessment against the applicable assessment matters (17.2 (xxv)), I conclude that the adverse effects on the environment resulting from the proposal will be no more than minor in terms of Sections 95A and 95D.

Sections 95B and 95E Assessment:

This section constitutes an assessment of potentially affected parties in accordance with sections 95B and 95E.

It is noted that the quarry on the site was established in 1999 by way of a notified resource consent application (LRC99/27) and subsequent consent (subject to conditions). A further notified resource consent was granted in 2006 (LRC06/15) to allow the quarry trucks to utilise Steward Road as part of the operation.

Due consideration was given to this application and the issue of notification. It was decided that this application essentially constituted an extension of the existing quarry area only and that, significantly, there would be no change to the off-site transport or the overall duration of the consent (i.e. it will still lapse in 2024). Therefore, it was decided that, provided the immediate effects could be avoided, remedied or mitigated and the application contained the directly adjoining parties' and statutory bodies' written approvals, full notification of the application was not required.

Pursuant to Section 95E of the RMA the following parties were identified as being potentially affected by the proposal. These parties were identified as being potentially affected in terms of noise, dust, visual, vibration, traffic, coastal erosion, water contamination/interception, historical and cultural values and ecological

effects. It is considered that beyond these parties the effects will be *de minimis*. The parties identified as being potentially affected by the proposal is as follows:

1. Lower Waitaki Irrigation Company
2. Robyn Roulston – 4 HRD Simpson Road, Oamaru
3. Raymond Needham – Corbett Road, Oamaru
4. Dennison Farms Limited – 3 HRD Corbett Road, Oamaru
5. Te Runanga o Moeraki Inc
6. Department of Conservation
7. New Zealand Historic Places Trust
8. Otago Regional Council

Accordingly it was not considered necessary to undertake limited notification of the application pursuant to Section 95B of the RMA as the applicant supplied the written approval of all the parties identified as being potentially affected by the proposal.

Given the above, it was not considered necessary to undertake notification of the application pursuant to Sections 95B and 95E of the RMA.

Overall, and in accordance with sections 95-95F of the RMA, the application was processed on a **non-notified** basis.

Section 104 Assessment:

Applications for resource consent are considered under Section 104 of the Resource Management Act 1991 (“the Act”). Section 104 sets out the matters the Council shall have regard to when considering an application for resource consent. Subject to Part II of the Act, which contains the Act’s purpose and principles including matters of national importance, the Council must have regard to:

- any actual and potential effects on the environment of allowing the activity; and
- any relevant provisions of a national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement, a plan or proposed plan; and
- any other matters that the consent authority considers relevant and reasonably necessary to determine the application.

It should be noted that, other than giving pre-eminence to Part II, Section 104(1) gives no priority to other matters. They are all matters to have regard to, and the consent authority must exercise its discretion as to what weight it gives certain matters, depending on the circumstances of the case.

Section 104 - Effects Assessment:

Section 104(1)(a) of the RMA requires that the consent authority have regard to any actual and potential effects on the environment of allowing the activity. 'Effect' is defined in section 3 as including:

- a) Any positive or adverse effect; and*
- b) Any temporary or permanent effect; and*
- c) Any past, present, or future effect; and*
- d) Any cumulative effect which arises over time or in combination with other effects – regardless of the scale, intensity, duration or frequency of the effect, and also includes –*
- e) Any potential effect of high probability; and*
- f) Any potential effect of low probability which has a high potential impact.*

In terms of actual and potential effects which may result from the proposal and the assessment matters under Part III Rule 17.2 (xxv) in the Plan, I have identified the following effects:

- Positive effects
- Effects on amenity values
 - Noise
 - Visual
 - Dust
 - Vibration
- Traffic safety
- Effects on Natural and Physical Resources
 - Land, soils and productive potential
 - Water
 - Plants and Animals
 - Infrastructure
- Effects on cultural and historic values

Positive Effects

The positive benefits of quarrying should be considered alongside any adverse effects. The following list was sourced from the 'Aggregate and Quarry Industry Guidance Notes' (Quality Planning website www.qualityplanning.org.nz, 2010) and, in my opinion, are applicable in this case. Positive effects include:

- the contribution to the economic and social development of an area through the provision of raw materials to maintain and enhance community facilities, services and infrastructure such as water treatment plants, hospital's, schools, airports, new roads, bridges, motorways and new buildings
- the provision of direct and indirect employment opportunities

- diversification of the local economy and support of ancillary services such as engineering, mechanic and construction businesses
- the reduced social and economic costs of having aggregate resources closer to demand
- opportunity for the end use of quarries, for example, recreational or habitat opportunities
- other flow-on regional benefits, including complementary businesses or services.

The application AEE also highlights a number of positives resulting from the proposal which I essentially agree with. Provided any potential adverse effects can be appropriately managed I consider that the positive effects (as listed above) resulting from the proposal are significant for the District.

Effects on amenity values

The RMA defines 'amenity values' as:

"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".

The expectation of the Rural General Zone is to maintain a level of rural amenity that is consistent with the range of activities anticipated in the rural areas, but which does not create unacceptably unpleasant living or working conditions for the District's residents or visitors, nor a significant deterioration of the quality of the rural environment. Amenity values in the rural environment include privacy, rural outlook, spaciousness, ease of access, and quietness. In my opinion, the potential adverse effects that may impact on these values as a result of the proposal are effects related to noise, visual, dust, vibration and traffic – and these will be further discussed below.

Noise effects

The privacy, rural outlook, spaciousness, and quietness that gives rural areas their amenity can be affected if the effects of a particular activity are greater than those anticipated by the Plan. Noise is a potential effect that could impact on the rural amenity of the area in this instance.

Rural General Zone Critical Zone Standard Rule 4.5.1 - Noise specifies a noise limit of 40 dBA L10 at the notional boundary of any residential units for activities outside of the following times: 7am-10pm Monday to Friday and 7am-7pm Saturday (where the noise limit is 55 dBA L10).

Noise will be generated during operation of the quarry – including from machinery extracting gravel, gravel screening, and transport.

Mr Davies (Council's Environmental Health Officer) was asked to comment on the noise aspect of the proposal and he did not raise any issues with the proposal with respect to noise.

The closest dwelling is approximately 500m to the south-west of the site boundary. During my site visit I witnessed the gravel crushing and screening plant in operation. While the noise of this operation was clearly audible from the site gate at the termination of Corbett Road, further back along Corbett Road the noise was barely audible above the background noise. In my opinion, the noise generated will certainly not exceed the Critical Zone Standard identified in Rule 4.5.1 of the District Plan at the notional boundary of any nearby residential units.

I agree with the application AEE finding in relation to noise effects and note that all of the directly adjoining neighbours to the quarry site have provided their written approval. It is noted that Section 104(3)(b) of the RMA states that a consent authority, when considering an application for resource consent, must not have regard to any effect on a person who has given written approval to the application.

Given the above, I am therefore satisfied that the adverse effects of the proposed quarry as a result of noise will be less than minor.

Visual effects

The nature of most extractive quarrying is that landscapes are irreversibly altered due to the removal of material. The acceptability of quarrying activities within their surrounding environment depends on whether:

- The physical form of the landscape is altered such that it no longer fits into its surrounds; and
- A reduction in visual amenity occurs if the activity or changes in the landscape are highly visible from public or private places, becoming visibly out of character with or intrusive into the surrounding landscape.

Having assessed the application, it is my opinion that the activity of vegetation clearance, the excavation, processing and removal of gravel from the site, and the proposed rehabilitation will not have any adverse visual effects that are more than minor. In this regard I agree with the application AEE.

My reasons for this conclusion are summarised as follows:

- Part of the site is identified as an area of Significant Coastal Landscape (SCL). Notably, the SCL area also includes the majority of the existing quarry.

Council's consultant Landscape Architect Graham Densem (who was instrumental in establishing the SCL area) was consulted in regards to the effects of this proposal and concluded that the landscape effects 'are likely to be minor'.

- The remainder of the site (outside the SCL area) is not identified in the Plan as having any visually significant features or landscape qualities other than those associated with a normal rural landscape. The surrounding environment is characterised by working farmland and cultivated paddocks are common place.
- The Plan does not identify the site as having any special cultural landscape significance nor has the site been identified as having cultural or archaeological significance in the Plan.
- The nearest dwelling (not belonging to the landowner) is located 500m to the south-west. While the quarry site is not visible from this dwelling, the trucks travelling to and from the quarry will be visible from this dwelling – however, I note that the application contains the written approval of the owners of this dwelling. I consider the visual effects to be less than minor from any other dwelling in the vicinity of the site.
- The area will remain dominated by open space, rather than by buildings.
- The site is not located in a visually prominent position, being located in an area not frequented by members of the public and, aside from the earth bunds and the occasional truck, will be below ground level.
- All of the directly adjoining neighbours to the quarry site have provided their written approval. It is noted that Section 104(3)(b) of the RMA states that a consent authority, when considering an application for resource consent, must not have regard to any effect on a person who has given written approval to the application.
- The site will be rehabilitated and revegetated so that it will eventually have the appearance of farmland (albeit at a lower level/topography than the surrounding farmland).
- The daily number of trucks accessing the site will be limited to an average of seven heavy vehicle return trips per day (calculated on a per annum basis). Works will be intermittent and will depend on demand. This level of traffic generation will be compatible with the amenity, quality and character of the area and the effects on amenity will be internalised given the large separation distances from residential dwellings. It is noted that this level of traffic generation is the same as the existing quarry operation (and consent LRC99/27) i.e. there will be no change in the existing consented activity with regard to off-site transport.

Given the above comments, I am satisfied that the adverse effects of the proposed quarry in terms of visual effects will be less than minor.

Dust effects

Dust may be generated during operation of the quarry; however given the distance of the site from neighboring properties it is unlikely that it will be offensive or objectionable beyond the boundaries of each site. This conclusion includes dust effects on any nearby crops and agricultural/horticultural operations.

All of the directly adjoining neighbours to the quarry site have provided their written approval. It is noted that Section 104(3)(b) of the RMA states that a consent authority, when considering an application for resource consent, must not have regard to any effect on a person who has given written approval to the application.

Council's Environmental Health Officer, Richard Davies, was asked to comment on this aspect of the proposal and he did not raise any issues.

The application states that dust suppression methods will be used to mitigate any potential dust effects.

I agree with the application AEE finding in relation to dust effects and note that all of the directly adjoining neighbours to the quarry site have provided their written approval. It is noted that Section 104(3)(b) of the RMA states that a consent authority, when considering an application for resource consent, must not have regard to any effect on a person who has given written approval to the application.

Given the above, I am satisfied that the adverse effects of the activity on the environment will be less than minor in terms of dust generation.

Vibration effects

In terms of vibration generated from on-site activities, the quarry may create some vibrations. However, because of the large separation distance between the sites and the closest residential dwellings, I consider that the effects resulting from vibration will be less than minor. Any vibration effects will be internalized within the property and will not extend beyond the property boundary.

In addition, all of the directly adjoining neighbours to the quarry site have provided their written approval. It is noted that Section 104(3)(b) of the RMA states that a consent authority, when considering an application for resource consent, must not have regard to any effect on a person who has given written approval to the application.

A condition allowing Council to review the conditions of the resource consent is deemed to be appropriate to allow for any future vibration effects not anticipated at this stage.

Given the above, I am satisfied that the adverse effects of the activity on the environment will be less than minor in terms of vibration generation.

Overall, in my opinion the adverse effects of this land use proposal on the rural amenity of the surrounding environment will be no more than minor.

Traffic Safety/Site Access

There is the potential for traffic safety effects to arise through large trucks accessing the site from/to Corbett Road. Notwithstanding, the existing quarry has been operating under resource consent LRC99/27 for some years. The application does not seek to increase the number of traffic movements to and from the site. The vehicles will access the site from Corbett Road via the existing quarry.

The Plan allows for the assessment of traffic generation and the need for any road upgrading as part of the discretionary activity assessment of such an application. Potentially, conditions can be imposed in order to mitigate any adverse effects resulting from the proposal in terms of traffic safety and efficiency.

Council's Roding Engineer Gary Woock initially assessed the application and requested clarification on the off-site transport of materials aspect of the application. Following the applicant submitting further information, his comments were as follows:

'...the new consent application has been amended to coincide with the expiry of the old consent LRC 99/27 in 2024. Effectively then as there is no change to traffic or any effects other than the quarry location and size, I have no significant concerns. A note is that one of the affected landowners, Shirley Hayes, on the corner of Steward Road and Corbett Road, had raised dust issues during Council roding consultation in 2008. I understand though as an affected party to the original consent application, she had given her consent to the operation to 2024. I also note that the traffic route used is now along a sealed route to and from the State Highway other than the last portion of Corbett Road into the quarry. This is a change from the original conditions but should reduce dust nuisance. I am unaware of any traffic safety concerns as a result of that change. As discussed earlier, if the dust nuisance or traffic safety emerges as an issue, the conditions can be reviewed in the future.'

Essentially, the Roding Engineer did not raise any major issues with the proposal in terms of traffic impacts.

The applicant has given effect to existing resource consent (LRC99/27). If there are any existing issues regarding traffic from the existing quarry these can, and should, be dealt with now as part of Council's monitoring and enforcement regime.

In my opinion, a standard review condition allowing Council to review the conditions of the resource consent is also appropriate to allow for any future traffic effects not anticipated at this stage.

Given the above, I am satisfied that the adverse effects of the activity on the environment will be no more than minor in terms of traffic safety and site access.

Effects on Natural and Physical Resources

The RMA defines 'natural and physical resources' as:

"includes land, water, air, soil, mineral, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures".

In my opinion, the potential adverse effects that may impact on the natural and physical resources in and around the site are effects related to land, soils and productive potential, water, plants and animals – and these will be further discussed below.

Land, Soils and productive potential

The extraction of gravel at the existing gravel extraction site has resulted in a changed land contour with the majority of change being a cut below the natural surrounding ground level. However, as the topography is relatively flat the change in contour is only visible if in close proximity to the site.

ORC originally raised a number of issues with the proposal including the potential for coastal erosion to be exacerbated. However, following consultation with the applicant, and the applicant amending the application, ORC indicated they were satisfied that their concerns had been addressed (and subsequently supplied their written approval).

The quarry will result in the temporary (but long-term) loss of productive pasture land; however the land will be progressively rehabilitated for farming use once the gravel extraction is completed.

I consider it important to ensure the site is rehabilitated in the manner described in the application - including that each individual gravel extraction area is progressively rehabilitated following extraction. This proposed rehabilitation method will allow large areas of the site to recover from mining while the mine is still able to continue extraction. In addition, other potential effects (primarily dust and visual) will be considerably mitigated by progressively mining/rehabilitating. Conditions of consent can be included to ensure this occurs.

In terms of the hazardous substances component of the application, the applicant proposes to store and use up to 10,000 litres of diesel by way of double skinned tanks attached to the mobile processing plant (Plan only permits up to 3,000 litres). It is understood that this is already occurring on the existing quarry site.

I have read and considered the application AEE with respect to the proposed hazardous substance storage and essentially agree with the application. Provided the storage and use of the diesel complies with the Hazardous Substances and New Organisms Act 1996 (HSNO), there is no need for any additional mitigation. I consider it appropriate for the applicant to supply (as a condition of consent) Council with evidence of full compliance with HSNO, including copies of all certificates required under the Environmental Risk Management Authorities jurisdiction.

In my opinion, any potential adverse effects on the land will be no more than minor and a standard review condition allowing Council to review the conditions of the resource consent is appropriate to allow for any effects on natural and physical resources (including erosion) not anticipated at this stage.

Water

The application proposes that the extraction areas be sufficiently back from the banks of the existing irrigation waterway to avoid any adverse effects on the waterway (set back at least 20m). It is noted that the Lower Waitaki Irrigation Company has provided its written approval to the proposal.

There has been no interception of groundwater in the existing quarry and the application states that the depth of the new quarry will be similar to the existing. It is noted that interception of groundwater would make gravel extraction problematic for the applicant and would also likely necessitate a resource consent from ORC.

I consider it appropriate that a condition of consent requires the applicant to submit a Site Management Plan annually that provides a detailed overview of the working quarry in order to ensure compliance with conditions and for Council to accurately monitor any potential adverse effects. The Site Management Plan will also be required to cover any water issues should they arise.

Given the nature and scale of the operation and the mitigation proposed, the effects on natural and physical resources are considered minor.

Plants and Animals

Apart from the SCL area, the site is not identified in the Plan as possessing any notable flora or fauna. The nature of the environment (flat monoculture farmland

leading to steep cliffs, a narrow gravel beach and the sea) is such that it is unlikely to support any significant populations of native plants and/or animals. It is noted that DoC have provided their written approval to the proposal.

The application proposes to leave a section of cliff face with an area approximately 50m x 50m (i.e. an island) as a bird nesting and roosting area for sea birds. This area will be located near the irrigation outlet adjacent to the ocean. Due to its predator-limiting features, the 'island' may become an important seabird nesting site in the future – although this cannot be guaranteed.

In my opinion, any potential adverse effects on flora and fauna will be less than minor (and indeed may be positive in the future). A standard review condition allowing Council to review the conditions of the resource consent is appropriate to allow for any effects on flora and fauna not anticipated at this stage.

Infrastructure

Adjoining the existing quarry to the north, and separating the existing quarry with the new proposed quarry site, is legal road reserve (unformed). It is understood that Council's Property Department is willing to issue a licence to occupy (and mine) this area of road – with the option of Road Metals purchasing the land in the future (i.e. road stopping) - however, this process has yet to be finalised. It is considered that Road Metals cannot proceed with their proposal to quarry the site to the north (including the road reserve) until this issue is rectified. A condition of consent can be included that requires Road Metals to address this issue prior to any mining within the legal road reserve.

Effects on landscapes and cultural values

The Plan does not identify the site as having any special *cultural* landscape significance nor has the site been identified as having cultural or archaeological significance in the Plan.

In addition, the applicant consulted with (and obtained written approval from) the New Zealand Historic Place Trust, the Department of Conservation and Te Runanga o Moeraki Inc. In my opinion a condition requiring that in the event of disturbance of human remains or archaeological items that work will cease until the necessary statutory authorisations or consent have been obtained is appropriate in this instance.

I have previously discussed the visual effects of the proposal – which includes landscape considerations, with specific reference to the SCL area. The advice from Council's Consultant Landscape Architect, Graham Densem, was that the SCL in this area, including the existing quarry, was established because of (1) the coastal

landforms, (2) the processes and (3) the ecology. After weighing up the proposal against these values, Mr Densem indicated that the 'landscape effects are likely to be minor'. Given the particular site characteristics (including the inaccessibility of the site to the general public) I am satisfied that the adverse effects of the proposed quarry in terms of landscapes will be no more than minor.

Given the above, I am satisfied that the adverse effects of the activity on cultural and landscape values will be no more than minor.

Precedent effects

Under the RMA, granting a resource consent does not create a precedent effect. The Court of Appeal (*Dye v Auckland Regional Council*) outlined that the granting of a resource consent has no precedent effect in the strict sense, and "the most that can be said is that the granting of one consent may well have an influence on how another application should be dealt with".

The Plan does not prohibit gravel extraction and nor is it a non-complying activity. As a discretionary activity, the Plan anticipates the activity where all adverse effects can be avoided, remedied or mitigated and where the activity is not contrary to the objectives and policies contained within the Plan.

Taking this into account, it is my opinion that granting consent for the proposed gravel extraction operation will not affect the Council's ability to consistently administer the District Plan. Any similar future application would need to demonstrate that any adverse effects could be adequately avoided, remedied or mitigated such that Council could grant a resource consent.

Are the effects more than minor?

The preceding assessment of the proposed quarry activity for the purposes of Section 104 of the RMA shows that the adverse effects on the environment will be less than minor. In particular, it was possible to be satisfied, in accordance with Section 93(1)(b) of the RMA, that the adverse effects on the immediately adjoining neighbours would be less than minor in terms of rural amenity.

Therefore, in terms of Sections 104 of the RMA and for the reasons given above, I consider that the adverse effects of the proposal on the environment will be less than minor and will not extend beyond the boundaries of the application site.

Assessment of Objectives and Policies:

Section 104 requires that Council must have regard to any relevant provisions of the Plan. Therefore, for completeness, I have assessed the proposal against the relevant objectives and policies contained within the Plan.

Following close inspection and given the above 'effects' assessment of the proposal I consider that the proposal meets the objectives and policies contained within Part 2 Section 16 (Rural), Section 6 (Transport) and Section 17 (Monitoring, Review and Enforcement).

Section 16 – Rural Objectives and Policies

Of note, Objective 16.5.1 and the underlying policies are primarily concerned with maintaining a level of rural amenity that is consistent with the range of activities anticipated in the rural areas, but which does not create unacceptably unpleasant living or working conditions for the District's residents and visitors, nor a significant deterioration of the quality of the rural environment. In addition, Policy 16.5.2.3 seeks to ensure decision makers set performance standards or use enforcement provisions for activities that may cause unpleasant living or working conditions for other people in the rural community, or that could cause a significant adverse effect to the environment.

Provided the activity is conducted in the manner proposed and the recommended conditions are adhered to, it is my opinion that the proposed quarry operation will not create unacceptably unpleasant living conditions for those landowners adjacent to the subject site. The large separation distance between the site and any adjoining landowners (and the fact that the adjoining landowners have provided their written approval) is the primary mitigating factor in this instance. I therefore consider that the proposal meets the intent of Objective 16.5.1 and Policy 16.5.2.3.

Also of some significance, Objective 16.7.1 seeks to ensure that extractive industries are given the ability to access minerals but in a way that avoids, remedies or mitigates adverse effects on the environment. In particular, Policy 16.7.2.2 recognises that extractive operations have the potential to result in adverse effects on the environment and highlights the need to identify these effects and implement controls in order to protect the environment. I consider the proposal meets the intent of Objective 16.7.1 and Policy 16.7.2.2.

Objective 16.6.1 aims to enable the establishment of commercial, industrial, service, recreational and accommodation activities, that are compatible with the amenities of the lower density rural environment. Underlying Policy 16.6.2.1 seeks to consolidate activities that do not require a rural location into established settlements in order to manage and contain their effects on the rural environment; while Policy 16.6.2.2

seeks to enable the establishment of business activities in the rural areas only where the activities need to establish in the rural area (in terms of scale, effluent disposal requirements, use of or relationship to rural resources) and no reasonable alternatives exist for their location within established settlements. The application states that no reasonable alternatives existed for the location of the quarry operation. The chosen site is the only suitable location (and also adjoins an existing quarry) for the desired gravel material at present and therefore meets Policies 16.6.2.1-2.

The proposed quarry operation is proposed to be located in the Rural General Zone (and small area of SCL area), with the surrounding environment characterised by farming operations and low density residential use. The particular characteristics of the environment will help to assimilate any effects of the operation within the environment. In addition, as has been shown in the preceding effects assessment, the adverse effects resulting from the operation will be no more than minor. This is in keeping with Policies 16.6.2.3 and 16.6.2.3 which aim to enable the establishment of small-scale business activities in the rural areas, where the adverse effects can be avoided, remedied or mitigated and to ensure that there is no loss of rural amenity as a result of the effects of the proposal, including cumulative adverse effects in conjunction with other activities that are, or may, establish in the rural areas.

Section 6 – Transport Objectives and Policies

Underlying Objective 6.2.2, Policy 6.2.5 seeks to maintain and improve safety and accessibility within the District by adopting appropriate design, parking and access standards. In addition, Objective 6.3.2 seeks to avoid or mitigate adverse effects on the surrounding environment as a result of transport. The quarry operation is to be entirely contained within the privately-owned farm with only the off-site transport of materials onto Corbett Road. Council's Roading Engineer did not raise any concerns with the site entrance and traffic on Corbett Road. Given this, I consider that the proposal meets the intent of Objective 6.2.2, the underlying Policy 6.2.5 and Objective 6.3.2.

Having conducted an assessment of the proposal against the Partly Operative Waitaki District Plan, in my opinion the proposal does not contravene the objectives and policies in Part II of the Plan and assessment matters found in Part III of the Plan.

Section 104B Assessment:

As a Discretionary Activity, Section 104B of the RMA states that Council may grant or refuse this resource consent application, and if it grants the application, may impose conditions under Section 108.

Conclusion:

In my opinion, and for reasons outlined in the above Section 104 assessment, the proposal is not contrary to any relevant provisions of the Partly Operative Waitaki District Plan.

The overall effects of this proposal to establish and operate a quarry will be less than minor and in my opinion can be consented to subject to the conditions in the recommendation.

Recommendation:

That the Waitaki District Council hereby grants resource consent to establish and operate a gravel extraction quarry located at the eastern extent of Corbett Road, Oamaru, on land legally described as Section 64 Block V Papakaio SD (CFR OT13A/1118), subject to the following conditions:

General:

- 1) That the activity be in general accordance with the application and plans lodged by the applicant, submitted with application LRC 10/73 and received by Council on 22nd October 2010 and the further information received by Council on 22nd November 2010. A copy of the approved site plan is attached.
- 2) That if any urupa, traditional sites, taonga (significant artifacts), koiwi (human remains) or other archaeological sites are exposed during site works then the following procedures shall apply:
 - (i.) Immediately it becomes apparent that an urupa, traditional site, taonga, koiwi or other archaeological site has been exposed, all site works in the immediate vicinity shall cease.
 - (ii.) The site supervisor shall immediately secure the area in a way that ensures that any artifacts or remains are not further disturbed.
 - (iii.) The site supervisor shall notify relevant takata Whenua, New Zealand Historic Places Trust and the Waitaki District Council that an archaeological or traditional site has been exposed so that appropriate action can be taken. This includes such persons being given reasonable time as determined by the Council to record and recover archaeological features discovered before work may recommence on the site.

Site Management Plan:

- 3) The consent holder shall submit to the Council a detailed Site Management Plan on the 1 year anniversary date of this consent. The consent holder shall then submit to the Council a reviewed and updated Site Management Plan at least annually thereafter, unless the Council notifies the consent holder in writing that a lesser frequency is required. The Site Management Plan shall include:
 - (i.) A detailed site plan of the entire quarry area showing the extent of the quarry operations. The site plan shall show (but not be limited to) site access, waterways, extraction areas, stockpiling areas, processing areas and rehabilitated land).
 - (ii.) A description of the sequence of works and procedures adopted during quarrying and processing. This shall include a description of the work conducted in and around the existing waterway (irrigation water), a description of the previous year's rehabilitation work and an assessment of whether the previous rehabilitation work meets the rehabilitation objectives set out under Condition 11.
 - (iii.) A description of the measures to be undertaken so that the conditions of this consent will be met at all times.
 - (iv.) An assessment/description of compliance with the conditions of this consent.

Quarry operation:

- 4) That prior to quarrying any land within the unformed legal road reserve located on the southern boundary of Section 64 Block V Papakaio SD (CT OT13A/1118), the applicant shall obtain all necessary legal permissions to allow quarrying to occur.

"Advisory Note"

Adjoining the existing quarry to the north, and separating the existing quarry with the new proposed quarry site, is legal road reserve (unformed). It is understood that Council's Property Department is willing to issue a licence to occupy (and mine) this area of road – with the option of Road Metals purchasing the land in the future (i.e. road stopping) – however, at the time this consent issued, this process had not been finalised.

- 5) That prior to the storage and use of diesel exceeding 3,000 litres on the site, the consent holder shall supply Council with evidence of full compliance with the Hazardous Substances and New Organisms Act 1996, including copies of all certificates required under the Environmental Risk Management Authority's jurisdiction.
- 6) That all works associated with the quarry (including on-site transport and extractive processes) shall be limited to the hours of 6.00am to 7.00pm Monday to Friday, and 7.00am to 5.00pm Saturday. Other than where necessary for safety, health or environmental reasons, no work associated with the quarry site shall be carried out on Sundays or public holidays.
- 7) The maximum height of any gravel stockpile shall not exceed 3 metres above the natural surrounding ground level (no higher than the earth bunds around the perimeter).

Roading/Access:

- 8) That all vehicles (including trucks and loaders) travelling on and through the site shall be restricted to a maximum speed of 25km/hr.
- 9) That the truck access and egress to and from the site shall be limited to an average of seven return trips per day, calculated on a per annum basis, excluding Sundays and public holidays.

Air Quality:

- 10) The consent holder shall ensure that dust is not offensive or objectionable at or beyond the boundary of the site during all rock and gravel extraction and works incidental to rock and gravel extraction, using the following methods:
 - Minimising the area being disturbed at one time;
 - Avoiding, as far as possible, disturbance to the site - including access to and from the site during dry, windy periods when dust is most likely to be a problem;
 - Using water to damp down potential dust at source;
 - Rehabilitating and re-vegetating mined areas at the earliest opportunity.

Rehabilitation:

- 11) The consent holder shall ensure that rehabilitation work is completed as per the application and as follows:
- (i.) QUARRYING AREA: The maximum area of land disturbed and not fully restored, shall not exceed 5 hectares at any time. Disturbed areas shall include the extraction pit, tailings and overburden, re-levelled area and land pre-stripped ready for mining.
 - (ii.) TOPSOIL: The consent holder shall, as far as practicable, strip and stockpile topsoil from all areas separately from the remaining overburden. All salvaged topsoil shall be used for rehabilitation purposes. Waste rock and overburden shall be returned to the excavations, levelled off and contoured prior to re-spreading topsoil on fines.
 - (iii.) VEGETATION: The consent holder shall progressively undertake vegetation rehabilitation, as areas of practical working size become available. The consent holder shall ensure that the vegetation cover is permanently established.

Bond:

- 12) That prior to any works giving effect to this consent (on the new application site), a performance bond agreement shall be entered into between the consent holder and the Council to ensure compliance with the rehabilitation conditions of this consent as per the following:
- (i.) In order to establish an agreed bond amount, the consent holder shall supply Council's Planning Department with two separate quotes from independent contractors/companies for the site rehabilitation. The total bond amount shall be set at the midpoint amount between the two quotes with an additional 20% contingency added.
 - (ii.) The bond is to be registered on the title to the application site by way of a memorandum of encumbrance and shall bind any subsequent owners and operators of the site.

"Advisory Note"

The proposed site is held in a separate certificate of title and is not currently owned by Road Metals. In the event that Road Metals purchases the land legally described as Section 64 Blk V Papakaio SD (proposed site) and the land

is amalgamated with the existing quarry land (Section 67 Blk V Papakaio SD) it may be appropriate for the two bonds to be combined into one.

- (iii.) That every two years following the anniversary date of this consent, the consent holder shall review the quantum of the bond in order to take into account inflation. The review shall be achieved using the criteria set out in appendix A of New Zealand Standard NZS 3910:2003 (Cost fluctuation adjustment by indexation). The reviewed and adjusted bond shall replace the bond as per condition 12(ii.) above. The consent holder shall supply Council with evidence that this has been completed.
- (iv.) The bond shall be released upon application and evidence of the site being completely rehabilitated to Council's satisfaction.

Water Races and Flood Channels:

- 13) The consent holder is responsible for the safeguarding of the existing water race and flood channel, which lie on the perimeter of the site. Any damage incurred as a result of extraction operations must be repaired at the consent holder's expense. The consent holder shall also be responsible for the maintenance and repair of the western and southern facing batter slopes. Gravel extraction shall not occur within 20 metres of the adjacent watercourse.

Consent Expiry:

- 14) This resource consent shall expire on the 1st December 2024.

Review/Monitoring:

- 15) That under section 128 of the Resource Management Act 1991, the Council may review the conditions of this consent to ensure that the adverse effects on the environment which may arise from the exercise of this consent are adequately mitigated.
- 16) Charges set in accordance with Section 36(1) of the Resource Management Act 1991 and Section 150 of the Local Government Act 2002, shall be paid to the Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Resource Management Act.

Reasons for Decision:

- A. Having considered the effects of the activity on the environment in accordance with Section 104(1)(a) of the Resource Management Act 1991, Council is satisfied that the actual and potential effects of the activity on the environment will be no more than minor provided that the recommended conditions are complied with.
- B. The granting of the consent will not be contrary to the policies and objectives contained within the Operative Waitaki District Plan in accordance with Section 104(1)(b) of the Resource Management Act 1991.
- C. Notification was not required under Section 95A of the Resource Management Act 1991. The persons who were considered to be potentially affected pursuant to Section 95B and 95E of the Resource Management Act 1991 provided their written approval to the application. Limited notification was therefore not required under Section 95B of the Resource Management Act 1991.
- D. The proposal to establish and operate a gravel extraction quarry located at the eastern extent of Corbett Road, Oamaru, on land legally described as Section 64 Block V Papakaio SD (CFR OT13A/1118) will have adverse effects that will be no more than minor pursuant to Sections 95-95E of the Resource Management Act 1991.
- E. This land use proposal is located in the Rural General Zone and Significant Coastal Landscape area and has been assessed as a Discretionary Activity for which consent may be granted under Section 104 and 104B of the Resource Management Act 1991.
- F. Pursuant to Section 104B and Section 108 of the Resource Management Act 1991 specific conditions have been imposed to mitigate any adverse effects of the activity on the environment.

James White

Planning Officer

Consent Granted:

..... Date

David Campbell

Planning Consents Manager

Draft Decision to Application LRC99/27

Proposal

Road Metals Company Ltd seeks a land use consent for the open extraction of rock and gravel, the screening, crushing, stockpiling and transporting of the same from an 8.5ha property at the end of Corbett Road (Section 67 Block V, Papakaio Survey District). Road Metals Company Ltd propose to extract up to 30,000m³ of rock or gravel in any one year for a period of 25 years. The total gravel reserve is estimated to be about 400,000m³.

The proposal involves the removal of topsoil and overburden, which is to be stockpiled on the site pending later replacement. Gravel and rock are to be extracted to a depth approximately four to five metres above the mean sea level. Extraction is proposed not to take place within 75 metres of the high water mark.

The site lies adjacent to the coast at the eastern end of Corbett Road, approximately three and a half kilometres from State Highway One.

Hearing

The hearing was held at Oamaru on Tuesday 31 August 1998.

Mr Polson appeared for the applicant and made opening submissions. In short, he accepted the independent planner's report concerning the status of the activity (discretionary activity) and the report's analysis of proposal under Part II of the Act. He then stated the applicant had come to an agreement between Road Metals Company Ltd and Transit New Zealand and Tranzrail. A condition reflecting that agreement was confirmed. He opposed the conditions sought by the N.Z. Historic Places Trust because they were, in his opinion, impractical and outside the statutory obligation of the Trust.

Mr Kelcher, the Oamaru Manager of Road Metals Company Ltd, then gave a substantial brief of evidence. In it he described the proposal in detail and then discussed the conditions proposed in the independent planner's report. In short, he stated that as far as quarry operations go, it would be a modest operation. He stated that there would be periods of several weeks when there will be no traffic whatsoever from the quarry. He stated that there would normally be only 4 major roading contracts awarded in the area and there is no guarantee that Road Metals Company Ltd would win them. He then noted that when there was a need for aggregate material, should they win contracts to supply gravel as part of a nearby roading upgrades, then the quarry operation would be busy. He went on to say that return traffic movements would generally not exceed 10 per day for more than 4 weeks per year. On questioning, Mr Kelcher stated that at the very maximum, up to 30 return trucks per day would be required for up to a 4-week period.

For these reasons, Mr Kelcher considered it was inappropriate to place a restriction on the maximum number of quarry trucks that travel to and from

the site, but he accepted that a restriction be placed on the average number of trucks travelling to and from the site per day, calculated on annual basis. He considered a daily average of 7 return movements is appropriate. He also considered that there was no need for dust suppressant because the vehicle movements are not significant when considered over a year. However he offered to construct a lay-by for trucks if the Council considered it was necessary.

Mr Kelcher considered the construction of grassed bunds would be more appropriate than establishing vegetation because they could be established immediately. For operational reasons, he considered a 2 hectare working area, which includes stockpile areas was necessary and that some allowance for stockpiling was needed on the top terrace. Mr Kelcher also considered that the hours of operation be extended so that the operation could commence at 6am in the morning, which he considered are not out of place for a rural environment.

Mr Shirley, a consultant engineer, gave evidence on behalf of the applicant. He prepared the applicant's AEE. Mr Shirley gave evidence on the question of the impact of dust from quarry traffic using Corbett Road. He referred to report entitled "*Economic Disbenefits of Dust from Unsealed Roads*" published in 1993. Interpreting that report, Mr Shirley concluded that the disbenefits of road dust per kilometre for dairying would be \$144 per km and for beef and sheep the disbenefit would be \$50 per km. He noted that no crops most affected by dust, such as apples, grapes or kiwifruit were grown along Corbett Road, and the closest comparative crop in the study was maize, where the production loss for 75 vehicles per day was estimated at \$78 per kilometre, assuming the crop was grown on both sides of the road. Mr Shirley notes that on average 14 vehicles per day (vpd) generated from the quarry operation are about 20% of the 75 vpd upon which the production losses were based.

In relation to dust from the quarry site, Mr Shirley did not consider the operation would cause any dust nuisance. He came to this conclusion on the basis of his experience with a nearby quarry, with similar source material. The material contains a high proportion of naturally occurring clays and silts, which have relatively high in-situ moisture content. If dust is released, he considered it would be relatively easy matter to wet down the crusher and stockpiles from water from the irrigation race.

Three submitters gave evidence at the hearing. Mr McKenzie appeared for Drumena Farm Company Ltd and JH & MR & CJ Dennison. The submitters farm land on the south side of Corbett Road and also along part of the north side of Corbett Road, east of Steward Road. Mr McKenzie's submissions, in short, focussed on five themes. Firstly, he considered the Council must have regard to the cumulative effects when assessing the actual and potential adverse effects of the quarry operation. Secondly, he considered that some conditions may be regularly breached and local residents may become unfairly de facto enforcement officers. Thirdly, there was inadequate consideration of alternatives. Fourthly, there is potential dust nuisance from on-site quarrying, and adverse effects from trucks/vehicles using Corbett Road,

including danger to children going to and from school, as well as the potential for conflict between trucks and livestock/farm usage of the road. (However, on questioning it transpired no children currently walk along Corbett Road, east of Steward Road). He gave climatic evidence that in summer there is a moisture deficit for the area and therefore there would be a potential for dust nuisance. Mr McKenzie concluded that the application should be declined, but if it is granted, then it be subject to conditions that (i) seal Corbett Road, (ii) restrict speed of vehicles to 25km/hr along Corbett Road, (iii) restrict vehicles on a daily basis to allow for stock movements (iv) limit the worked quarry area to 1 hectare (v) tree planting be established; and (vi) the management plan be submitted to neighbours for consultation.

Mr James Dennison gave evidence that their soil was high quality, ideally suited for intensive crop production. He stated that the land on the southern boundary of the quarry site achieves high yields of cereals, legumes and small seeds. He also stated the soil type lends them to growing a range of crops and he listed some 19 crops grown in the last 15 years. Mr Dennison is concerned about vehicle dust and notes that a nearby gravel road used for a quarry operation interfered with the adjacent farmer's grass and lucerne production. He circulated photographs showing dust being generated from a truck along Corbett Road. He is also concerned about the width of the carriageway as being insufficient. Mr Chris Dennison also gave brief verbal evidence suggesting that an alternative site at the nearby airport, owned by the applicant, could be used for quarrying.

A sworn affidavit was also tabled for the submitter from Mr Pratt, a consultant environmental scientist. In short, his evidence considered that the following conditions were required, (i) site's working areas be automatically watered, including the access road, so that no visible dust discharges over the site boundary (on-site vehicle speed be restricted to 15kph, (iii) dust suppressant as well as vehicle speed restrictions are required along Corbett Road. He also considered a discharge permit for dust is required from the Otago Regional Council. He noted that there would be damage to high value crops such as peas grown along side Corbett Road.

Mrs Hayes, who owns land immediately adjacent to the site, and at the corner of Corbett and Steward Roads, gave verbal evidence in opposition to the proposal. In response to questioning, she, reluctantly, would accept a condition that restricted the hours of quarry traffic to enable her to shift stock along the road.

Mr Steenson gave brief evidence on behalf of the Historic Places Trust. He considered an archaeological assessment should be carried out in close consultation with the Maori people whose ancestors are believed and known to have occupied the area.

Status of the Application

There was no dispute from any party that the application is for a discretionary activity under the Proposed and Transitional District Plans. Therefore the decision was made under section 105 of the Act, having regard to those matters set out in Section 104 of the Resource Management Act 1991, subject to Part II (Purpose and Principles) of the Act.

There was a conflict in evidence between the applicant and Mr Pratt concerning whether the Otago Regional Council required a discharge permit. It transpires that the Otago Regional Council staff considers that the proposed quarry operation does not need a discharge permit (letter from the Otago Regional Council dated 3 September 1999).

Reasons for the Decision

The Committee did not accept the premise by Mr McKenzie that by allowing the application, it would cause cumulative (adverse) effects at the location, or in the district generally. The Transitional and Proposed District Plans anticipate quarrying in the rural zones, providing that the adverse effects of allowing a quarry activity on the environment can be avoided, remedied, or mitigated. The Committee is mindful that gravel is required in district for roading purposes and the construction industry, as well as for use by the farming community. The costs of transporting gravel over long distances are extremely high.

From the evidence, the Committee considers the key issues of this decision relate to the impacts of quarry trucks on Corbett Road and on potential dust emissions from the site itself. Stemming from these issues, Drumena Farm Company limited and JH & MR & CJ Dennison also argued there was inadequate consideration by the applicant of alternative sites. These are addressed in turn below.

In relation to the issue of dust being generated from quarry trucks along Corbett Road, the Committee preferred the evidence of Mr Shirley. The evidence of Mr Dennison listed crops that have been grown on the property in the last 15 years. However, there was no evidence on the amount grown in any one year, on the land area involved, or the location of the crops in relation to Corbett Road. It was noteworthy that most of the land along Corbett Road at the time of the application hearing was in pasture. Further, Mr Pratt's evidence did not attempt to quantify the potential adverse effects.

The Committee considers the disbenefits to crops or pasture, as discussed by Mr Shirley, are not significant. The crops grown here do not rival grapes, kiwifruit, or apples. When averaged over the year, the potential number of trucks movements associated with the quarry operation are not high, and would probably not exceed many other gravel roads in districts. A condition volunteered by the applicant is imposed, however, which ensures the yearly average number of quarry traffic using Corbett Road is restricted.

The Committee is also of a view that there should be no restrictions for the use of quarry trucks because of existing stock movements. This is because the purpose of a local road is to allow the right to pass and re-pass. Stock have no priority over vehicles. The Committee again recognises that most of the year there would be limited movements of quarry trucks using the road. Further, in relation to Mrs Hayes' farming operation, holding pens could be established on the run-off paddock and stock is transported to the home property, if there was any concern about conflict with quarry trucks.

The Committee considers it unreasonable to reduce vehicle speed along Corbett Road to 25kmh. The Committee understands that under the Land Transport Act, the Council must seek approval by the Minister of Transport to reduce speed to 25kph. To do this a range of criteria must be met; including the speed reduction is necessary for safety purposes. The road design must also encourage drivers to travel at the desired speed. Corbett Road is straight with good visibility and the Committee does not consider there is a traffic safety issue; although, it considers a sign warning motorists of trucks crossing is useful at the intersection of Corbett and Steward Road. A condition accordingly has been imposed.

Given the average number of quarry trucks using Corbett Road over the year is not high, the Committee considers the maintenance of Corbett Road should be adequately covered through the general roading maintenance programme, however, a review condition is imposed should the condition of the road significantly deteriorate as a result of use by the quarry trucks.

In relation to the issue of potential on-site dust nuisance, the Committee again prefers the evidence of Mr Shirley. The Committee notes that the nearest dwelling is at least 450 metres away, and it is extremely unlikely that the residences will suffer other than minor dust effects. The Committee is also mindful that the Proposed Regional Air Plan for Otago would not require a discharge permit for dust for an operation of this scale. Notwithstanding, the Committee notes the applicant has volunteered a dust condition that sets out a range of management techniques to reduce dust. This condition has been imposed.

Much was made of the inadequacy of alternative sites being investigated. However, the Committee notes there is no particular obligation on an applicant for a resource consent (as opposed to a requirement) to provide a consent authority with alternatives. Clause 1(b) of the Fourth Schedule only provides that the assessment of effects should include a description of alternative locations or methods where it is likely that the activity will have a significant adverse effect on the environment. The Committee does not consider the activity would, with appropriate conditions, cause significant adverse effects on the environment. With respect to alternative sites mentioned by the submitters, the applicants replied that the suggested alternatives were not feasible because of ownership or contractual reasons.

In relation to potential Maori archaeological issues, the Committee considered the condition volunteered by the applicant is adequate. They note that the applicant had obtained conditional approval from the Tangata Whenua and further they did not submit to the application.

In conclusion, the Committee considers that the application can be granted subject to a range of conditions, most of which have been offered by the applicant. Providing these conditions are adhered too, the extent of the impact on rural amenity, landscape and conservation values will be minor.

Conditions include the completion of an annual management plan and comprehensive rehabilitation conditions. Evidence from the applicant is that the final landform after mining will be stable and visually integrated into the coastal and rural landscape and the reinstatement proposed will return the land to a productive capacity.

The Committee considers a bond of \$50,000 is required in the event that the operation fails and rehabilitation of the 2ha working area is required. The Committee did not accept the applicants rewording of the condition relating to the water race, as there was no evidence that the Lower Waitaki Irrigation Company had accepted such a change.

DECISION

Pursuant to Sections 104, 105 and 108 of the Resource Management Act 1991, consent is granted to the Road Metals Company Ltd to use land contained in Section 67 Park Block V Papakaio Survey District for the purposes gravel and rock extraction of up to a maximum of 30,000m³ per annum, and associated on-site stock piling and storage of the same, and on-site screening and crushing of the same.

The consent is granted in terms of the plans attached to this consent, and details submitted with the application and at the hearing of the application. The coastal buffer area identified in Plan 2 is to remain undisturbed. The consent is also subject to the following conditions:

1. Annual Work Programme

The consent holder shall submit to the Council a detailed work programme of operations proposed, prior to the exercise of the consent. The work programme shall be reviewed at least annually, unless the Council notifies the consent holder in writing that a lesser frequency is required. The work programme shall include:

- i. A description of the sequence of works and procedures adopted during quarrying and processing. This shall include a description of the previous year's rehabilitation work and an assessment of

whether the previous rehabilitation work meets the rehabilitation objectives set out under Condition 9.

- ii. A description of the measures to be undertaken so that the objectives and conditions of this consent will be met at all times.

2. Historic Values

Any artefacts that are uncovered during excavation or removal of the topsoil and overburden shall be reported to the Moeraki Runanga and the Ngai Tahu Maori Trust Board Offices and the N.Z. Historic Places Trust. Any artefacts should subsequently be presented to the appropriate persons or organisations.

3. Consultation

During operations the consent holder shall appoint an employee agent fully authorised to liaise with those affected by the project, consider their concerns and where necessary, take appropriate action.

4. Operating Hours

Permissible operating hours for the operation shall be restricted to:

Monday to Friday:	0600 hours to 1900 hours
Saturday:	0800 hours to 1700 hours

Other than where necessary for safety, health or environmental reasons there should be no work carried out on Sundays or statutory holidays.

Note: These operating hours also apply to the access or egress of trucks to and from the site.

5. Traffic

- i. That trucks and loaders working within the site shall be restricted to a maximum speed of 25km/hr.
- ii. Trucks access and egress to and from the site shall be limited to an average of seven return trips per day, calculated on a per annum basis.
- iii. Trucks travelling to and from the site shall use Corbett Road as the access and egress route from State Highway 1.
- iv. The consent holder shall supply, install and maintain PW50 "Trucks Crossing" warning signs. These shall be installed in locations approved by the Council's Infrastructural Assets Manager for use when cartage of quarry material is in operation.

- v. The consent holder shall construct an approximately 300m long passing bay on Corbett Road, east of Steward Road. The passing bay shall be located mid-way between Steward Road and the last house before the site. Detailed construction and location to be approved by the Infrastructural Assets Manager.
- vi. The passing bay shall be of sufficient width to allow two trucks to pass each other on Corbett Road. The passing bay shall be constructed to the Council's standards that accommodate quarry trucks, sheep trucks or other vehicles and construction details are to be forwarded to Council's Infrastructural Assets Manager for his approval. All costs of construction fall with the consent holder.
- vii. The consent holder shall upgrade the intersection of Corbett Road and State Highway 1 to a design set out in Plan 4 attached with this consent and detailed standards shall be in accordance with Transit New Zealand standards in order to enable the safe operation of the State Highway.

6. Bunding

- i. The consent holder shall construct bunds not less than 3 metres in height in the locations set out on Plan 2 attached with this consent.
- ii. The bunds shall be constructed within a 3 month period after the consent is first exercised.
- iii. Grass shall be established and maintained on the bunds consistent with the rehabilitation conditions set out in condition 9.

7. Noise

- i. Subject to the express provisions of this condition the noise level shall be measured and assessed in accordance with the requirements of **New Zealand Standard, NZS 6801: 1991 Measurement of Sound and New Zealand Standard, NZS 6802: 1991 Assessment of Environmental Sound.**
- ii. The L_{10} level as measured at the notional boundary of the nearest residential dwelling to the site, shall not exceed the following limits:

Monday to Friday	0700 hours - 1900 hours	L_{10} 55dBA
Saturday	0800 hours - 1700 hours	L_{10} 55dBA
All other times		L_{10} 40dBA

The notional boundary of any existing dwelling, for the purposes of this condition, shall be a point 20 metres from the most exposed façade.

- iii. All equipment and machinery shall be regularly maintained to ensure noise levels are as low as reasonably attainable but at no time shall they exceed the levels permitted in this consent.
- iv. The crusher and associated equipment shall be operated on the low terrace at the eastern side of the quarry face.

8. Air Quality

The objective of the consent holder shall be to minimise dust nuisance during all rock and gravel extraction and works incidental to rock and gravel extraction, using the following methods:

- i. Minimising the area being disturbed at one time;
- ii. Avoiding, as far as possible, disturbance to the site - including access to and from the site - during dry, windy periods when dust is most likely to be a problem;
- iii. Ensuring materials being moved are kept in a damp state;
- iv. Using water to damp down potential dust at source;
- v. Revegetating disturbed areas at the earliest opportunity.

9. Rehabilitation

The consent holder shall, prior to the first exercise of the consent; present to Council an “indicative rehabilitation plan” which shows an indicative “post operation” plan of the site and a description of the rehabilitation measures required achieving this plan.

- i. The indicative rehabilitation plan shall have the following objectives:
 - To ensure short and long term stability of the site;
 - To minimise post operational nuisance;
 - To protect water and soil values; and
 - To return the land to a productive potential.
- ii. Rehabilitation work shall be subject to the following conditions:

- a. **QUARRYING AREA:** The maximum area of land disturbed and not fully restored, shall not exceed 2 hectares at any time. Disturbed areas shall include the extraction pit, tailings and overburden, re-levelled area and land pre-stripped ready for mining.
- b. **TOPSOIL:** The consent holder shall, as far as practicable, strip and stockpile topsoil from all areas separately from the remaining overburden. All salvaged topsoil shall be used for rehabilitation purposes. Waste rock and overburden shall be returned to the excavations, levelled off and contoured prior to re-spreading topsoil on fines.
- c. **VEGETATION:** The following conditions shall apply to the vegetation rehabilitation programme carried out on the site:
 - The consent holder shall progressively undertake vegetation rehabilitation, as areas of practical working size become available.
 - The consent holder shall ensure that the vegetation cover established during the rehabilitation programme, shall be sustained in both the short and the long term.

10. Unformed Road

The consent holder shall not disturb the unformed part of Corbett Road.

11. Water Races and Flood Channels

The consent holder is responsible for the safeguarding of the water race and flood channel, which lie on the perimeter of the site. Any damage incurred as a result of extraction operations must be repaired at the consent holder's expense. The consent holder should also be responsible for the maintenance and repair of the western and southern facing batter slopes. Gravel extraction shall not occur within 10 metres of the adjacent watercourse.

12. Bond

That prior to any excavation, including site preparation, taking place on the application site, a performance bond agreement to a total value of \$50,000 (1999 dollar value) shall be entered into between the consent holder and the Council to ensure compliance with the rehabilitation conditions of this consent. The bond is to be registered on the title to the application site by way of a memorandum of encumbrance and shall bind any subsequent owners and operators of the site.

This condition shall be reviewed, pursuant to Section 129 of the Act, on the first day of October in the year 2009 for the purposes of adjusting the

quantum of the bond upwards in order to take into account inflation. This shall be achieved using the criteria set out in appendix A of NZS 3910;1998 (conditions of contract for Building and Civil Engineering Construction).

13. Regional Council

All necessary consents for any discharges into natural water, onto land or into the ground shall be obtained from the Otago Regional Council before quarrying commences.

14. Consent Duration

The duration of this consent shall be 25 years.

15. Review of Consent

The conditions of this consent may be reviewed annually by the Waitaki District Council for the purpose of dealing with any adverse effects on the environment which may arise from the exercise of the consent, and shall include a review to Condition 5 on traffic, if traffic from the quarry causes any damage to Corbett Road beyond what would be reasonably expected for typical public use.

A decision on whether or not consent conditions will be reviewed will be made prior to August 30 in each year.

16. Charges

Charges set in accordance with Section 36(2) of the Resource Management Act 1991 shall be paid to the Council for the carrying out of its functions in relation to the administrative monitoring and supervision of the consent and for the carrying out of its functions under Section 35 of the Act.

File Ref: LRC99/27
Enquiries: Planning Section

The Manager
Road Metals Company Ltd
P O Box 212
OAMARU

Attention Mr G Kelcher

Dear Sir

**Resource Consent Application – Land use – Establishment of Gravel
Quarry Corbett Road**

Council has granted a land use resource consent to your application LRC99/27.

Hearing

The hearing was held at Oamaru on Tuesday 31 August 1998.

Mr Polson appeared for the applicant and made opening submissions. In short, he accepted the independent planner's report concerning the status of the activity (discretionary activity) and the report's analysis of proposal under Part II of the Act. He then stated the applicant had come to an agreement between Road Metals Company Ltd and Transit New Zealand and Tranzrail. A condition reflecting that agreement was confirmed. He opposed the conditions sought by the N.Z. Historic Places Trust because they were, in his opinion, impractical and outside the statutory obligation of the Trust.

Mr Kelcher, the Oamaru Manager of Road Metals Company Ltd, then gave a substantial brief of evidence. In it he described the proposal in detail and then discussed the conditions proposed in the independent planner's report. In short, he stated that the as far as quarry operations go, it would be a modest operation. He stated that there would be periods of several weeks when there will be no traffic whatsoever from the quarry. He stated that there would normally be only 4 major roading contracts awarded in the area and there is no guarantee that Road Metals Company Ltd would win them. He then noted that when there was a need for aggregate material, should they win contracts to supply gravel as part of a nearby roading upgrades, then the quarry operation would be busy. He went on to say that return traffic movements would generally not exceed 10 per day for more than 4 weeks per year. On

questioning, Mr Kelcher stated that at the very maximum, up to 30 return trucks per day would be required for up to a 4-week period.

For these reasons, Mr Kelcher considered it was inappropriate to place a restriction on the maximum number of quarry trucks that travel to and from the site, but he accepted that a restriction be placed on the average number of trucks travelling to and from the site per day, calculated on annual basis. He considered a daily average of 7 return movements is appropriate. He also considered that there was no need for dust suppressant because the vehicle movements are not significant when considered over a year. However he offered to construct a lay-by for trucks if the Council considered it was necessary.

Mr Kelcher considered the construction of grassed bunds would be more appropriate than establishing vegetation because they could be established immediately. For operational reasons, he considered a 2 hectare working area, which includes stockpile areas was necessary and that some allowance for stockpiling was needed on the top terrace. Mr Kelcher also considered that the hours of operation be extended so that the operation could commence at 6am in the morning, which he considered are not out of place for a rural environment.

Mr Shirley, a consultant engineer, gave evidence on behalf of the applicant. He prepared the applicant's AEE. Mr Shirley gave evidence on the question of the impact of dust from quarry traffic using Corbett Road. He referred to report entitled "*Economic Disbenefits of Dust from Unsealed Roads*" published in 1993. Interpreting that report, Mr Shirley concluded that the disbenefits of road dust per kilometre for dairying would be \$144 per km and for beef and sheep the disbenefit would be \$50 per km. He noted that no crops most affected by dust, such as apples, grapes or kiwifruit were grown along Corbett Road, and the closest comparative crop in the study was maize, where the production loss for 75 vehicles per day was estimated at \$78 per kilometre, assuming the crop was grown on both sides of the road. Mr Shirley notes that on average 14 vehicles per day (vpd) generated from the quarry operation are about 20% of the 75 vpd upon which the production losses were based.

In relation to dust from the quarry site, Mr Shirley did not consider the operation would cause any dust nuisance. He came to this conclusion on the basis of his experience with a nearby quarry, with similar source material. The material contains a high proportion of naturally occurring clays and silts, which have relatively high in-situ moisture content. If dust is released, he considered it would be relatively easy matter to wet down the crusher and stockpiles from water from the irrigation race.

Three submitters gave evidence at the hearing. Mr McKenzie appeared for Drumena Farm Company Ltd and JH & MR & CJ Dennison. The submitters farm land on the south side of Corbett Road and also along part of the north side of Corbett Road, east of Steward Road. Mr McKenzie's submissions, in short, focussed on five themes. Firstly, he considered the Council must have regard to the cumulative effects when assessing the actual and potential

adverse effects of the quarry operation. Secondly, he considered that some conditions may be regularly breached and local residents may become unfairly de facto enforcement officers. Thirdly, there was inadequate consideration of alternatives. Fourthly, there is potential dust nuisance from on-site quarrying, and adverse effects from trucks/vehicles using Corbett Road, including danger to children going to and from school, as well as the potential for conflict between trucks and livestock/farm usage of the road. (However, on questioning it transpired no children currently walk along Corbett Road, east of Steward Road). He gave climatic evidence that in summer there is a moisture deficit for the area and therefore there would be a potential for dust nuisance. Mr McKenzie concluded that the application should be declined, but if it is granted, then it be subject to conditions that (i) seal Corbett Road, (ii) restrict speed of vehicles to 25km/hr along Corbett Road, (iii) restrict vehicles on a daily basis to allow for stock movements (iv) limit the worked quarry area to 1 hectare (v) tree planting be established; and (vi) the management plan be submitted to neighbours for consultation.

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consultation with the Maori people whose ancestors are believed and known to have occupied the area.

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There was a conflict in evidence between the applicant and Mr Pratt concerning whether the Otago Regional Council required a discharge permit. It transpires that the Otago Regional Council staff considers that the proposed quarry operation does not need a discharge permit (letter from the Otago Regional Council dated 3 September 1999).

Reasons for the Decision

The Committee did not accept the premise by Mr McKenzie that by allowing the application, it would cause cumulative (adverse) effects at the location, or in the district generally. The Transitional and Proposed District Plans anticipate quarrying in the rural zones, providing that the adverse effects of allowing a quarry activity on the environment can be avoided, remedied, or mitigated. The Committee is mindful that gravel is required in the district for roading purposes and the construction industry, as well as for use by the farming community. The costs of transporting gravel over long distances are extremely high.

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The Committee considers the disbenefits to crops or pasture, as discussed by Mr Shirley, are not significant. The crops grown here do not rival grapes, kiwifruit, or apples. When averaged over the year, the potential number of trucks movements associated with the quarry operation are not high, and

would probably not exceed many other gravel roads in districts. A condition volunteered by the applicant is imposed, however, which ensures the yearly average number of quarry traffic using Corbett Road is restricted.

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mentioned by the submitters, the applicants replied that the suggested alternatives were not feasible because of ownership or contractual reasons.

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In conclusion, the Committee considers that the application can be granted subject to a range of conditions, most of which have been offered by the applicant. Providing these conditions are adhered to, the extent of the impact on rural amenity, landscape and conservation values will be minor.

Conditions include the completion of an annual management plan and comprehensive rehabilitation conditions. Evidence from the applicant is that the final landform after mining will be stable and visually integrated into the coastal and rural landscape and the reinstatement proposed will return the land to a productive capacity.

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Pursuant to Sections 104, 105 and 108 of the Resource Management Act 1991, consent is granted to the Road Metals Company Ltd to use land contained in Section 67 Block V Papakaio Survey District for the purposes of gravel and rock extraction of up to a maximum of 30,000m³ per annum, and associated on-site stock piling and storage of the same, and on-site screening and crushing of the same.

The consent is granted in terms of the plans attached to this consent, and details submitted with the application and at the hearing of the application. The coastal buffer area identified in Plan 2 is to remain undisturbed. The consent is also subject to the following conditions:

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5. Traffic

- i. That trucks and loaders working within the site shall be restricted to a maximum speed of 25km/hr.
- ii. Trucks access and egress to and from the site shall be limited to an average of seven return trips per day, calculated on a per annum basis.
- iii. Trucks travelling to and from the site shall use Corbett Road as the access and egress route from State Highway 1.
- iv. The consent holder shall supply, install and maintain PW50 "Trucks Crossing" warning signs. These shall be installed in locations approved by the Council's Infrastructural Assets

Manager for use when cartage of quarry material is in operation.

- v. The consent holder shall construct an approximately 300m long passing bay on Corbett Road, east of Steward Road. The passing bay shall be located mid-way between Steward Road and the last house before the site. Detailed construction and location to be approved by the Infrastructural Assets Manager.

The passing bay shall be of sufficient width to allow two trucks to pass each other on Corbett Road. The passing bay shall be constructed to the Council's standards that accommodate quarry trucks, sheep trucks or other vehicles and construction details are to be forwarded to Council's Infrastructural Assets Manager for his approval. All costs of construction fall with the consent holder.

- vi. The consent holder shall upgrade the intersection of Corbett Road and State Highway 1 to a design set out in Plan 4 attached with this consent and detailed standards shall be in accordance with Transit New Zealand standards in order to enable the safe operation of the State Highway.

6. Bunding

- i. The consent holder shall construct bunds not less than 3 metres in height in the locations set out on Plan 2 attached with this consent.
- ii. The bunds shall be constructed within a 3 month period after the consent is first exercised.
- iii. Grass shall be established and maintained on the bunds consistent with the rehabilitation conditions set out in condition 9.

7. Noise

- i. Subject to the express provisions of this condition the noise level shall be measured and assessed in accordance with the requirements of **New Zealand Standard, NZS 6801: 1991 Measurement of Sound and New Zealand Standard, NZS 6802: 1991 Assessment of Environmental Sound.**
- ii. The L₁₀ level as measured at the notional boundary of the nearest residential dwelling to the site, shall not exceed the following limits:

Monday to Friday	0700 hours - 1900 hours	L ₁₀ 55dBA
Saturday	0800 hours - 1700 hours	L ₁₀ 55dBA
All other times		L ₁₀ 40dBA

The notional boundary of any existing dwelling, for the purposes of this condition, shall be a point 20 metres from the most exposed façade.

- iii. All equipment and machinery shall be regularly maintained to ensure noise levels are as low as reasonably attainable but at no time shall they exceed the levels permitted in this consent.
- iv. The crusher and associated equipment shall be operated on the low terrace at the eastern side of the quarry face.

8. Air Quality

The objective of the consent holder shall be to minimise dust nuisance during all rock and gravel extraction and works incidental to rock and gravel extraction, using the following methods:

- i. Minimising the area being disturbed at one time;
- ii. Avoiding, as far as possible, disturbance to the site - including access to and from the site - during dry, windy periods when dust is most likely to be a problem;
- iii. Ensuring materials being moved are kept in a damp state;
- iv. Using water to damp down potential dust at source;
- v. Revegetating disturbed areas at the earliest opportunity.

9. Rehabilitation

The consent holder shall, prior to the first exercise of the consent; present to Council an “indicative rehabilitation plan” which shows an indicative “post operation” plan of the site and a description of the rehabilitation measures required achieving this plan.

- i. The indicative rehabilitation plan shall have the following objectives:
 - To ensure short and long term stability of the site;
 - To minimise post operational nuisance;
 - To protect water and soil values; and
 - To return the land to a productive potential.
- ii. Rehabilitation work shall be subject to the following conditions:

- a. QUARRYING AREA: The maximum area of land disturbed and not fully restored, shall not exceed 2 hectares at any time. Disturbed areas shall

include the extraction pit, tailings and overburden, re-levelled area and land pre-stripped ready for mining.

- b. **TOPSOIL:** The consent holder shall, as far as practicable, strip and stockpile topsoil from all areas separately from the remaining overburden. All salvaged topsoil shall be used for rehabilitation purposes. Waste rock and overburden shall be returned to the excavations, levelled off and contoured prior to re-spreading topsoil on fines.
- c. **VEGETATION:** The following conditions shall apply to the vegetation rehabilitation programme carried out on the site:
 - The consent holder shall progressively undertake vegetation rehabilitation, as areas of practical working size become available.
 - The consent holder shall ensure that the vegetation cover established during the rehabilitation programme, shall be sustained in both the short and the long term.

10. Unformed Road

The consent holder shall not disturb the unformed part of Corbett Road.

11. Water Races and Flood Channels

The consent holder is responsible for the safeguarding of the water race and flood channel, which lie on the perimeter of the site. Any damage incurred as a result of extraction operations must be repaired at the consent holder's expense. The consent holder should also be responsible for the maintenance and repair of the western and southern facing batter slopes. Gravel extraction shall not occur within 10 metres of the adjacent watercourse.

12. Bond

That prior to any excavation, including site preparation, taking place on the application site, a performance bond agreement to a total value of \$50,000 (1999 dollar value) shall be entered into between the consent holder and the Council to ensure compliance with the rehabilitation conditions of this consent. The bond is to be registered on the title to the application site by way of a memorandum of encumbrance and shall bind any subsequent owners and operators of the site.

This condition shall be reviewed, pursuant to Section 129 of the Act, on the first day of October in the year 2009 for the purposes of adjusting the quantum of the bond upwards in order to take into account inflation. This shall be achieved using the criteria set out in appendix A of NZS 3910;1998 (conditions of contract for Building and Civil Engineering Construction).

13. Regional Council

All necessary consents for any discharges into natural water, onto land or into the ground shall be obtained from the Otago Regional Council before quarrying commences.

14. Consent Duration

The duration of this consent shall be 25 years.

15. Review of Consent

The conditions of this consent may be reviewed annually by the Waitaki District Council for the purpose of dealing with any adverse effects on the environment which may arise from the exercise of the consent, and shall include a review to Condition 5 on traffic, if traffic from the quarry causes any damage to Corbett Road beyond what would be reasonably expected for typical public use.

A decision on whether or not consent conditions will be reviewed will be made prior to August 30 in each year.

16. Charges

Charges set in accordance with Section 36(2) of the Resource Management Act 1991 shall be paid to the Council for the carrying out of its functions in relation to the administrative monitoring and supervision of the consent and for the carrying out of its functions under Section 35 of the Act.

Commencement of Consent

Your attention is drawn to Section 116 of the Resource Management Act 1991 which provides that any resource consent which has been granted shall, unless stated otherwise, commence either, when the time for lodging appeals expires and no appeals have been lodged, or when the Environment Court determines the appeals or all appeals are withdrawn.

Lapsing of Consent

Your attention is also drawn to Section 125 of the Resource Management Act 1991 which provides that a resource consent that is not given effect to shall lapse on the expiry of two years after the commencement of the consent or such shorter or longer period provided for in the consent; unless the Council agrees to a longer period upon an application made up to three months after the expiry date.

Right of Appeal

Please note that pursuant to Section 120 of the Resource Management Act 1991, you may, within 15 working days of receiving notification of this decision, appeal to the Environmental Court against the whole or any part of Council's decision, in accordance with Section 121 of the Act, by writing to:

The Registrar, Environment Court, P O Box 5027, Wellington.

Yours faithfully

D T R Harwood

Senior Resource Consents Officer

c.c.

Valuation New Zealand, P O Box 215, Dunedin

Davie Lovell Smith & Partners, Attention Mr Andrew Purves

Otago Regional Council Private Bag Dunedin

Environmental Health Officer

Senior Rates Clerk

Technical Officer of Roding

Plumbing/drainage Insp.

Building Inspector

Property File

Transit N.Z. PO Box 5241 Dunedin

Drumena Farm Company c/- Raymond Sullivan McGlashan PO Box 557 Timaru Attn K McKenzie

Department of Conservation Coastal Otago Area Office PO Box 5244 Dunedin Attn J Fyfe
DA & IM Smith Stoneycreek Road RD 7 Waimate

TT & OC Edzes 7 H RD Oamaru

Tranzrail Ltd Box 431 Dunedin Attn RH Storm

N.Z. Historic Places Trust 15 Wharfe St. Oamaru Attn Deputy Chairperson N.O. Branch
Helen Stead

Mr H Steenson c/- Postal Delivery Centre Kakanui

MA Needham 3 H RD Oamaru

S Hayes 4 H RD Hilderthorpe Oamaru

Polson Hope PO Box 46 Attn Mr D Polson

Mr J Shirley 269 Homestead Rd 1 C RD Oamaru

File Ref: 201.2016.846 (LRC99/27 and LRC06/15)
Enquiries to Planning Department
Email: service@waitaki.govt.nz

8 December 2016

Road Metals Company Ltd
C/- Golder Associates NZ Ltd
P O Box 33-849
Takapuna 0740

Attention: Kevin Bligh

Dear Sir

Landuse Resource Consent: Road Metals Company Ltd, Corbett Road Richmond 9493

Council has granted landuse resource consent to your application 201. 2016.846 pursuant to sections 104(5), 104B and 108 of the Resource Management Act 1991.

The decision on your resource consent was made by the Planning Manager pursuant to authority delegated in accordance with Section 34A(1) of the Resource Management Act 1991.

Granted to: Road Metals Company Ltd

Consent: To amend the existing consent conditions, specifically being to change condition 9 of consent LRC 99/27 and LRC 06/15, to enable cleanfilling as part of the site rehabilitation works, pursuant to Section 127 of the Resource Management Act 1991, subject to the following conditions (changes to conditions are shown with additions underlined and deletions struck-out):

Date Granted: 6 December 2016

In connection with the following property:

Property Address: Corbett Road Richmond 9493

Legal Description: Sec: 67 Blk: V SD: Papakaio, Lot: 2 DP: 493064, Lot: 5 DP: 493064

Land Use Conditions:

General

1. That the activity be in general accordance with the application and plans lodged by the applicant, submitted with application 201.2016.846 and received by Council on 27 October 2016, except where modified by the following conditions. The approved plans are attached.

2. The consent holder shall ensure that, should any human remains or archaeological items be exposed while undertaking works to give effect to conditions of this consent, works in that area will cease immediately. The Police, Heritage New Zealand Historic, and Kaumatua representing the local Tangata Whenua shall be contacted and work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained.

3. Annual Work Programme

The consent holder shall submit to the Council a detailed work programme of operations proposed, prior to the exercise of the consent. The work programme shall be reviewed at least annually, unless the Council notifies the consent holder in writing that a lesser frequency is required. The work programme shall include:

- i. A description of the sequence of works and procedures adopted during quarrying and processing. This shall include a description of the previous year's rehabilitation work and an assessment of whether the previous rehabilitation work meets the rehabilitation objectives set out under Condition 9.
- ii. A description of the measures to be undertaken so that the objectives and conditions of this consent will be met at all times.

4. Historic Values

Any artefacts that are uncovered during excavation or removal of the topsoil and overburden shall be reported to the Moeraki Runanga and the Ngai Tahu Maori Trust Board Offices and the N.Z. Historic Places Trust. Any artefacts should subsequently be presented to the appropriate persons or organisations.

5. Consultation

During operations the consent holder shall appoint an employee agent fully authorised to liaise with those affected by the project, consider their concerns and where necessary, take appropriate action.

6. Operating Hours

Permissible operating hours for the operation shall be restricted to:

Monday to Friday: 0600 hours to 1900 hours
Saturday: 0800 hours to 1700 hours

Other than where necessary for safety, health or environmental reasons there should be no work carried out on Sundays or statutory holidays.

Advisory Note:

These operating hours also apply to the access or egress of trucks to and from the site.

7. Traffic

- i. That trucks and loaders working within the site shall be restricted to a maximum speed of 25km/hr.
- ii. Trucks access and egress to and from the site shall be limited to an average of seven return trips per day, calculated on a per annum basis.
- iii. Trucks travelling to and from the site shall use either Corbett Road or Steward Road as the access and egress route from State Highway 1.

- iv. The consent holder shall supply, install and maintain PW50 "Trucks Crossing" warning signs. These shall be installed in locations approved by the Council's Infrastructural Assets Manager for use when cartage of quarry material is in operation.
- v. The consent holder shall construct an approximately 300m long passing bay on Corbett Road, east of Steward Road. The passing bay shall be located mid-way between Steward Road and the last house before the site. Detailed construction and location to be approved by the Infrastructural Assets Manager.

The passing bay shall be of sufficient width to allow two trucks to pass each other on Corbett Road. The passing bay shall be constructed to the Council's standards that accommodate quarry trucks, sheep trucks or other vehicles and construction details are to be forwarded to Council's Infrastructural Assets Manager for his approval. All costs of construction fall with the consent holder.

- vi. The consent holder shall upgrade the intersection of Corbett Road and State Highway 1 to a design set out in Plan 4 attached with this consent and detailed standards shall be in accordance with Transit New Zealand standards in order to enable the safe operation of the State Highway.

8. Bunding

- i. The consent holder shall construct bunds not less than 3 metres in height in the locations set out on Plan 2 attached with this consent.
- ii. The bunds shall be constructed within a 3 month period after the consent is first exercised.
- iii. Grass shall be established and maintained on the bunds consistent with the rehabilitation conditions set out in condition 9.

9. Noise

- i. Subject to the express provisions of this condition the noise level shall be measured and assessed in accordance with the requirements of New Zealand Standard, NZS 6801:1991 Measurement of Sound and New Zealand Standard, NZS 6802: 1991 Assessment of Environmental Sound.
- ii. The L10 level as measured at the notional boundary of the nearest residential dwelling to the site, shall not exceed the following limits:

Monday to Friday	0700 hours - 1900 hours	L10 55dBA
Saturday	0800 hours - 1700 hours	L10 55dBA
All other times		L10 40dBA

The notional boundary of any existing dwelling, for the purposes of this condition, shall be a point 20 metres from the most exposed façade.

- iii. All equipment and machinery shall be regularly maintained to ensure noise levels are as low as reasonably attainable but at no time shall they exceed the levels permitted in this consent.
- iv. The crusher and associated equipment shall be operated on the low terrace at the eastern side of the quarry face.

10. Air Quality

The objective of the consent holder shall be to minimise dust nuisance during all rock and gravel extraction and works incidental to rock and gravel extraction, using the following methods:

- i. Minimising the area being disturbed at one time;
- ii. Avoiding, as far as possible, disturbance to the site - including access to and from the site - during dry, windy periods when dust is most likely to be a problem;
- iii. Ensuring materials being moved are kept in a damp state;
- iv. Using water to damp down potential dust at source;
- v. Revegetating disturbed areas at the earliest opportunity.

11. Rehabilitation

The consent holder shall, prior to the first exercise of the consent; present to Council an "indicative rehabilitation plan" which shows an indicative "post operation" plan of the site and a description of the rehabilitation measures required achieving this plan.

- i. The indicative rehabilitation plan shall have the following objectives:
 - To ensure short and long term stability of the site;
 - To minimise post operational nuisance;
 - To protect water and soil values; and
 - To return the land to a productive potential.
- ii. Rehabilitation work shall be subject to the following conditions:
 - a. QUARRYING AREA:

The maximum area of land disturbed and not fully restored, shall not exceed 2 hectares at any time. Disturbed areas shall include the extraction pit, tailings and overburden, re-levelled area and land pre-stripped ready for mining.
 - b. TOPSOIL: The consent holder shall, as far as practicable, strip and stockpile topsoil from all areas separately from the remaining overburden. All salvaged topsoil shall be used for rehabilitation purposes. Waste rock and overburden shall be returned to the excavations, levelled off and contoured prior to re-spreading topsoil on fines.
 - c. VEGETATION: The following conditions shall apply to the vegetation rehabilitation programme carried out on the site:
 - The consent holder shall progressively undertake vegetation rehabilitation, as areas of practical working size become available.
 - The consent holder shall ensure that the vegetation cover established during the rehabilitation programme, shall be sustained in both the short and the long term.

d. CLEANFILLING:

Cleanfilling shall take place in general accordance with the staging plan included in the resource consent application prepared by Golder Associates and dated October 2016. Areas where cleanfilling is taking place shall be top soiled and vegetated in accordance with Condition 11 following the completion of cleanfilling in each stage.

Cleanfill brought to the site shall be in accordance with acceptable materials as set out in section 4.2 of the MfE Guide to the Management of Cleanfills which includes the following materials:

- a) uncontaminated soil, rock, gravel, sand, silt and clay;
- b) unlaminated glass containing no fluids;
- c) bricks;
- d) concrete;
- e) ceramics;
- f) weathered dry asphalt;
- g) tiles;

Only nominal amounts of the following materials shall be deposited into the cleanfilling area. Nominal equates to less than 1% of the total cleanfill volume.

- a) glass fibres;
- b) road metal;
- c) untreated wood;
- d) vegetative material;
- e) metals such as reinforcing rods that cannot be reasonably separated from demolition materials;

Advisory Note:

Resource Consent maybe required from the Otago Regional Council (ORC) where the proposed cleanfill materials do not meet the ORC's definition of cleanfill materials in the Regional Plan for Waste; and therefore cannot meet the permitted activity status for cleanfill landfills.

12. Unformed Road

The consent holder shall not disturb the unformed part of Corbett Road.

13. Water Races and Flood Channels

The consent holder is responsible for the safeguarding of the water race and flood channel, which lie on the perimeter of the site. Any damage incurred as a result of extraction operations must be maintenance and repair of the western and southern facing batter slopes. Gravel extraction shall not occur within 10 metres of the adjacent watercourse.

14. Bond

That prior to any excavation, including site preparation, taking place on the application site, a performance bond agreement to a total value of \$50,000 (1999 dollar value) shall be entered into between the consent holder and the Council to ensure compliance with the rehabilitation conditions of this consent. The bond is to be registered on the title to the application site by way of a memorandum of encumbrance and shall bind any subsequent owners and operators of the site.

This condition shall be reviewed, pursuant to Section 129 of the Act, on the first day of October in the year 2009 for the purposes of adjusting the quantum of the bond upwards in order to take into account inflation. This shall be achieved using the criteria set out in appendix A of NZS 3910:1998 (conditions of contract for Building and Civil Engineering Construction).

15. Regional Council

All necessary consents for any discharges into natural water, onto land or into the ground shall be obtained from the Otago Regional Council before quarrying commences.

All necessary consents relating to the cleanfilling activity shall be obtained from the Otago Regional Council before any cleanfilling commences.

16. Consent Duration

The duration of this consent shall be 25 years.

17. Review of Consent

The conditions of this consent may be reviewed annually by the Waitaki District Council for the purpose of dealing with any adverse effects on the environment which may arise from the exercise of the consent, and shall include a review to Condition 5 on traffic, if traffic from the quarry causes any damage to Corbett Road beyond what would be reasonably expected for typical public use.

A decision on whether or not consent conditions will be reviewed will be made prior to August 30 in each year.

18. Charges

Charges set in accordance with Section 36(2) of the Resource Management Act 1991 shall be paid to the Council for the carrying out of its functions in relation to the administrative monitoring and supervision of the consent and for the carrying out of its functions under Section 35 of the Act.

19. Commencement of Consent

Your attention is drawn to Section 116 of the Resource Management Act 1991 which provides that any resource consent which has been granted shall, unless stated otherwise, commence either, when the time for lodging appeals expires and no appeals have been lodged, or when the Environment Court determines the appeals or all appeals are withdrawn.

20. Lapsing of Consent

Your attention is also drawn to Section 125 of the Resource Management Act 1991 which provides that a resource consent that is not given effect to shall lapse on the expiry of two years after the commencement of the consent or such shorter or longer period provided for in the consent; unless the Council agrees to a longer period upon an application made up to three months after the expiry date.

21. Right of Appeal

Please note that pursuant to Section 120 of the Resource Management Act 1991, you may, within 15 working days of receiving notification of this decision, appeal to the Environmental Court against the whole or any part of Council's decision, in accordance with Section 121 of the Act, by writing to:

The Registrar, Environment Court, P O Box 5027, Wellington.

Reasons for Decision:

- A. Having considered the effects of the activity on the environment in accordance with Section 104(1)(a) of the Resource Management Act 1991, Council is satisfied that the actual and potential effects of the activity on the environment will be less than minor provided that the amended conditions are complied with.
- B. The granting of the change of consent condition will not be contrary to the intent of the policies and objectives contained within the Operative Waitaki District Plan in accordance with Section 104(1)(b) of the Resource Management Act 1991.
- C. The proposal to change condition 9 of resource consent LRC99/27 will have adverse effects that will be less than minor pursuant to Sections 95-95F of the Resource Management Act 1991. No

special circumstances have been identified and no persons were considered to be potentially affected pursuant to Sections 95B-95E of the Resource Management Act 1991. Amendments relating to the General (Condition 1) and recent Heritage New Zealand changes (Condition 2) have been included.

- D. This application (Section 127) has been assessed as a Discretionary Activity as per Section 127 of the Resource Management Act 1991 for which consent may be granted under Section 104B of the Resource Management Act 1991.
- E. Pursuant to Section 104B and Section 108 of the Resource Management Act 1991 specific conditions have been imposed to mitigate any adverse effects of the activity on the environment.

Right of Objection

Please note that pursuant to Section 357A of the Resource Management Act 1991, you may, within 15 working days of being notified of this decision, object by notice in writing to the Council in respect of any aspect of this decision. The Council is required by the Act to consider any objection and to decide whether to dismiss or uphold the objection wholly or partly. (There is a right of appeal, pursuant to Section 358 of the Resource Management Act 1991, to the Environment Court against Council's decision on any such objection).

Customer Survey

To enable us to provide an efficient and friendly service to our customers we would appreciate your feedback on how we in the Planning Department handled your resource consent.

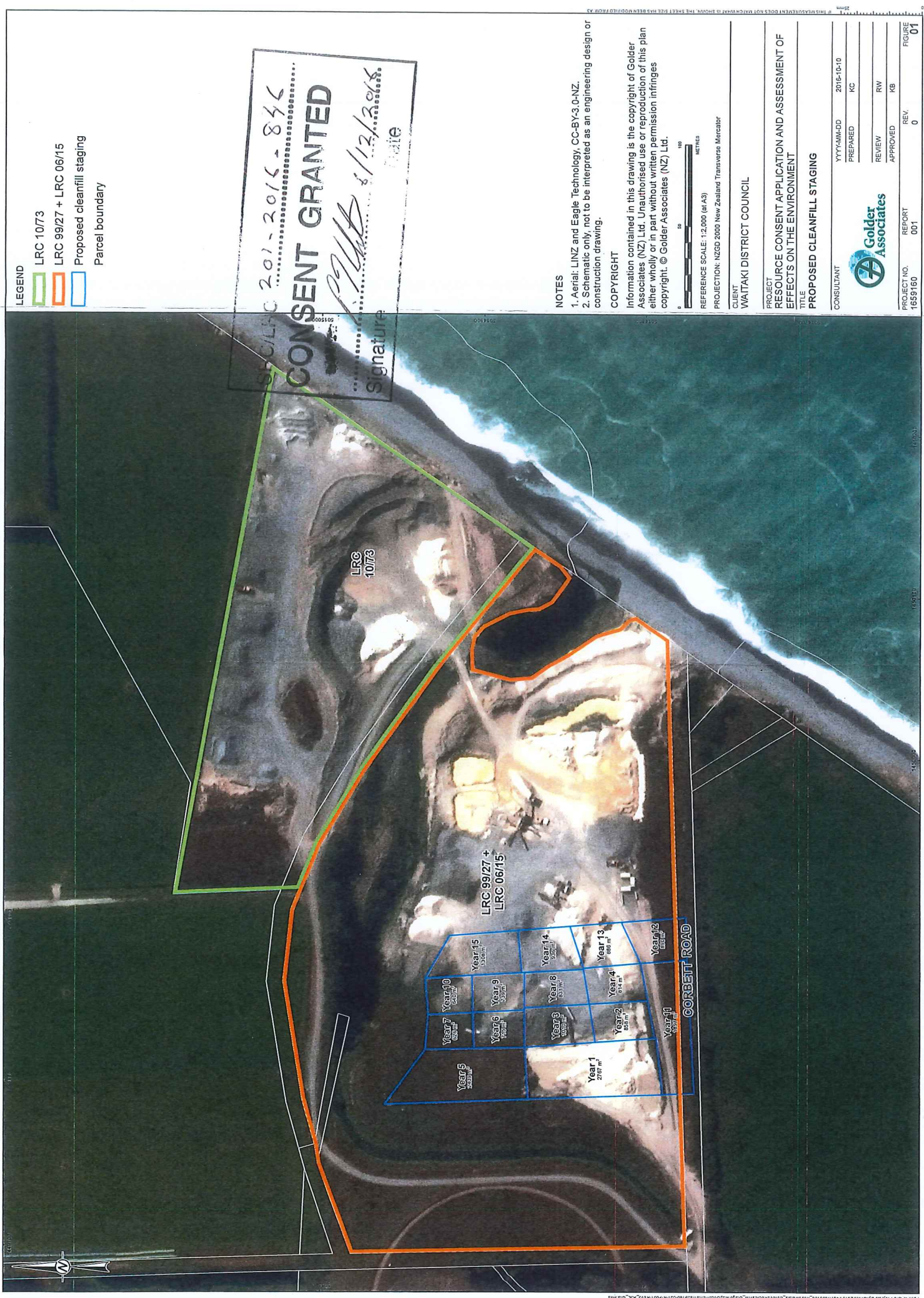
By answering a few short questions in our on-line survey we can continuously improve our service to you. The link may be found as follows:

<https://www.surveymonkey.com/r/wdcplanningsurvey>

Yours faithfully



Michelle Gardiner
Planning Administration



PROJECT NO.	1659160	REPORT	001	REV.	0	FIGURE	01
CONSULTANT	YYYY-MM-DD	2016-10-10	PREPARED	KC			
			REVIEW	RW			
			APPROVED	KB			

PROJECT
RESOURCE CONSENT APPLICATION AND ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

TITLE
PROPOSED CLEANFILL STAGING

CLIENT
WAITAKI DISTRICT COUNCIL

PROJECTION: NZGD 2000 New Zealand Transverse Mercator

REFERENCE SCALE: 1:2,000 (at A3)

0 50 100 METRES



APPENDIX A

Report Limitations



APPENDIX A

Report Limitations

This Report/Document has been provided by Golder Associates (NZ) Limited ("Golder") subject to the following limitations:

- i) This Report/Document has been prepared for the particular purpose outlined in Golder's proposal and no responsibility is accepted for the use of this Report/Document, in whole or in part, in other contexts or for any other purpose.
- ii) The scope and the period of Golder's Services are as described in Golder's proposal, and are subject to restrictions and limitations. Golder did not perform a complete assessment of all possible conditions or circumstances that may exist at the site referenced in the Report/Document. If a service is not expressly indicated, do not assume it has been provided. If a matter is not addressed, do not assume that any determination has been made by Golder in regards to it.
- iii) Conditions may exist which were undetectable given the limited nature of the enquiry Golder was retained to undertake with respect to the site. Variations in conditions may occur between investigatory locations, and there may be special conditions pertaining to the site which have not been revealed by the investigation and which have not therefore been taken into account in the Report/Document. Accordingly, if information in addition to that contained in this report is sought, additional studies and actions may be required.
- iv) The passage of time affects the information and assessment provided in this Report/Document. Golder's opinions are based upon information that existed at the time of the production of the Report/Document. The Services provided allowed Golder to form no more than an opinion of the actual conditions of the site at the time the site was visited and cannot be used to assess the effect of any subsequent changes in the quality of the site, or its surroundings, or any laws or regulations.
- v) Any assessments, designs and advice made in this Report/Document are based on the conditions indicated from published sources and the investigation described. No warranty is included, either express or implied, that the actual conditions will conform exactly to the assessments contained in this Report/Document.
- vi) Where data supplied by the client or other external sources, including previous site investigation data, have been used, it has been assumed that the information is correct unless otherwise stated. No responsibility is accepted by Golder for incomplete or inaccurate data supplied by others.
- vii) The Client acknowledges that Golder may have retained subconsultants affiliated with Golder to provide Services for the benefit of Golder. Golder will be fully responsible to the Client for the Services and work done by all of its subconsultants and subcontractors. The Client agrees that it will only assert claims against and seek to recover losses, damages or other liabilities from Golder and not Golder's affiliated companies. To the maximum extent allowed by law, the Client acknowledges and agrees it will not have any legal recourse, and waives any expense, loss, claim, demand, or cause of action, against Golder's affiliated companies, and their employees, officers and directors.
- viii) This Report/Document is provided for sole use by the Client and is confidential to it. No responsibility whatsoever for the contents of this Report/Document will be accepted to any person other than the Client. Any use which a third party makes of this Report/Document, or any reliance on or decisions to be made based on it, is the responsibility of such third parties. Golder accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this Report/Document.



APPENDIX B

Certificate of Title



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



R. W. Muir
Registrar-General
of Land

Search Copy

Identifier 721816
Land Registration District Otago
Date Issued 17 December 2015

Prior References

OT13A/1118 OT15C/1145

Estate Fee Simple
Area 28.5120 hectares more or less
Legal Description Lot 2, 5 Deposited Plan 493064 and
Section 67 Block V Papakaio Survey
District

Proprietors
Road Metals Company Limited

Interests

Subject to Section 8 Atomic Energy Act 1945 (affects Section 67 Block V Papakaio Survey District)
Subject to Section 3 Geothermal Energy Act 1953 (affects Section 67 Block V Papakaio Survey District)
Subject to Section 6 Mining Act 1971 (affects Section 67 Block V Papakaio Survey District)
Subject to Section 8 Mining Act 1971 (affects Section 67 Block V Papakaio Survey District)
Subject to Section 3 Petroleum Act 1937 (affects Section 67 Block V Papakaio Survey District)
Subject to Section 5 Coal Mines Act 1979 (affects Section 67 Block V Papakaio Survey District)
Subject to Section 261 Coal Mines Act 1979 (affects Section 67 Block V Papakaio Survey District)
Subject to a right of way over part Section 67 Block V Papakaio Survey District marked A on SO 20700 created
by Transfer 611291.2 - 12.3.1984 at 11:27 am
835825.5 Encumbrance to Lower Waitaki Irrigation Company Limited - 9.8.1993 at 9.15 am (affects Lot 2 and 5 DP
493064)
Subject to a right of way over part Section 67 Block V Papakaio Survey District marked A on said land created
by Transfer 879133.3 - 29.3.1995 at 10:53 am
Appurtenant to Lot 2 and 5 DP 493064 is a right of way created by Transfer 879133.3 - 29.3.1995 at 10:53 am
5053554.1 Bond pursuant to Section 108(2)(b) Resource Management Act 1991 by Waitaki District Council -
29.6.2001 at 9:12 am (affects Section 67 Block V Papakaio Survey District)
7992501.1 Encumbrance to Lower Waitaki Irrigation Company Limited - 11.11.2008 at 9:00 am (affects Section 67
Block V Papakaio Survey District)
8690643.1 Bond pursuant to Section 108(2)(b) Resource Management Act 1991 - 1.3.2011 at 12:40 pm (affects Lot
2 and 5 DP 493064)
Subject to Section 241(2) Resource Management Act 1991 (affects DP 493064)
Appurtenant hereto is a right to convey water created by Easement Instrument 10271638.7 - 17.12.2015 at 3:57
pm



APPENDIX C

**Current Consent LRC99/27 (and change of conditions
LRC06/15)**



Waitaki District Council

20 Thames Street, Oamaru

Private Bag 50058

Phone (03) 434-1624

Fax (03) 434-1611

File Ref: LRC99/27
Enquiries: Planning Section

23 September 1999

The Manager
Road Metals Company Ltd
P O Box 212
OAMARU

Attention Mr G Kelcher

Dear Sir

**Resource Consent Application – Land use – Establishment of Gravel
Quarry Corbett Road**

Council has granted a land use resource consent to your application LRC99/27.

Hearing

The hearing was held at Oamaru on Tuesday 31 August 1998.

Mr Polson appeared for the applicant and made opening submissions. In short, he accepted the independent planner's report concerning the status of the activity (discretionary activity) and the report's analysis of proposal under Part II of the Act. He then stated the applicant had come to an agreement between Road Metals Company Ltd and Transit New Zealand and Tranzrail. A condition reflecting that agreement was confirmed. He opposed the conditions sought by the N.Z. Historic Places Trust because they were, in his opinion, impractical and outside the statutory obligation of the Trust.

Mr Kelcher, the Oamaru Manager of Road Metals Company Ltd, then gave a substantial brief of evidence. In it he described the proposal in detail and then discussed the conditions proposed in the independent planner's report. In short, he stated that as far as quarry operations go, it would be a modest operation. He stated that there would be periods of several weeks when there will be no traffic whatsoever from the quarry. He stated that there would normally be only 4 major roading contracts awarded in the area and there is no guarantee that Road Metals Company Ltd would win them. He then noted that when there was a need for aggregate material, should they win contracts to supply gravel as part of a nearby roading upgrades, then the quarry operation would be busy. He went on to say that return traffic movements would generally not exceed 10 per day for more than 4 weeks per year. On

questioning, Mr Kelcher stated that at the very maximum, up to 30 return trucks per day would be required for up to a 4-week period.

For these reasons, Mr Kelcher considered it was inappropriate to place a restriction on the maximum number of quarry trucks that travel to and from the site, but he accepted that a restriction be placed on the average number of trucks travelling to and from the site per day, calculated on annual basis. He considered a daily average of 7 return movements is appropriate. He also considered that there was no need for dust suppressant because the vehicle movements are not significant when considered over a year. However he offered to construct a lay-by for trucks if the Council considered it was necessary.

Mr Kelcher considered the construction of grassed bunds would be more appropriate than establishing vegetation because they could be established immediately. For operational reasons, he considered a 2 hectare working area, which includes stockpile areas was necessary and that some allowance for stockpiling was needed on the top terrace. Mr Kelcher also considered that the hours of operation be extended so that the operation could commence at 6am in the morning, which he considered are not out of place for a rural environment.

Mr Shirley, a consultant engineer, gave evidence on behalf of the applicant. He prepared the applicant's AEE. Mr Shirley gave evidence on the question of the impact of dust from quarry traffic using Corbett Road. He referred to report entitled "*Economic Disbenefits of Dust from Unsealed Roads*" published in 1993. Interpreting that report, Mr Shirley concluded that the disbenefits of road dust per kilometre for dairying would be \$144 per km and for beef and sheep the disbenefit would be \$50 per km. He noted that no crops most affected by dust, such as apples, grapes or kiwifruit were grown along Corbett Road, and the closest comparative crop in the study was maize, where the production loss for 75 vehicles per day was estimated at \$78 per kilometre, assuming the crop was grown on both sides of the road. Mr Shirley notes that on average 14 vehicles per day (vpd) generated from the quarry operation are about 20% of the 75 vpd upon which the production losses were based.

In relation to dust from the quarry site, Mr Shirley did not consider the operation would cause any dust nuisance. He came to this conclusion on the basis of his experience with a nearby quarry, with similar source material. The material contains a high proportion of naturally occurring clays and silts, which have relatively high in-situ moisture content. If dust is released, he considered it would be relatively easy matter to wet down the crusher and stockpiles from water from the irrigation race.

Three submitters gave evidence at the hearing. Mr McKenzie appeared for Drumena Farm Company Ltd and JH & MR & CJ Dennison. The submitters farm land on the south side of Corbett Road and also along part of the north side of Corbett Road, east of Steward Road. Mr McKenzie's submissions, in short, focussed on five themes. Firstly, he considered the Council must have regard to the cumulative effects when assessing the actual and potential

adverse effects of the quarry operation. Secondly, he considered that some conditions may be regularly breached and local residents may become unfairly *de facto* enforcement officers. Thirdly, there was inadequate consideration of alternatives. Fourthly, there is potential dust nuisance from on-site quarrying, and adverse effects from trucks/vehicles using Corbett Road, including danger to children going to and from school, as well as the potential for conflict between trucks and livestock/farm usage of the road. (However, on questioning it transpired no children currently walk along Corbett Road, east of Steward Road). He gave climatic evidence that in summer there is a moisture deficit for the area and therefore there would be a potential for dust nuisance. Mr McKenzie concluded that the application should be declined, but if it is granted, then it be subject to conditions that (i) seal Corbett Road, (ii) restrict speed of vehicles to 25km/hr along Corbett Road, (iii) restrict vehicles on a daily basis to allow for stock movements (iv) limit the worked quarry area to 1 hectare (v) tree planting be established; and (vi) the management plan be submitted to neighbours for consultation.

Mr James Dennison gave evidence that their soil was high quality, ideally suited for intensive crop production. He stated that the land on the southern boundary of the quarry site achieves high yields of cereals, legumes and small seeds. He also stated the soil type lends them to growing a range of crops and he listed some 19 crops grown in the last 15 years. Mr Dennison is concerned about vehicle dust and notes that a nearby gravel road used for a quarry operation interfered with the adjacent farmer's grass and lucerne production. He circulated photographs showing dust being generated from a truck along Corbett Road. He is also concerned about the width of the carriageway as being insufficient. Mr Chris Dennison also gave brief verbal evidence suggesting that an alternative site at the nearby airport, owned by the applicant, could be used for quarrying.

A sworn affidavit was also tabled for the submitter from Mr Pratt, a consultant environmental scientist. In short, his evidence considered that the following conditions were required, (i) site's working areas be automatically watered, including the access road, so that no visible dust discharges over the site boundary (on-site vehicle speed be restricted to 15kph, (iii) dust suppressant as well as vehicle speed restrictions are required along Corbett Road. He also considered a discharge permit for dust is required from the Otago Regional Council. He noted that there would be damage to high value crops such as peas grown along side Corbett Road.

Mrs Hayes, who owns land immediately adjacent to the site, and at the corner of Corbett and Steward Roads, gave verbal evidence in opposition to the proposal. In response to questioning, she, reluctantly, would accept a condition that restricted the hours of quarry traffic to enable her to shift stock along the road.

Mr Steenson gave brief evidence on behalf of the Historic Places Trust. He considered an archaeological assessment should be carried out in close

consultation with the Maori people whose ancestors are believed and known to have occupied the area.

Status of the Application

There was no dispute from any party that the application is for a discretionary activity under the Proposed and Transitional District Plans. Therefore the decision was made under section 105 of the Act, having regard to those matters set out in Section 104 of the Resource Management Act 1991, subject to Part II (Purpose and Principles) of the Act.

There was a conflict in evidence between the applicant and Mr Pratt concerning whether the Otago Regional Council required a discharge permit. It transpires that the Otago Regional Council staff considers that the proposed quarry operation does not need a discharge permit (letter from the Otago Regional Council dated 3 September 1999).

Reasons for the Decision

The Committee did not accept the premise by Mr McKenzie that by allowing the application, it would cause cumulative (adverse) effects at the location, or in the district generally. The Transitional and Proposed District Plans anticipate quarrying in the rural zones, providing that the adverse effects of allowing a quarry activity on the environment can be avoided, remedied, or mitigated. The Committee is mindful that gravel is required in the district for roading purposes and the construction industry, as well as for use by the farming community. The costs of transporting gravel over long distances are extremely high.

From the evidence, the Committee considers the key issues of this decision relate to the impacts of quarry trucks on Corbett Road and on potential dust emissions from the site itself. Stemming from these issues, Drumena Farm Company limited and JH & MR & CJ Dennison also argued there was inadequate consideration by the applicant of alternative sites. These are addressed in turn below.

In relation to the issue of dust being generated from quarry trucks along Corbett Road, the Committee preferred the evidence of Mr Shirley. The evidence of Mr Dennison listed crops that have been grown on the property in the last 15 years. However, there was no evidence on the amount grown in any one year, on the land area involved, or the location of the crops in relation to Corbett Road. It was noteworthy that most of the land along Corbett Road at the time of the application hearing was in pasture. Further, Mr Pratt's evidence did not attempt to quantify the potential adverse effects.

The Committee considers the disbenefits to crops or pasture, as discussed by Mr Shirley, are not significant. The crops grown here do not rival grapes, kiwifruit, or apples. When averaged over the year, the potential number of trucks movements associated with the quarry operation are not high, and

would probably not exceed many other gravel roads in districts. A condition volunteered by the applicant is imposed, however, which ensures the yearly average number of quarry traffic using Corbett Road is restricted.

The Committee is also of a view that there should be no restrictions for the use of quarry trucks because of existing stock movements. This is because the purpose of a local road is to allow the right to pass and re-pass. Stock have no priority over vehicles. The Committee again recognises that most of the year there would be limited movements of quarry trucks using the road. Further, in relation to Mrs Hayes' farming operation, holding pens could be established on the run-off paddock and stock is transported to the home property, if there was any concern about conflict with quarry trucks.

The Committee considers it unreasonable to reduce vehicle speed along Corbett Road to 25kmh. The Committee understands that under the Land Transport Act, the Council must seek approval by the Minister of Transport to reduce speed to 25kph. To do this a range of criteria must be met; including the speed reduction is necessary for safety purposes. The road design must also encourage drivers to travel at the desired speed. Corbett Road is straight with good visibility and the Committee does not consider there is a traffic safety issue; although, it considers a sign warning motorists of trucks crossing is useful at the intersection of Corbett and Steward Road. A condition accordingly has been imposed.

Given the average number of quarry trucks using Corbett Road over the year is not high, the Committee considers the maintenance of Corbett Road should be adequately covered through the general roading maintenance programme, however, a review condition is imposed should the condition of the road significantly deteriorate as a result of use by the quarry trucks.

In relation to the issue of potential on-site dust nuisance, the Committee again prefers the evidence of Mr Shirley. The Committee notes that the nearest dwelling is at least 450 metres away, and it is extremely unlikely that the residences will suffer other than minor dust effects. The Committee is also mindful that the Proposed Regional Air Plan for Otago would not require a discharge permit for dust for an operation of this scale. Notwithstanding, the Committee notes the applicant has volunteered a dust condition that sets out a range of management techniques to reduce dust. This condition has been imposed.

Much was made of the inadequacy of alternative sites being investigated. However, the Committee notes there is no particular obligation on an applicant for a resource consent (as opposed to a requirement) to provide a consent authority with alternatives. Clause 1(b) of the Fourth Schedule only provides that the assessment of effects should include a description of alternative locations or methods where it is likely that the activity will have a significant adverse effect on the environment. The Committee does not consider the activity would, with appropriate conditions, cause significant adverse effects on the environment. With respect to alternative sites

mentioned by the submitters, the applicants replied that the suggested alternatives were not feasible because of ownership or contractual reasons.

In relation to potential Maori archaeological issues, the Committee considered the condition volunteered by the applicant is adequate. They note that the applicant had obtained conditional approval from the Tangata Whenua and further they did not submit to the application.

In conclusion, the Committee considers that the application can be granted subject to a range of conditions, most of which have been offered by the applicant. Providing these conditions are adhered too, the extent of the impact on rural amenity, landscape and conservation values will be minor.

Conditions include the completion of an annual management plan and comprehensive rehabilitation conditions. Evidence from the applicant is that the final landform after mining will be stable and visually integrated into the coastal and rural landscape and the reinstatement proposed will return the land to a productive capacity.

The Committee considers a bond of \$50,000 is required in the event that the operation fails and rehabilitation of the 2ha working area is required. The Committee did not accept the applicants rewording of the condition relating to the water race, as there was no evidence that the Lower Waitaki Irrigation Company had accepted such a change.

Pursuant to Sections 104, 105 and 108 of the Resource Management Act 1991, consent is granted to the Road Metals Company Ltd to use land contained in Section 67 Block V Papakaio Survey District for the purposes of gravel and rock extraction of up to a maximum of 30,000m³ per annum, and associated on-site stock piling and storage of the same, and on-site screening and crushing of the same.

The consent is granted in terms of the plans attached to this consent, and details submitted with the application and at the hearing of the application. The coastal buffer area identified in Plan 2 is to remain undisturbed. The consent is also subject to the following conditions:

1. Annual Work Programme

The consent holder shall submit to the Council a detailed work programme of operations proposed, prior to the exercise of the consent. The work programme shall be reviewed at least annually, unless the Council notifies the consent holder in writing that a lesser frequency is required. The work programme shall include:

- i. A description of the sequence of works and procedures adopted during quarrying and processing. This shall include a description of the previous year's rehabilitation work and an assessment of

whether the previous rehabilitation work meets the rehabilitation objectives set out under Condition 9.

- ii. A description of the measures to be undertaken so that the objectives and conditions of this consent will be met at all times.

2. Historic Values

Any artefacts that are uncovered during excavation or removal of the topsoil and overburden shall be reported to the Moeraki Runanga and the Ngai Tahu Maori Trust Board Offices and the N.Z. Historic Places Trust. Any artefacts should subsequently be presented to the appropriate persons or organisations.

3. Consultation

During operations the consent holder shall appoint an employee agent fully authorised to liaise with those affected by the project, consider their concerns and where necessary, take appropriate action.

4. Operating Hours

Permissible operating hours for the operation shall be restricted to:

Monday to Friday:	0600 hours to 1900 hours
Saturday:	0800 hours to 1700 hours

Other than where necessary for safety, health or environmental reasons there should be no work carried out on Sundays or statutory holidays.

Note: These operating hours also apply to the access or egress of trucks to and from the site.

5. Traffic

- i. That trucks and loaders working within the site shall be restricted to a maximum speed of 25km/hr.
- ii. Trucks access and egress to and from the site shall be limited to an average of seven return trips per day, calculated on a per annum basis.
- iii. Trucks travelling to and from the site shall use Corbett Road as the access and egress route from State Highway 1.
- iv. The consent holder shall supply, install and maintain PW50 "Trucks Crossing" warning signs. These shall be installed in locations approved by the Council's Infrastructural Assets

Manager for use when cartage of quarry material is in operation.

- v. The consent holder shall construct an approximately 300m long passing bay on Corbett Road, east of Steward Road. The passing bay shall be located mid-way between Steward Road and the last house before the site. Detailed construction and location to be approved by the Infrastructural Assets Manager.

The passing bay shall be of sufficient width to allow two trucks to pass each other on Corbett Road. The passing bay shall be constructed to the Council's standards that accommodate quarry trucks, sheep trucks or other vehicles and construction details are to be forwarded to Council's Infrastructural Assets Manager for his approval. All costs of construction fall with the consent holder.

- vi. The consent holder shall upgrade the intersection of Corbett Road and State Highway 1 to a design set out in Plan 4 attached with this consent and detailed standards shall be in accordance with Transit New Zealand standards in order to enable the safe operation of the State Highway.

6. **Bunding**

- i. The consent holder shall construct bunds not less than 3 metres in height in the locations set out on Plan 2 attached with this consent.
- ii. The bunds shall be constructed within a 3 month period after the consent is first exercised.
- iii. Grass shall be established and maintained on the bunds consistent with the rehabilitation conditions set out in condition 9.

7. **Noise**

- i. Subject to the express provisions of this condition the noise level shall be measured and assessed in accordance with the requirements of **New Zealand Standard, NZS 6801: 1991 Measurement of Sound and New Zealand Standard, NZS 6802: 1991 Assessment of Environmental Sound.**
- ii. The L₁₀ level as measured at the notional boundary of the nearest residential dwelling to the site, shall not exceed the following limits:

Monday to Friday	0700 hours - 1900 hours	L ₁₀ 55dBA
Saturday	0800 hours - 1700 hours	L ₁₀ 55dBA
All other times		L ₁₀ 40dBA

The notional boundary of any existing dwelling, for the purposes of this condition, shall be a point 20 metres from the most exposed façade.

- iii. All equipment and machinery shall be regularly maintained to ensure noise levels are as low as reasonably attainable but at no time shall they exceed the levels permitted in this consent.
- iv. The crusher and associated equipment shall be operated on the low terrace at the eastern side of the quarry face.

8. Air Quality

The objective of the consent holder shall be to minimise dust nuisance during all rock and gravel extraction and works incidental to rock and gravel extraction, using the following methods:

- i. Minimising the area being disturbed at one time;
- ii. Avoiding, as far as possible, disturbance to the site - including access to and from the site - during dry, windy periods when dust is most likely to be a problem;
- iii. Ensuring materials being moved are kept in a damp state;
- iv. Using water to damp down potential dust at source;
- v. Revegetating disturbed areas at the earliest opportunity.

9. Rehabilitation

The consent holder shall, prior to the first exercise of the consent; present to Council an "indicative rehabilitation plan" which shows an indicative "post operation" plan of the site and a description of the rehabilitation measures required achieving this plan.

- i. The indicative rehabilitation plan shall have the following objectives:
 - To ensure short and long term stability of the site;
 - To minimise post operational nuisance;
 - To protect water and soil values; and
 - To return the land to a productive potential.
- ii. Rehabilitation work shall be subject to the following conditions:

- a. **QUARRYING AREA:** The maximum area of land disturbed and not fully restored, shall not exceed 2 hectares at any time. Disturbed areas shall

include the extraction pit, tailings and overburden, re-levelled area and land pre-stripped ready for mining.

- b. **TOPSOIL:** The consent holder shall, as far as practicable, strip and stockpile topsoil from all areas separately from the remaining overburden. All salvaged topsoil shall be used for rehabilitation purposes. Waste rock and overburden shall be returned to the excavations, levelled off and contoured prior to re-spreading topsoil on fines.
- c. **VEGETATION:** The following conditions shall apply to the vegetation rehabilitation programme carried out on the site:
 - The consent holder shall progressively undertake vegetation rehabilitation, as areas of practical working size become available.
 - The consent holder shall ensure that the vegetation cover established during the rehabilitation programme, shall be sustained in both the short and the long term.

10. Unformed Road

The consent holder shall not disturb the unformed part of Corbett Road.

11. Water Races and Flood Channels

The consent holder is responsible for the safeguarding of the water race and flood channel, which lie on the perimeter of the site. Any damage incurred as a result of extraction operations must be repaired at the consent holder's expense. The consent holder should also be responsible for the maintenance and repair of the western and southern facing batter slopes. Gravel extraction shall not occur within 10 metres of the adjacent watercourse.

12. Bond

That prior to any excavation, including site preparation, taking place on the application site, a performance bond agreement to a total value of \$50,000 (1999 dollar value) shall be entered into between the consent holder and the Council to ensure compliance with the rehabilitation conditions of this consent. The bond is to be registered on the title to the application site by way of a memorandum of encumbrance and shall bind any subsequent owners and operators of the site.

This condition shall be reviewed, pursuant to Section 129 of the Act, on the first day of October in the year 2009 for the purposes of adjusting the quantum of the bond upwards in order to take into account inflation. This shall be achieved using the criteria set out in appendix A of NZS 3910;1998 (conditions of contract for Building and Civil Engineering Construction).

13. Regional Council

All necessary consents for any discharges into natural water, onto land or into the ground shall be obtained from the Otago Regional Council before quarrying commences.

14. Consent Duration

The duration of this consent shall be 25 years.

15. Review of Consent

The conditions of this consent may be reviewed annually by the Waitaki District Council for the purpose of dealing with any adverse effects on the environment which may arise from the exercise of the consent, and shall include a review to Condition 5 on traffic, if traffic from the quarry causes any damage to Corbett Road beyond what would be reasonably expected for typical public use.

A decision on whether or not consent conditions will be reviewed will be made prior to August 30 in each year.

16. Charges

Charges set in accordance with Section 36(2) of the Resource Management Act 1991 shall be paid to the Council for the carrying out of its functions in relation to the administrative monitoring and supervision of the consent and for the carrying out of its functions under Section 35 of the Act.

Commencement of Consent

Your attention is drawn to Section 116 of the Resource Management Act 1991 which provides that any resource consent which has been granted shall, unless stated otherwise, commence either, when the time for lodging appeals expires and no appeals have been lodged, or when the Environment Court determines the appeals or all appeals are withdrawn.

Lapsing of Consent

Your attention is also drawn to Section 125 of the Resource Management Act 1991 which provides that a resource consent that is not given effect to shall lapse on the expiry of two years after the commencement of the consent or such shorter or longer period provided for in the consent; unless the Council agrees to a longer period upon an application made up to three months after the expiry date.

Right of Appeal

Please note that pursuant to Section 120 of the Resource Management Act 1991, you may, within 15 working days of receiving notification of this decision, appeal to the Environmental Court against the whole or any part of Council's decision, in accordance with Section 121 of the Act, by writing to:

The Registrar, Environment Court, P O Box 5027, Wellington.

Yours faithfully



D T R Harwood

Senior Resource Consents Officer

c.c.

Valuation New Zealand, P O Box 215, Dunedin

Davie Lovell Smith & Partners, Attention Mr Andrew Purves

Otago Regional Council Private Bag Dunedin

Environmental Health Officer

Senior Rates Clerk

Technical Officer of Roading

Plumbing/drainage Insp.

Building Inspector

Property File

Transit N.Z. PO Box 5241 Dunedin

Drumena Farm Company c/- Raymond Sullivan McGlashan PO Box 557

Timaru Attn K McKenzie

Department of Conservation Coastal Otago Area Office PO Box 5244 Dunedin
Attn J Fyfe

DA & IM Smith Stoneycreek Road RD 7 Waimate

TT & OC Edzes 7 H RD Oamaru

Tranzrail Ltd Box 431 Dunedin Attn RH Storm

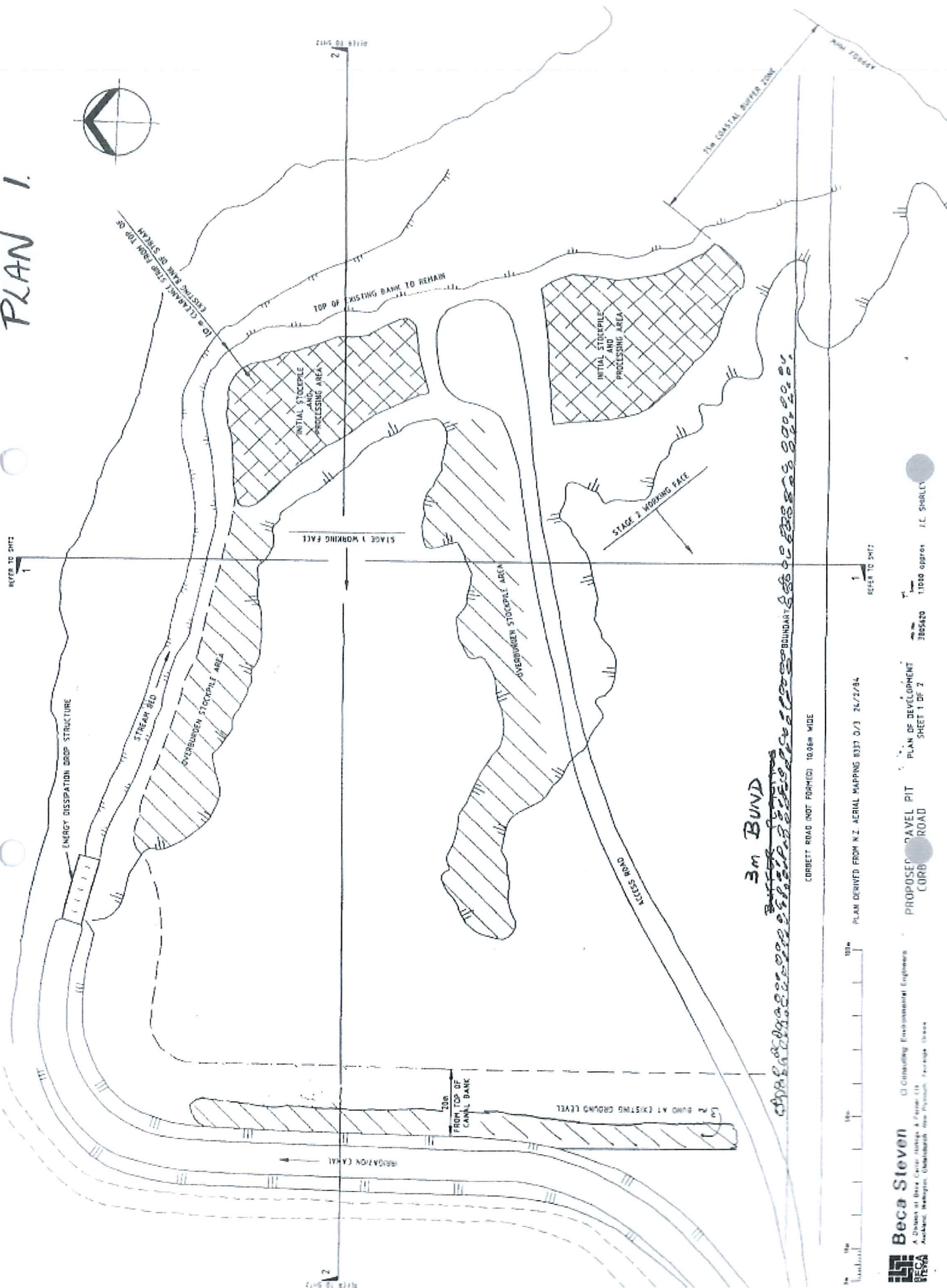
N.Z. Historic Places Trust 15 Wharfe St. Oamaru Attn Deputy Chairperson

N.O. Branch Helen Stead

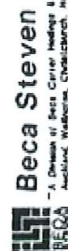
Mr H Steenson c/- Postal Delivery Centre Kakanui

MA Needham 3 H RD Oamaru

S Hayes 4 H RD Hilderthorpe Oamaru



PLAN 2



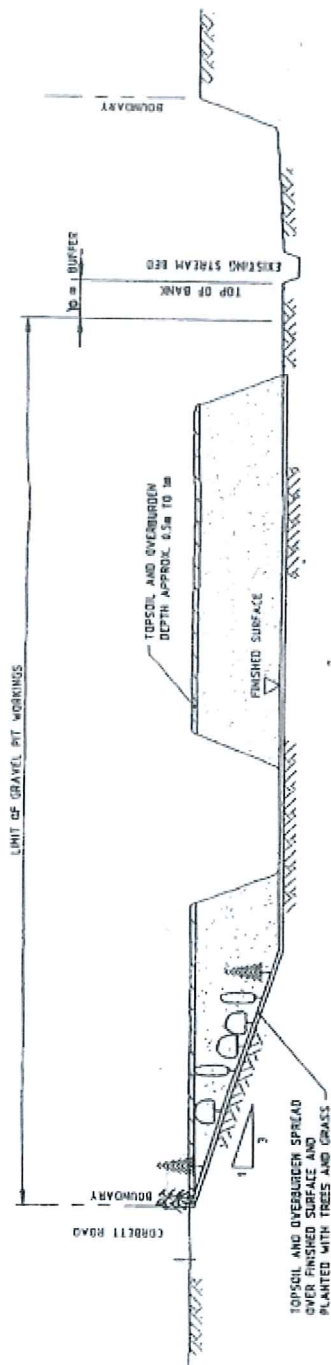
PROPOSED GRAVEL PIT
CORBETT ROAD

PLAN OF DEVELOPMENT
SHEET 1 OF 3

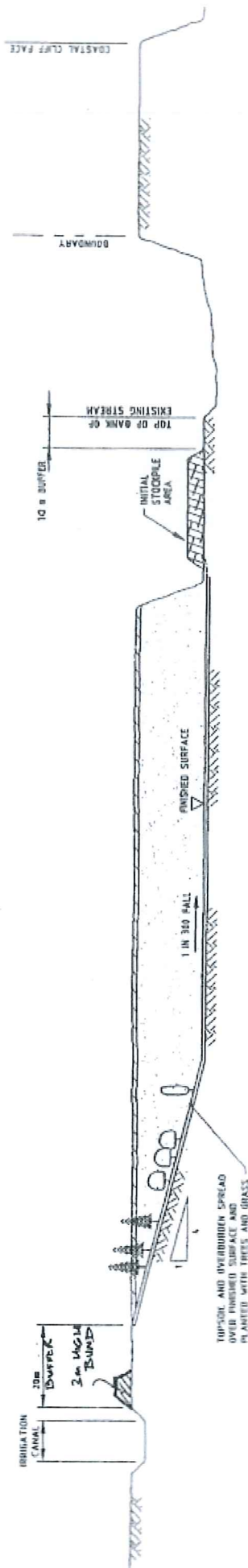
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PLAN 3.



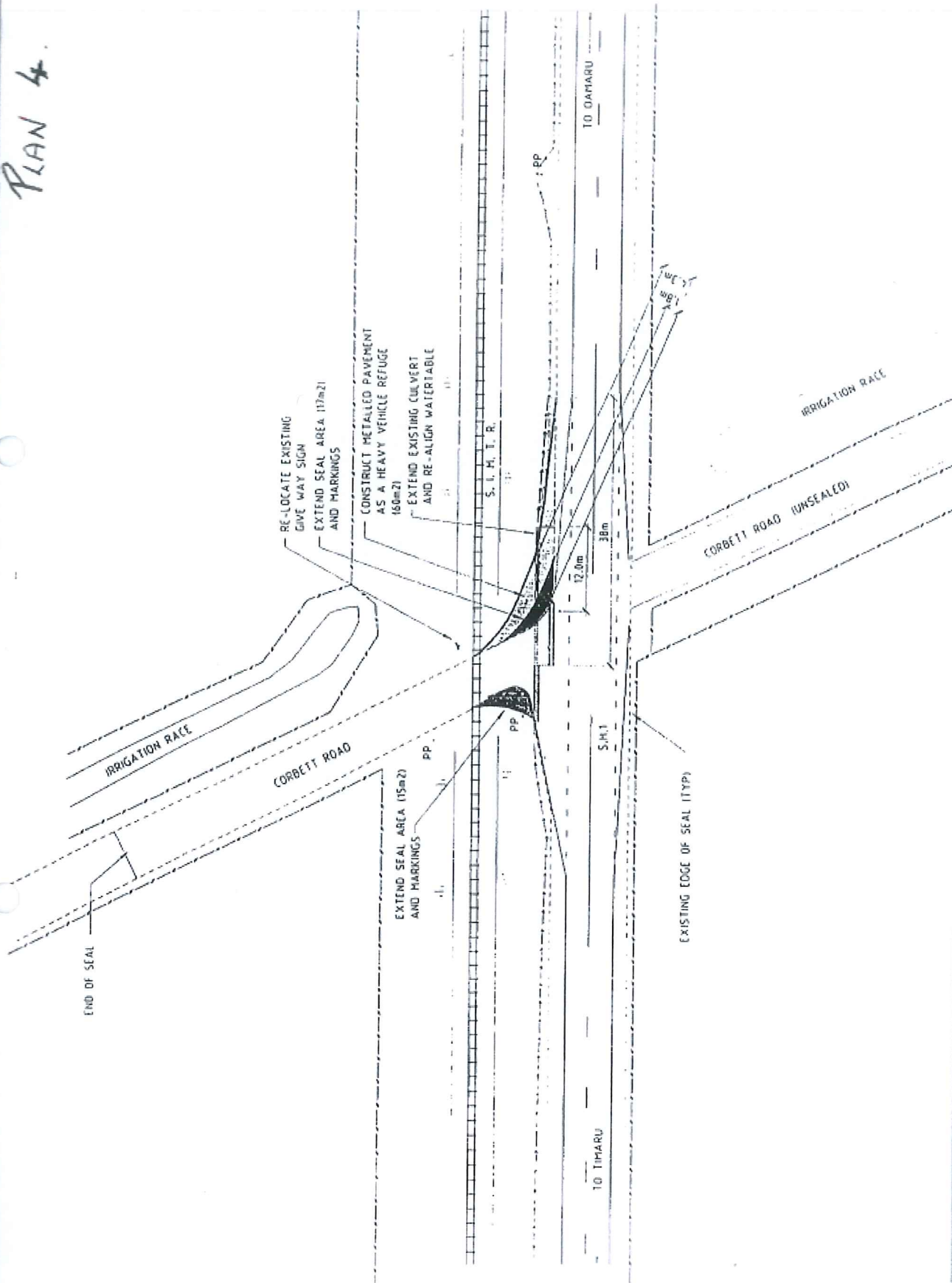
SECTION 1-1 REFER TO SHEET 1



SECTION 2-2 REFER TO SHEET 1



PLAN 4.



**MONTGOMERY
WATSON**



SH1 RP 569/9.89 - CORBETT ROAD
RESOURCE CONSENT FOR
ROAD METAL CO. LTD.

FOR APPROVAL

11 JUL 1989

45971.64

IN SECTION WIDENING

DO1

A

DATE	BY	DATE
8/99	PHB	8/99
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8/99	PAT	8/99
8/99	ADP	8/99

1:1275 1m = 127.5m

File reference LRC06/15
Enquiries to Planning Department

16 August 2006

Road Metals Ltd
20 Regina Lane
OAMARU

Dear Sir

Resource Consent LRC06/15 - Road Metals, Corbett Road, Oamaru

Council has granted a land use resource consent to your application LRC06/15 pursuant to 104(5), 104B and 108 of the Resource Management Act 1991.

The decision on your resource consent was made by the Hearings Committee in accordance with the Resource Management Act 1991.

Date of Hearing 3 August 2006

Granted to Road Metals Co Ltd

Application

Road Metals Company Ltd applied to alter condition 5(iii) of resource consent LRC99/27. Condition 5(iii) of resource consent LRC99/27 states:
"Trucks travelling to and from the site shall use Corbett Road as the access and egress route from State Highway 1."

Zoning

The site is zoned Rural General in the Waitaki District Plan (the Plan) and is shown on planning Map 23.

Submissions Received

The application was publicly notified in the Otago Daily Times on 10 June 2006 with submissions closing on 7 July 2006. One opposing submission was received from the following:

- Shirley Hayes, 4 H RD Hilderthorpe, Oamaru

Decision

Delete condition 5(iii) from resource consent LRC99/27.

Reasons for the Decision

Road Metals Co Ltd is an Oamaru based company which operates an aggregate supply and transport business. In 1999 Road Metals Company Ltd was granted land use resource consent LRC99/27 to quarry aggregate material on their property located at the eastern end of Corbett Road. The activity also involved the use of trucks to transport the aggregate material to various sites around the district. The consent had a number of conditions attached to it in order to mitigate any adverse effects on the surrounding environment, including condition 5(iii) which limited Road Metals Company Ltd trucks to Corbett Road for entry and egress to State Highway 1.

The subject site is zoned Rural General in the Plan. Steward and Corbett Roads are located approximately 10km north of Oamaru. Corbett Road runs directly east from SH 1 to the Road Metals Company Ltd quarry and the sea. Steward Road runs approximately north/south from the intersection of Steward Road, Robertson Road and SH 1 to midway along Corbett Road. Steward Road is also intersected midway by both Hilderthorpe and Simpsons Roads.

The intersection of Steward Road, Robertson Road and SH 1 is a major intersection with good sight distances in all directions and train warning bells. Oamaru Airport is accessed via the Steward Road/Robertson Road/ SH 1 intersection.

Having considered the application the Committee accepts the effects of the deletion of the condition would enable the company to use the most efficient route to and from the site. There appeared to be no good reason for the condition to remain. The likely effects on the environment would be minor.

The Committee gave careful consideration to the submissions of Mrs Shirley Hayes who pointed out the danger posed to school children by trucks. The Committee noted that no such restriction applied to trucks from other companies. Children were likely to be affected only in the morning and in the afternoon during school days. It was pointed out that only a few truck movements occurred at those times and that the drivers knew and adhered to the regulation that the speed limit was 20km/hr when passing school buses.

The Committee noted that both Richmond Road and Steward Road intersections with the railway had bells whereas the Corbett Road intersection did not. Accordingly, the Committee concluded that the deletion of the condition would not have any adverse effects on the surrounding environment.

The Committee also believes that the granting of the consent will not be contrary to the objectives and policies contained within the Waitaki District Plan.

Commencement of Consent

Your attention is drawn to Section 116 of the Resource Management Act 1991 which provides that any resource consent which has been granted shall, unless stated otherwise, commence either when the time for lodging appeals expires and

no appeals have been lodged, or when the Environment Court determines the appeals or all appeals are withdrawn.

Lapsing of Consent

Your attention is also drawn to Section 125 of the Resource Management Act 1991 which provides that a resource consent lapses on the date specified in the consent or, if no date is specified, five years after the date of commencement of the consent unless before the consent lapses the consent is given effect to or an application is made to the Council to extend the period after which the consent lapses, and the Council decides to grant an extension.

Right of Appeal

Pursuant to Section 120 of the Resource Management Act 1991, you may, within 15 working days of receiving notification of this decision, appeal to the Environmental Court against the whole or any part of Council's decision, in accordance with Section 121 of the Act, by writing to:

The Registrar, Environment Court, P O Box 2069 Christchurch.

Yours faithfully

Val Lucas

Committee Secretary

c.c. Shirley Hayes, 4 H RD Hilderthorpe, Oamaru



APPLICATION FOR CHANGE OR CANCELLATION OF RESOURCE CONSENT CONDITION

(Section 127 of the Resource Management Act 1991)

Form 10

Use this form to apply to Waitaki District Council for Landuse Resource Consent in the instances that a proposal is unable to comply with the provisions of the District Plan. We recommend, in order to avoid unnecessary delay in processing, that planning staff be consulted upon lodging application to determine the receipt of all required information, including written consent of affected persons.

To: Waitaki District Council

I, Road Metals Co Ltd ,apply for a change of a condition of a resource consent

Address: PO Box 212

Oamaru

Phone: 437 0458 (work)

021 350 777 (home)

Fax: 437 2233

email: jonny@roadmetals.co.nz

My application relates to the following resource consent:

Resource consent number LRC 99/27 granted to operate a quarry at the eastern end of Corbett Road

My application relates to the following specific condition(s) of the resource consent:

Condition 5 iii

Trucks travelling to and from the site shall use Corbett Road as the access and egress route from State Highway 1.

We would like this condition changed so that when trucks are carting material north of Corbett Road, Steward Road can be used as the access route for the quarry. The main reason for this is a safety issue where by trucks turning onto Corbett Road from State Highway One are unable to see whether a train is approaching

I attach, in accordance with the Forth Schedule to, the Resource Management Act 1991, an assessment of environmental effects in the detail that corresponds with the scale and significance of the effects that a change to, or cancellation of, the activity may have on the environment.

I attach any information required to be included in this application by the district plan, the Resource Management Act 1991, or any regulations made under that Act. *(list all the documents that you are attaching)*

Assessment of Environmental Effects is included in description of proposal which is attached.

I attach any other information (if any) required to be included in the application by the District or Regional Plan or Resource Management Act 1991 or any regulations made under that Act (eg written consents, location plan, scaled plan, traffic assessment, building plans, noise assessment). *(List all the documents you are attaching)*

A deposit fee must accompany your application. If the cost incurred in processing this application exceeds the deposit, the applicant will be invoiced for the balance.

I enclose the required **DEPOSIT FEE** of:



\$150.00

Address for service:

2 Caledonian Road

P O Box 212

Oamaru

Signature of applicant(s) of person authorised to sign on their behalf



Date

9-5-6

(You may apply for 2 or more resource consents that are needed for the same activity on the same form)

11 MAY 2006

9th May, 2006

Waitaki District Council
Private Bag 50058
Oamaru

To whom may be processing this Change of Consent Condition Application

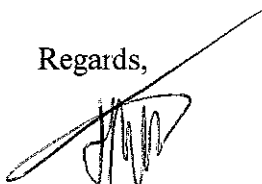
Please find enclosed an application to change a consent condition for our Corbett Road Quarry operation.

This proposal has been discussed with Transit and their approval is enclosed. It has also been forwarded and discussed with Robert Strong from Toll Rail and his approval is expected to be forthcoming.

A cheque for \$150.00 is attached as per application deposit fee.

If you have any queries regarding this application please don't hesitate to contact me on 437 0458 or 021 350 777.

Regards,



Jonny Francis

ROAD METALS CO LTD

PROPOSED CHANGE OF CONDITION

CORBETT ROAD QUARRY

OAMARU

DESCRIPTION OF PROPOSED CHANGE OF CONDITION

November 2005

CONTENTS

- 1 INTRODUCTION
- 2 DESCRIPTION OF THE PROPOSAL
- 3 ENVIRONMENTAL ASSESSMENT MATTERS
- 4 CONCLUSIONS

FIGURES

- 1 LOCATION PLAN
- 2 PHOTOS OF CORBETT ROAD INTERSECTION
- 3 PHOTOS OF STEWARD ROAD INTERSECTION

1 INTRODUCTION

Road Metals Co Ltd is an Oamaru based Company which operates an aggregate supply and transport business from a depot in Caledonian Road. The Company also operates quarries throughout the south island with one of their main quarries in the Oamaru area being located at the eastern end of Corbett Road. This quarry is approximately 10 km north of Oamaru on land zoned Rural G in the WDC District Plan.

Factors in selecting this site included:

- It is in close proximity to serve the northern end of Oamaru and surrounding areas.
- The land was available and suitable for the proposed activity.

Road Metals applied for and was granted a Land Use Resource Consent number LRC 99/37 on the 23rd September 1999 to establish and operate this quarry.

2 DESCRIPTION OF THE PROPOSAL

The location of the quarry is shown on Figure 1.

A present condition of the Land Use Consent is Condition 5 part iii, which states:

Trucks travelling to and from the site shall use Corbett Road as the access and egress route from State Highway 1.

Road Metals would like this condition changed so that when trucks are carting material north of Corbett Road, Steward Road can be used as the access and egress route for the quarry. The main reason for this is a safety issue where by trucks turning onto Corbett Road from State Highway One are unable to see whether a train is approaching from the North. The intersection of Steward Road and State Highway One is a major intersection with more room for trucks and warning bells for the railway line.

Condition 5 part ii states:

Trucks access and egress to and from the site shall be limited to an average of seven return trips per day, calculated on a per annum basis.

With approximately 25% of sales travelling north of the quarry we would envisage an average of two return trips per day calculated on a per annum basis, with the remaining travelling south.

A series of photographs showing the intersection of Corbett Road at State Highway One is shown on Figure 2.

Figure 3 shows some photographs of the intersection of Steward Road at State Highway One.

3 ENVIRONMENTAL ASSESSMENT MATTERS

Dust

The section of Steward Road from State Highway One to Corbett Road has a sealed surface, while almost all of Corbett Road has an unsealed surface. An unsealed surface has the potential to generate dust when used by vehicles. There would be benefits by changing this consent condition including less travelling on a gravel road, which was a major concern during the initial consent application.

Noise

The noise generated by these truck movements would only occur during normal working hours and will not be continuous. This noise generated would be unlikely to affect rural amenity along Steward Road.

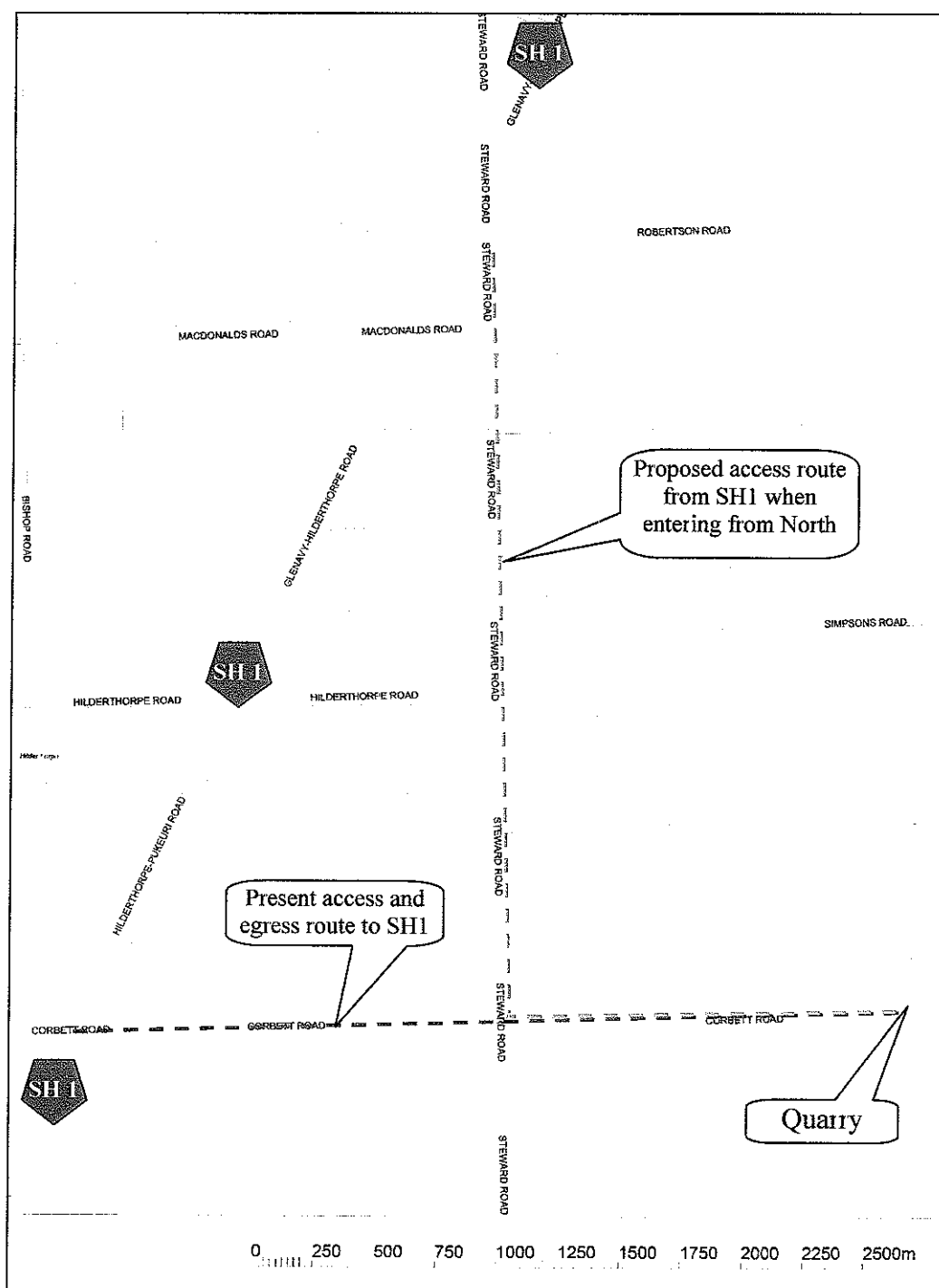
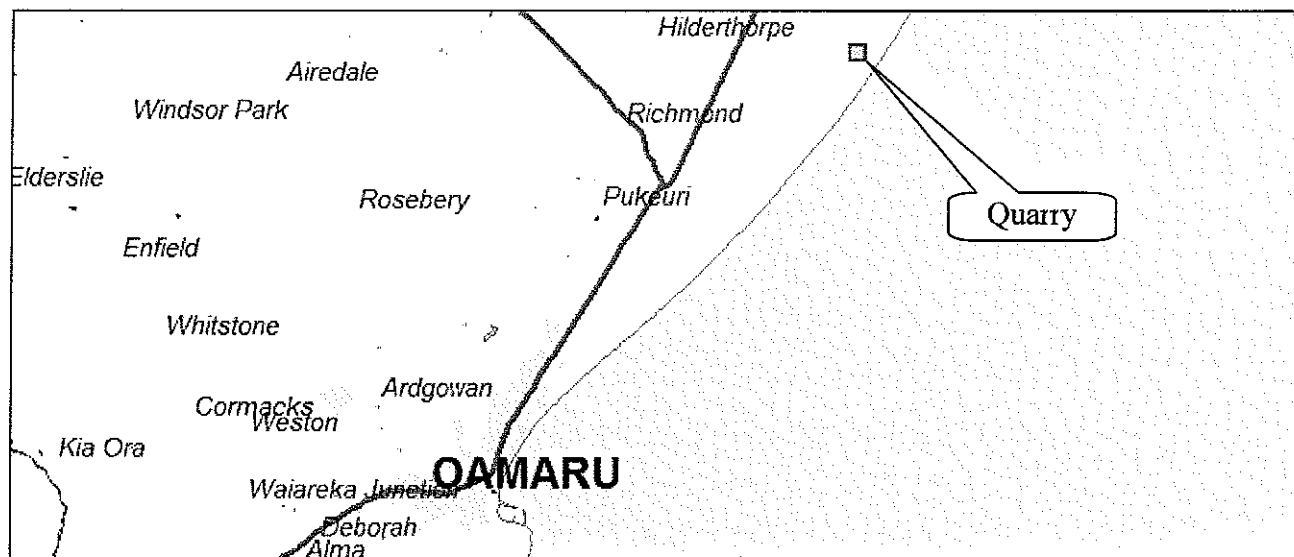
4 CONCLUSIONS

This proposal is to alter a condition of the Land Use Consent requiring that trucks must use Corbett Road as the access and egress route from State Highway One. The main reason for this proposed change is a safety issue for trucks travelling to the quarry from the North. It is proposed that trucks would use Steward Road as the access and egress route from the quarry to State Highway One when travelling north but still use Corbett Road as the access and egress route to State Highway One when travelling south.

It is considered the actual and potential effects on the environment of allowing this activity are no greater than minor and overall are consistent with the objectives of the District Plan.

The proposal is considered to be consistent with the purpose and principles of the Resource Management Act 1991 in that it enables efficient use of the physical resource and enables people to provide for the social and economic well being, whilst sustaining the potential of the natural and physical resources and avoiding, mitigating or remedying any adverse effects on the environment.

Figure 1





This photograph shows the Corbett Road and State Highway One intersection from the North on State Highway One.



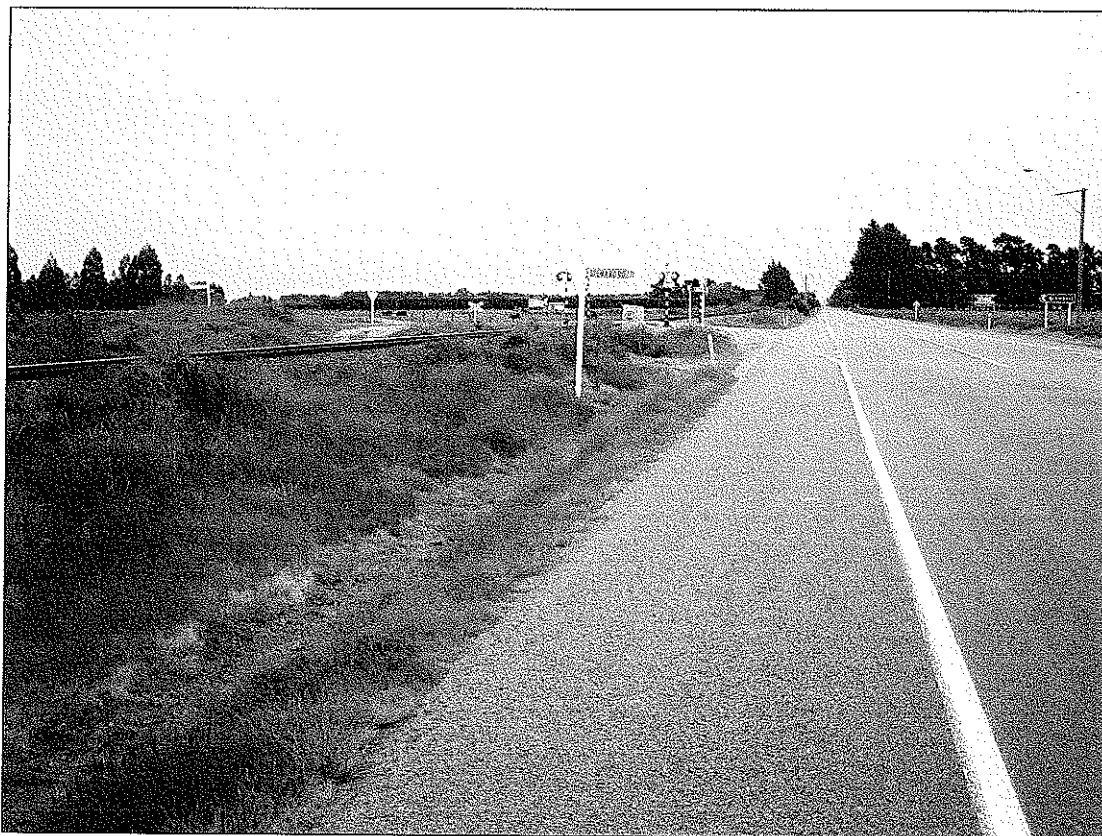
This photograph also shows the Corbett Road and State Highway One intersection from the North on State Highway One.



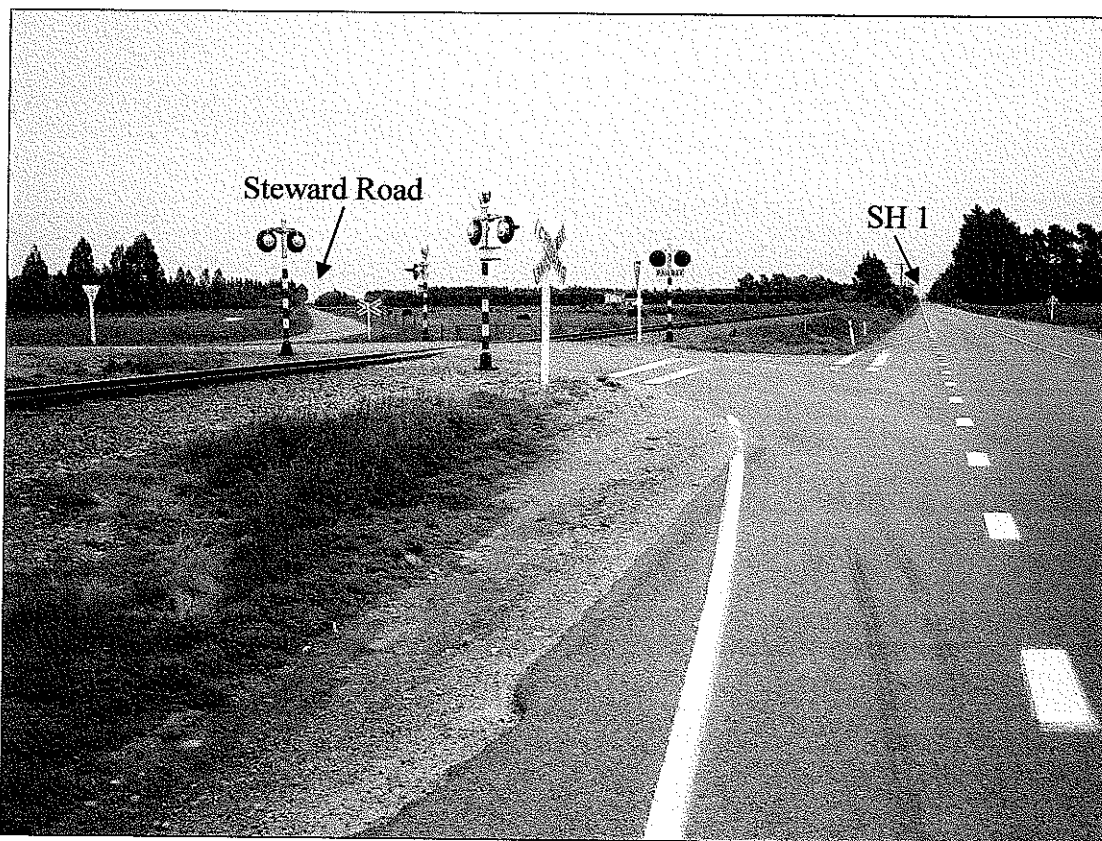
This photograph shows the Corbett Road and State Highway One intersection from the South on State Highway One.



This photograph is taken from State Highway One facing East at Corbett Road.



This photograph shows the Steward Road and State Highway One intersection from the North taken from State Highway One.



This photograph also shows the Steward Road and State Highway One intersection from the North. In this picture Steward Road is also visible.

Our Ref: RM/13/70/1/99076

8 December 2005

Road Metals Co Ltd
2 Caledonian Road
P O Box 212
OAMARU

Attention - Jonny Francis

Dear Jonny,

Road Metals Co Ltd, Amendment to Consent Condition, S.H.1: Coastal Otago

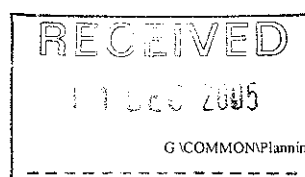
Thank you for sending Transit the above application. We understand that you are proposing to change a consent condition on LRC 99/37. Originally land use consent was granted for the establishment of a Gravel Quarry off Corbett Road in 1999. Consent was subject to the following condition, "Trucks travelling to and from the site shall use Corbett Road as the access and egress route from State Highway 1" It is now proposed to change the consent condition to allow Steward's Road to be used as an access and egress route from State Highway 1 (SH 1) when travelling north, and Corbett Road to be used when travelling south

Transit's primary concern remains with ensuring that SH 1 in the vicinity of the proposal operates in an integrated, safe and sustainable manner. Accordingly, an evaluation of the proposal has been conducted to determine the likely adverse effects on the State highway.

Steward Road

The proposed amendment to the consent condition will mean that the quarry activity will generate a total of four vehicle movements per day at the SH 1/Steward Road intersection.

Sight distances from the SH 1/Steward Road intersection are in excess of 330m, thus complying with Transit's sight distance guidelines. Furthermore, there is sufficient seal width along SH 1 to allow trucks to safely wait for passing trains. Steward Road also has train-warning bells.



Dunedin Regional Office

Level 2, Skeggs House • 60 - 66 Tennyson Street • PO Box 5241 • Dunedin • New Zealand

Telephone 03 477 8527 • Facsimile 03 477 9237

Accordingly, Transit has no significant concerns pertaining to the proposed amendment to the consent condition. Enclosed is Transit's affected party approval. A copy has been forwarded to Waitaki District Council

This response is Transit's current view of the situation. Please note that if this proposal is put on hold for any length of time and resubmitted at a later date, Transit may need to review its comments in the light of any traffic, safety or policy changes.

Please do not hesitate to contact me if you have any queries regarding the above information

Yours sincerely

A handwritten signature in black ink, appearing to read 'Debora Field', written in a cursive style.

Debora Field
Regional Planner

c c. AEEO
c.c MWH, P O Box 4, Dunedin
c.c. Waitaki District Council

**WRITTEN APPROVAL TO A
RESOURCE CONSENT**



Waitaki DISTRICT
COUNCIL

I Road Metals Co Ltd

of

am applying to the Waitaki District Council for a Resource Consent to undertake the following activity (see also the attached plans):

Amend Condition 5 part iii on LRC 99/37 → Stewards Road
to be used as an access and egress route from State Highway 1.

The Waitaki District Council considers that the following persons, organisations, property owners could be adversely affected by the granting of the Resource Consent:

Transit

If written consent of any of the above persons is received, the Council shall not take account of any actual or potential effect of the activity on those persons (Section 94(4) Resource Management Act 1991).

If you, as a potentially affected person, approve of the application being considered without being notified in accordance with the Act, please sign the form below and any plan attached to the proposed activity.

I Deborah Field
of Transit New Zealand

have studied the proposal by (applicant)

and given my written approval to it being considered as a non-notified application.

Signed

Deborah Field

(owner)

Signed

(joint owner)

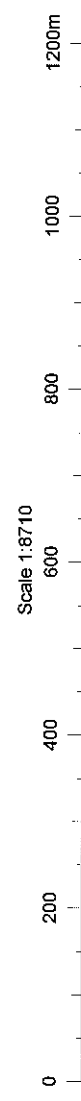
Signed

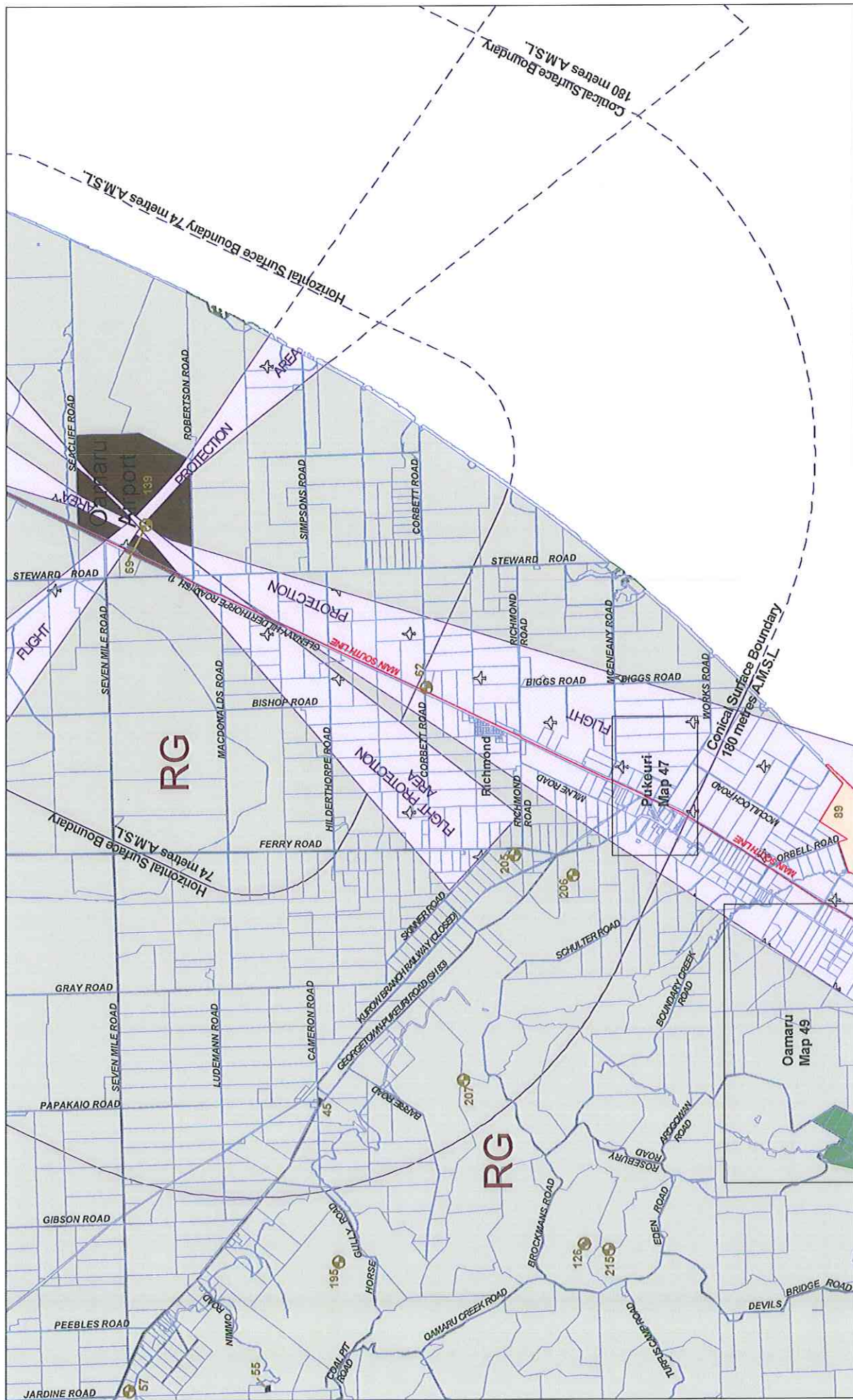
(occupier)


Date

8/12/05

(if necessary, attach further comments on a separate page)








Waitaki DISTRICT COUNCIL

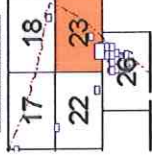
DATE: JULY 2004

WAITAKI

Map No: 23

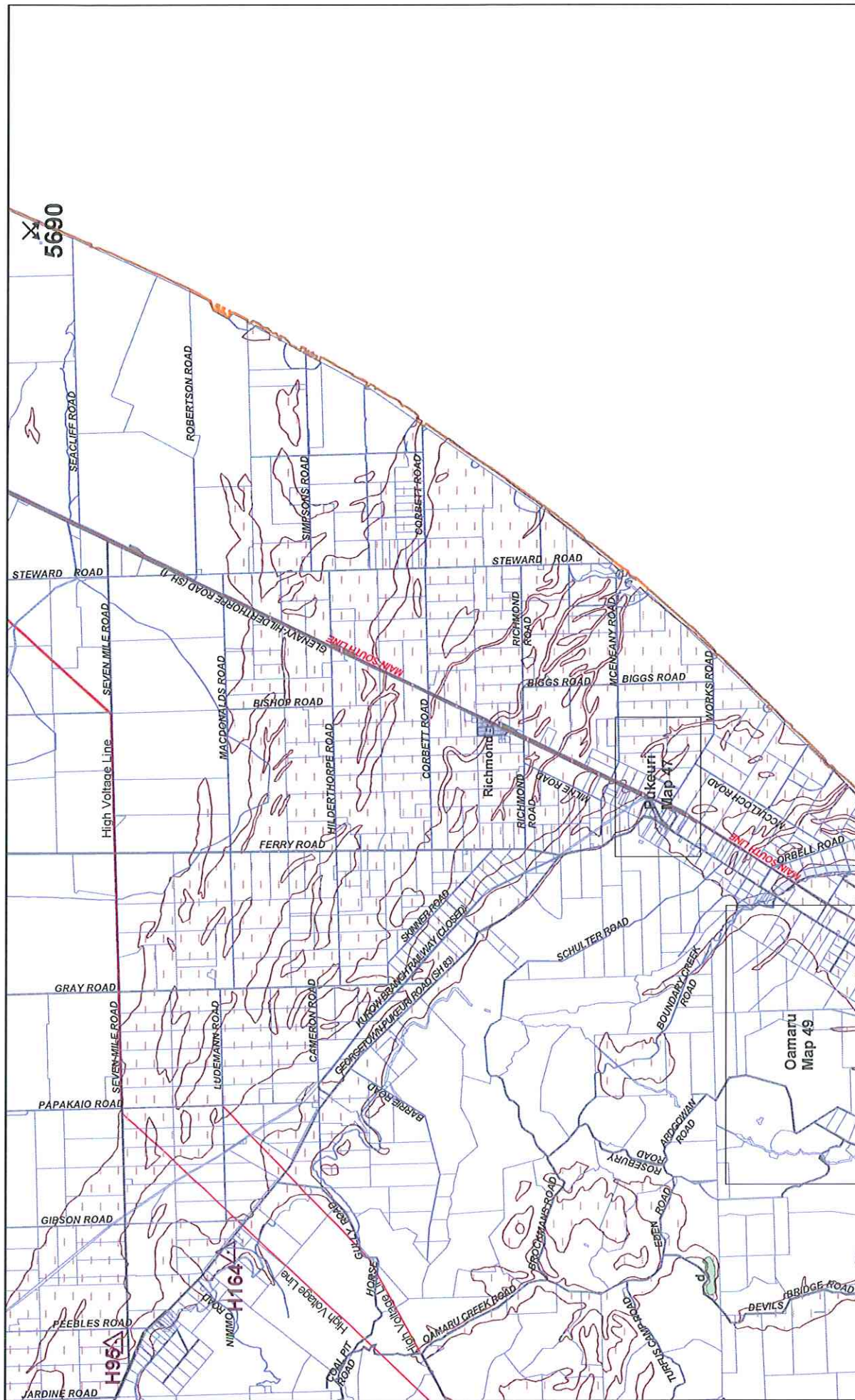
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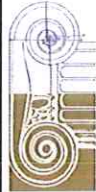




ZONES

Business 1 to 7	Rural General	Rural Residential	Business Heritage
BUS H	Rural Scenic	Designation Areas	Rural Residential
RES	Macraes Mining	Designation Site	Rural Scenic
RG	Cement Policy Area	Flight Protection Area	Township
TS	Deferred Res Zone		






Waitaki District Council
DATE: JULY 2004











WAITAKI
Map No: 23

Scale: 1:50000 @ A3

Location Diagram



NOTATIONS

 High Voltage Lines	 Heritage Items	 Archaeological Items
 Areas of Flooding Risk	 Sites of Natural Significance	
 District Boundary	 Railway Line	 Rivers and Lakes
 Property Boundary	 High Class Soil Areas	



**FIRST SERIES,
4TH DRAFT 21/04/06**

- Legend**
- | | | | | | | | |
|---|---------------------------------------|---|-------------------------------|--|-----------------------------|---|--------------------|
|  | Benmore Irrigation Scheme Policy Area |  | Significant Natural Feature |  | Outstanding Landscape |  | Rural Scenic Zone |
|  | District Boundary |  | Significant Coastal Landscape |  | Outstanding Natural Feature |  | Rural General Zone |

PLAN 13 LOWER WAITAKI

WRITTEN APPROVAL TO A RESOURCE CONSENT



Road Metals Company Limited of 2 Caledonian Road, Oamaru

are applying to the Waitaki District Council for a Resource Consent to undertake the following activity (see also the attached plans):

To establish and operate a quarry adjacent to an existing quarry at the end of Corbett Road, Hilderthorpe.

The Waitaki District Council considers that the following persons, organisations, property owners could be adversely affected by the granting of the Resource Consent:

Lower Waitaki Irrigation Company Limited

If written consent of any of the above persons is received, the Council shall not take account of any actual or potential effect of the activity on those persons (Section 94(4) Resource Management Act 1991)

If you as a potentially affected person, approve of the application being considered without being notified in accordance with the Act, please sign the form below and any plan attached to the proposed activity.

I PETER T. BORRIS Ian M Isbister.

of Directors of Lower Waitaki Irrigation Co.

have studied the proposal by (applicant) Road Metals Co Ltd

and given my written approval to it being considered as a non-notified application.

Signed [Signature] Director
(owner)

Signed [Signature] Director
(joint owner)

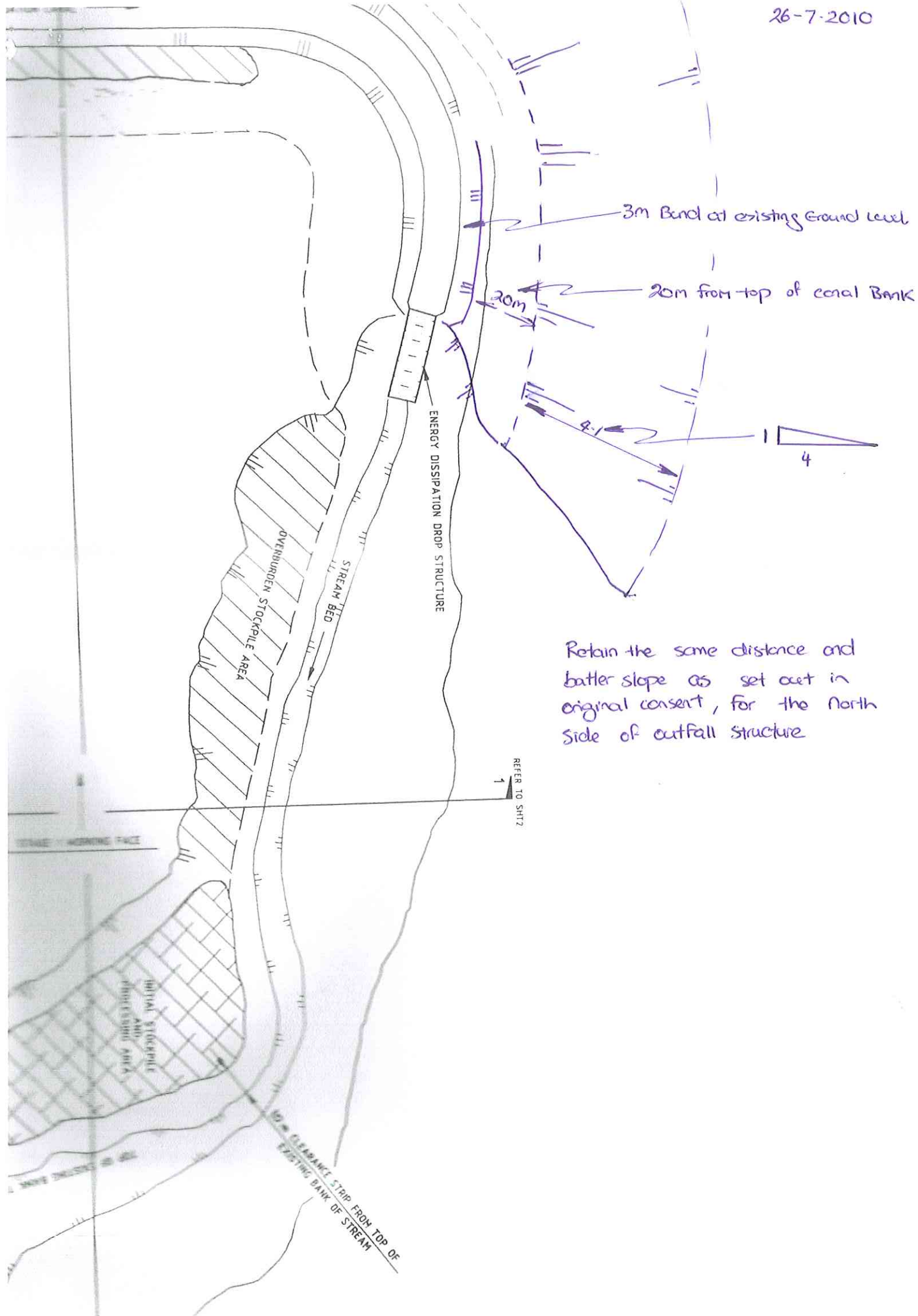
Signed _____ (occupier)

Date _____

(if necessary, attach further comments on a separate page)

On condition that distance and Batter slope be maintained to the north side of existing outfall structure, as detailed on diagramme.

26-7-2010

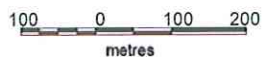


Retain the same distance and batter slope as set out in original consent, for the North side of outfall structure



Note:

1. Site location map NTS



Approximate Scale for
Quarry Plan

ROAD METALS
SOLUS

DRAWN	JF	DATE	22-7-2010
CHECKED		DATE	
SCALE	1:10 000		

PROJECT	Consent Application—Corbett Rd			
TITLE	LOCATION AND QUARRY PLAN			
PROJECT No	RM933-001	FIGURE No	1	REV No
			2	A4

WRITTEN APPROVAL TO A RESOURCE CONSENT



Road Metals Company Limited of 2 Caledonian Road, Oamaru

are applying to the Waitaki District Council for a Resource Consent to undertake the following activity (see also the attached plans):

To establish and operate a quarry adjacent to an existing quarry at the end of Corbett Road, Hilderthorpe.

The Waitaki District Council considers that the following persons, organisations, property owners could be adversely affected by the granting of the Resource Consent:

S R Roulston Limited

If written consent of any of the above persons is received, the Council shall not take account of any actual or potential effect of the activity on those persons (Section 94(4) Resource Management Act 1991)

If you as a potentially affected person, approve of the application being considered without being notified in accordance with the Act, please sign the form below and any plan attached to the proposed activity.

I Roby June Roulston

of 4 H.R.D. Simpson Road Oamaru.

have studied the proposal by (applicant) Road Metals Co Ltd

and given my written approval to it being considered as a non-notified application.

Signed RM Roulston (owner)

Signed J Roulston (joint owner)

Signed _____ (occupier)

Date 30.7.2010.

(if necessary, attach further comments on a separate page)

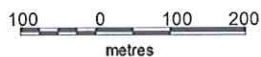


DMR

gr.

Note:

1. Site location map NTS



Approximate Scale for
Quarry Plan

ROAD METALS
COLTS

DRAWN	JF	DATE	22-7-2010
CHECKED		DATE	
SCALE	1:10 000		

PROJECT Consent Application—Corbett Rd			
TITLE LOCATION AND QUARRY PLAN			
PROJECT No RM933-001	FIGURE No 1	REV No 2	A4

WRITTEN APPROVAL TO A RESOURCE CONSENT



Road Metals Company Limited of 2 Caledonian Road, Oamaru

are applying to the Waitaki District Council for a Resource Consent to undertake the following activity (see also the attached plans):

To establish and operate a quarry adjacent to an existing quarry at the end of Corbett Road, Hilderthorpe.

The Waitaki District Council considers that the following persons, organisations, property owners could be adversely affected by the granting of the Resource Consent:

Raymond Neville Needham

If written consent of any of the above persons is received, the Council shall not take account of any actual or potential effect of the activity on those persons (Section 94(4) Resource Management Act 1991)

If you as a potentially affected person, approve of the application being considered without being notified in accordance with the Act, please sign the form below and any plan attached to the proposed activity.

I Raymond Neville Needham

of Corbett Road, Hilderthorpe, R D 3-H, Oamaru

have studied the proposal by (applicant) Road Metals Co Ltd

and given my written approval to it being considered as a non-notified application.

Signed R. N. Needham (owner)

Signed _____ (joint owner)

Signed _____ (occupier)

Date 23/7/10

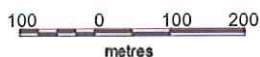
(if necessary, attach further comments on a separate page)



R. W. Woodhouse

Note:

1. Site location map NTS



Approximate Scale for
Quarry Plan

ROAD METALS
CONSULTANTS

DRAWN	JF	DATE	22-7-2010
CHECKED		DATE	
SCALE	1:10 000		

PROJECT Consent Application—Corbett Rd			
TITLE LOCATION AND QUARRY PLAN			
PROJECT No RM933-001	FIGURE No 1	REV No 2	A4

WRITTEN APPROVAL TO A RESOURCE CONSENT



Road Metals Company Limited of 2 Caledonian Road, Oamaru

are applying to the Waitaki District Council for a Resource Consent to undertake the following activity (see also the attached plans):

To establish and operate a quarry adjacent to an existing quarry at the end of Corbett Road, Hilderthorpe.

The Waitaki District Council considers that the following persons, organisations, property owners could be adversely affected by the granting of the Resource Consent:

Dennison Farms Limited

If written consent of any of the above persons is received, the Council shall not take account of any actual or potential effect of the activity on those persons (Section 94(4) Resource Management Act 1991)

If you as a potentially affected person, approve of the application being considered without being notified in accordance with the Act, please sign the form below and any plan attached to the proposed activity.

I Chris Dennison (for Dennison Farms Limited)
of R D 3-H, Hilderthorpe, Oamaru

have studied the proposal by (applicant) Road Metals Co Ltd

and given my written approval to it being considered as a non-notified application.

Signed Chris Dennison (owner)

Signed _____ (joint owner)

Signed _____ (occupier)

Date 23 July 2010

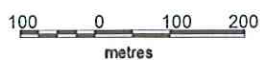
(if necessary, attach further comments on a separate page)



C2 23/7/2010

Note:

1. Site location map NTS



Approximate Scale for
Quarry Plan

ROAD METALS
2019

DRAWN	JF	DATE	22-7-2010
CHECKED		DATE	
SCALE	1:10 000		

PROJECT Consent Application—Corbett Rd

TITLE LOCATION AND QUARRY
PLAN

PROJECT No	RM933-001	FIGURE No	1	REV No	2	A4
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Tenby Street, Moeraki
R D 2 Palmerston, 9482
Phone 03 439 4816, Fax 03 439 4400
Email: moeraki.runanga@xtra.co.nz

Thursday, 19 August 2010

Jonny Francis
Road Metals Co Ltd
2 Caledonian Road
Oamaru

Re: Corbett Road Extension Application

Tēnā koe Jonny,

Thank you for your email dated 2 August 2010 seeking approval of Te Rūnanga o Moeraki Inc on your resource consent application to extend a quarry you operate on Corbett Road, north of Oamaru.

Te Rūnanga o Moeraki Inc Executive considered your request and is pleased to advise that we have approved your resource application on the following conditions.

- That all machinery is clean and well maintained before entering the work site.
- If kōiwi (human skeletal remains), wāhi taoka (resource or object of importance including greenstone/pounamu), wāhi tapu (place or feature of special significance) or other artefact materials are discovered work shall stop, allowing for a site inspection by the appropriate Rūnanga and their advisors. These people will determine if the discovery is likely to be extensive and whether a thorough site investigation will be required. Materials discovered should be handled and removed by tangata whenua who possess knowledge of tikanga (protocol) appropriate to their removal or preservation.
- That where possible stockpiles do not have a negative visual impact on the environment.
- That the aggregate washing operation takes place at an appropriate distance from the waterway to ensure no discolouration occurs.

Should you require any further correspondence please do not hesitate to contact the Rūnanga office.

Nahaku noa, na

Jennifer Brookes
Administrator
For Te Rūnanga o Moeraki Inc



Department of Conservation
Te Papa Atawhai

Our Ref. SAR-05-78-03-OTCO-1

2 August 2010

Road Metals Co Limited
PO Box 212
Oamaru 9444

Attention: Jonny Francis

Dear Sir

**APPLICATION FOR APPROVAL: S95 RMA
PRE-CONSULT- ROAD METALS CO LIMITED – ESTABLISHMENT AND OPERATION OF
QUARRY ON LAND ADJACENT TO EXISTING QUARRY – CORBETT ROAD,
HILDERTHORPE (SECTION 64 BLOCK V PAKAKAIO SURVEY DISTRICT)**

I have considered the above application by Road Metals Co Limited for approval in terms of Section 95 of the Resource Management Act 1991 and am pleased to advise that I grant my approval as an affected organisation.

My approval is granted on the basis that the proposal is as described, is for the purposes described, and will have the effects on the Department's interests as described in the amended application received in this office on 27 July 2010.

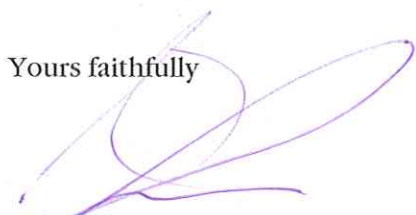
This approval is limited to the likely adverse effects of the proposal on the Department's interests and should not be construed as approval to effects on the environment generally.

This approval is specific to the above application and is for the purposes of s95 RMA only. It is not indicative of any associated concession or other statutory approval which may be required from the Department in regard to this proposal.

This approval will be rendered null and void if the proposal to which it refers is changed between the date of this approval and its consideration by the consent authority without referral back to me for my further assessment.

Should you wish to discuss this application/s further, please contact Caroline Spooner-Kenyon (Statutory Ranger) on 03 474-6960.

Yours faithfully


Robin Thomas
Coastal Otago Area Manager
Pursuant to delegated authority

Coastal Otago Area Office
PO Box 5244, Moray Place, Dunedin 9058, New Zealand
Telephone 03-477 0677, Fax 03-477 8626

docdm-619511





Our Ref: 33005-063
Your Ref: RM 933-001

Patron:
His Excellency The Hon
Anand Satyanand, PCNZM
Governor General of New Zealand

19 August 2010

Jonny Francis
Road Metals
PO Box 212
OAMARU 9444



Dear Mr Francis

RE: RM 933-001 – CORBETT ROAD, HILDERTHORPE: DENNISON FARMS LIMITED

Thank you for your email of 2 August 2010 and enclosures including an application for resource consent to extend the Road Metals quarry at Corbett Road, Hilderthorpe.

Having considered the proposal and checked our records, we can confirm that there are no known archaeological sites recorded on this property. Potential exists for the gravel extraction works to reveal further sites of archaeological interest. If a site or feature is revealed please contact NZHPT as indicated in the enclosed NZHPT Accidental Discovery Protocol (ADP).

Pursuant to Section 95 of the Resource Management Act 1991, please accept this letter as NZHPT affected party approval. This approval relates only to the proposal as evidenced by the plans and documents submitted to us in your email of 2 August 2010. If there are any further changes to them this approval is null and void and in such a case NZHPT must be contacted for a new approval.

We would like to thank you for the opportunity to comment on this application. It is a requirement that you provide NZHPT with a copy of the resource consent decision if granted, for our records.

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized 'O' followed by a series of loops and a long horizontal stroke.

Owen Graham
Otago/Southland Area Manager

Accidental Discovery Protocol (ADP)

Under the *Historic Places Act* (1993) an archaeological site is defined as a place associated with pre-1900 human activity where there may be evidence relating to the history of New Zealand. For pre-contact Maori sites this evidence may be in the form of bones, shells, charcoal, stones etc. In later sites of European/Chinese origin, artefacts such as bottle glass, crockery etc. may be found, or evidence of old foundations, wells, drains or similar structures. Burials/koiwi tangata may be found from any historic period.

In the event of an "accidental discovery" of archaeological material, the following steps are to be taken:

1. All activity affecting the immediate area shall cease and the Regional Archaeologist of the Historic Places Trust will be notified.
2. Steps shall be taken to secure the site and ensure that archaeological matter remains undisturbed.
3. Works at the site area shall not recommence until an archaeological assessment has been made and archaeological material has been dealt with appropriately.
4. If any archaeological remains or sites of interest to Maori are identified, no further modification of those remains shall occur until the Trust Regional Archaeologist and Tangata Whenua have been consulted and an appropriate response advised.
5. For burials/koiwi tangata, steps 1 to 4 above shall be taken and the Regional Archaeologist of the Historic Places Trust, the New Zealand Police and the Iwi representative for the area contacted immediately.

An archaeological authority from the Trust may be required before work can proceed.

Contact details for the Regional Archaeologist for Otago/Southland are:

Dr Matthew Schmidt
Regional Archaeologist Otago/Southland
NZ Historic Places Trust
PO Box 5467
Dunedin
Ph. +64 3 4779850, mobile 027 240 8715
Fax. +64 3 4773893
mschmidt@historic.org.nz

If Dr Matthew Schmidt is not contactable, please try:

Dr Rick McGovern-Wilson, Senior Archaeologist, 04 470 8055; or

Kiri Petersen, Archaeologist, 04 470 8063

Our Reference: A245696

17 August 2010

Jonny Francis
Road Metals Co Ltd
PO Box 212
Oamaru 9444



Dear Jonny

Request for Written Approval for Extension of Corbett Road Quarry

Thank you for consulting with the Otago Regional Council (Council) regarding this application.

Council has received and reviewed the information attached to your email dated 6 August 2010.

The proposal seeks to remove gravel from adjacent to the coast and this coast is known to be subject to erosion. Consequently the potential for further removal of gravel to aggravate this erosion is a matter of concern.

The application contains insufficient assessment of coastal hazards, particularly exacerbation of coastal erosion. This matter needs to be assessed and mitigation be built into the location and design of the quarry operation such that the site is able to withstand coastal erosion forces in a manner similar to undisturbed areas.

If you require clarification or would like to discuss this further do not hesitate to contact me on (03) 474 0827 or sarah.valk@orc.govt.nz

Yours sincerely



Sarah Valk
Resource Planner – Liaison



11th October 2010

Otago Regional Council
Private Bag 1954
DUNEDIN 9054

Attention: Sarah Valk

Dear Sarah

Extension of Corbett Road Quarry

Further to your letter dated 17 August and a meeting on 1 October with Gavin Palmer and Ramon Strong we would like to amend our application to extend our quarry at Corbett Road to include the following:

5.11 Coastal Erosion

An Otago Regional Council (1991) report gives an annual erosion rate of about 0.8 m per year in the area between north Oamaru and the Waitaki River, based on aerial photography.

A NIWA study (Hicks & Todd 2006) calculated typical long-term erosion rates of 0.6 to 0.7 m per year on the south Waitaki fan, covering the period 1864/5 to 2000. Some periods have greater erosion rates than others – for example, a period of accelerated erosion was identified between 1943 and 1977. Even longer-term erosion rates, calculated over the past 7000 years (from the time of postglacial sea level rise), are close to 0.8 m per year (Dickson et al. 2009 in press).

Sediment supply to the North Otago and Canterbury coast is derived from numerous sources such as, but not exclusively, rivers, eroding cliffs, eroding beaches themselves and longshore transport from other parts of the coast. Generally speaking mixed sand and gravel beaches make up most of this coastline.

Whether a beach is stable, accretionary or erosional, is dependant on the balance between the quantity of beach sediment entering the coastal system (for example from rivers or cliff erosion) and the quantity of material lost from the system (for example wind-blow into dunes, entrapment in lagoons or estuaries, or abrasion). If the input of sediment to the coast remains the same as the losses, then the coast should remain stable. If losses exceed inputs then the coast will erode. Any reduction in the supply of sediment to the coast could cause a change in this balance, either initiating erosion or exacerbating erosion on an already erosional coast.

Inputs of gravel to the South Canterbury Coast include point and line sources. The point sources are the rivers (Waitaki, Waihao, Makikihi, Otaio and Pareora), while the line sources are the cliffs. There is also some input of sand and gravel from south of the Waitaki River.

The total gravel supply to the coast is therefore $196,500 + 292,000 = 488,500 \text{ m}^3/\text{yr}$.

This compares to Hicks and Todd's estimate of about $462,400 \text{ m}^3/\text{yr}$.

Outputs of gravel from the coastal system can occur through losses offshore, alongshore, onshore and through extraction. These losses are extremely difficult to assess, so most often they are calculated from the difference between the inputs to the system and the system balance (erosion or accretion).

Gravel extraction losses can be determined from the records available for this study. The total extraction from the coastal system is about $6,600 \text{ m}^3/\text{yr}$.

Offshore losses from the South Canterbury coast are due to the winnowing of fine material from the beach. Fine material is the result of abrasion processes. A range of abrasion losses from 9 to 98% has been suggested in different studies.

The proposed extraction area includes land adjacent to the coast that covers a length of approximately 720 metres. Based on the erosion rate of 0.8 m per year with a cliff height of 10 m on average the proposed quarry area supplies approximately 5800 m^3 of material to the coastal system per year or about 1% of the total gravel supply to the coast.

Given the small amount (approx 1%) of material in this area any effects on exacerbating coastal erosion would be less than minor.

We believe that this addition will be a sufficient assessment in relation to exacerbation of coastal erosion and that the ORC will be in a position to give written approval to this application based on this further information supplied.

If you have any queries please don't hesitate to contact me on jonny@roadmetals.co.nz or 021 350 777.

Yours sincerely



Jonny Francis

Our Reference: A293205

20 October 2010

Jonny Francis
Road Metals Co Ltd
PO Box 212
Oamaru 9444

Dear Jonny

Extension of Corbett Road Quarry and Amendment to Application

Further to our letter dated 17 August 2010 I understand that Gavin Palmer and Ramon Strong met with you onsite to discuss your application.

Otago Regional Council has also received and reviewed your letter dated 11 October 2010. This additional information has assessed the effects of extending the quarry on shoreline stability and coastal erosion.

As such, it is considered that although the proposed quarrying may have some effect on beach renourishment, shoreline stability and coastal erosion, the assessment indicates that the effects will be no more than minor.

As such we have no further concerns at this stage.

If you require clarification or would like to discuss this further do not hesitate to contact me on (03) 474 0827 or sarah.valk@orc.govt.nz

Yours sincerely



Sarah Valk
Resource Planner – Liaison

APPLICATION FOR LANDUSE RESOURCE CONSENT

(Section 88 of the Resource Management Act 1991)



Use this form to apply to Waitaki District Council for Landuse Resource Consent in the instance that a proposal is unable to comply with the provisions of the District Plan. We recommend, in order to avoid unnecessary delay in processing, that planning staff be consulted upon lodging application to determine the receipt of all required information, including written consent of affected persons.

I, ROAD METALS COMPANY LIMITED (full name), being the applicant residing at the below address, apply to the Waitaki District Council for **Landuse Resource Consent**.

Address: 2 CALEDONIAN ROAD
OAMARU

Phone Number: 03 4370458

Fax Number: 03 4372233

The site details of the location at which the below described activity is to take place are:

Street Address: CORBETT ROAD - OAMARU

Rapit No. NONE

Legal Description: SEC 67 BLK V PAPAIAIO SD

Valuation Number: 26090/17102/03

The names and address of the owner/occupier (other than the applicant) of any land to which this application relates are as follows:

Name: N/A

Mailing Address:

Phone:

The following additional Resource Consents are required in relation to this proposal and have or have not been applied for:

.....
.....

Continued Over

FULL DESCRIPTION OF THE ACTIVITY TO WHICH THIS APPLICATION RELATES (statement specifically defining degree of non-compliance, including all details as clearly identify the proposal enabling planning staff to fully determine extent of activity and its impacts, scaled plan to be included as appropriate) . *We recommend you consult the appropriate pamphlet to help you with this.*

SEE ATTACHED SCHEDULES

Associated reasons for non-compliance, justifying application

SEE ATTACHED SCHEDULES

(any further information to be attached to application)

I include an assessment of any effects that the proposed activity may have on the environment in accordance with Section 88 of, and the Fourth Schedule to, the Resource Management Act 1991. You will probably need to complete this on a separate piece of paper and attach it to this application. *Please refer to the appropriate pamphlet that will guide you in your assessment.*

SEE ATTACHED SCHEDULES

(any further information to be attached to application)

I attach other information (if any) required to be included in the application by the District or Regional Plan or Regulations (e.g. written consents, location plan, scaled site plan, traffic assessment, building plans, noise assessment).

A deposit fee must accompany your application. If the costs incurred in processing this application exceed the deposit, the applicant will be invoiced for the balance.

I enclose the required DEPOSIT FEE OF:

☐ \$300.00 for a NON-NOTIFIED APPLICATION

☒ \$500.00 for a NOTIFIED APPLICATION

ADDRESS FOR SERVICE/MAILING
OF APPLICANT

.....
ROAD METALS CO LTD

.....
P O BOX 212

.....
OAMARU

SIGNATURE OF APPLICANT OR
PERSON AUTHORISED TO SIGN
ON THEIR BEHALF



Date: 31 MAY 1999



Proposed Gravel Extraction Corbett Road

Assessment Of Effects On The Environment

Prepared for

ROAD METALS CO LTD

By

BECA STEVEN

May 1999

Consulting Environmental Engineers



Proposed Gravel Extraction Corbett Road

Assessment Of Effects On The Environment

MAY 1999



John C Shirley
BE (Hons), MIPENZ, Reg Eng
CONSULTANT, PROJECT ENGINEER

BECA STEVEN
CONSULTING ENVIRONMENTAL ENGINEERS
A DIVISION OF BECA CARTER HOLLINGS & FERNER LTD

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- 1 INTRODUCTION
- 2 DESCRIPTION OF THE ACTIVITY
- 3 CONSENTS
- 4 DESCRIPTION OF THE EXISTING ENVIRONMENT
- 5 ASSESSMENT OF ENVIRONMENTAL EFFECTS
- 6 CONSULTATION
- 7 ASSESSMENT OF COMPLIANCE WITH DISTRICT PLAN
- 8 CONCLUSIONS

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Locality Plan

Sheets 1 and 2 Plan No. 3805620

Plan showing adjacent property uses and ownership

APPENDICES

- 1 Outline Plan of Reinstatement
- 2 Submission of Moeraki Runanga
- 3 Submissions from:
 - Waitaki Branch- Royal Forest and Bird protection Society
 - Otago Regional Council
 - Department of Conservation
 - NZ Archaeological Society
- 4 Suggested Conditions of Consent

1 INTRODUCTION

Road Metals Co Ltd (Road Metals) proposes to remove gravel from a site situated at the east end of Corbett Road, Pukeuri. Figure 1 shows the location of the site.

Road Metals is seeking consent to undertake the proposed gravel extraction. The purpose of this report is to describe the proposed activities and to assess any effects that the proposal may have on the environment. It has been prepared in accordance with Section 88 and the Fourth Schedule of the Resource Management Act 1991 (RM Act) and is arranged as follows:

Section 1	Introductory
Section 2	Describes the proposed gravel extraction and associated activities
Section 3	Describes the consents required for the proposed activities
Section 4	Description of the locality and existing environment
Section 5	Assessment of the potential effects on the environment and proposed mitigation measures to reduce or avoid effects
Section 6	Consultation is described.
Section 7	Assessment of compliance with the District Plan
Section 8	Conclusions

2 DESCRIPTION OF THE ACTIVITY

The proposed activity is to remove gravel from the site and undertake activities normally associated with a gravel pit or quarry as required by Road Metals and their customers. The gravel will be used for roading construction, concrete and aggregate supply for other quarry products. Details of the proposal are given below:

2.1 SITE LAYOUT

The site to which the application relates is on Corbett Road, Pukeuri, described as Section 67 Block V Papakaio Survey District, an area of some 8.5 ha.

The site consists generally of two levels. The upper level is a large flat area extending towards the coast. This area drops steeply in parts into the lower levels of the site. The difference in height between the two levels is around 15 metres.

An irrigation canal owned by the Lower Waitaki Irrigation Company flows generally along the western boundary of the site and drops into a natural gully over an energy dissipation drop structure. The water course then flows along the north and east boundary of the site to discharge at the coast.

Corbett Road is located along the southern boundary of the site but is unformed beyond where it meets the north western corner of the site. At this point the road crosses over the irrigation canal and an access track leads into the site and towards the coast. The attached aerial photograph shows the existing layout of the site.

2.2 THE PROPOSED OPERATION

Sheets 1 and 2 of Plan No. 3805620 illustrate the proposed development of the site. There are two working faces proposed. The Stage 1 Working Face is on the northern half of the site with extraction progressively moving towards the west.

The Stage 2 Working Face is on the southern half of the site with extraction proposed to move progressively towards the west and south west.

At any one time it is proposed that the maximum area of land disturbed and in use as the working area will not exceed 2 hectares. Restoration of disturbed areas will take place following the progressive movement of the working face inland.

The upper levels of the site are some 20 - 22 metres above mean sea level. In the long term it is proposed to lower this area by some 15 metres with gravel extracted down to a depth approximately four to five metres above mean sea level.

There is approximately 0.5 metres of over burden covering the underlying gravels. This over burden consists largely of top soil and loess. The over burden removed would be stock piled on site and used to reinstate the land following extraction down to the required level.

Overburden stockpile areas are proposed to be located at the lower levels of the site between the two working faces and to the north and east of the site. The stockpiles would be relocated and moved as the site is developed and reinstated. Topsoil will be removed and stockpiled separately from overburden to ensure that topsoil is not lost to windblow or runoff.

Periodically there will be a gravel crusher and plant associated with the gravel pit operations on site. This plant, which will be portable and easily transportable, would be temporarily located on the site.

It is anticipated by the applicant that the gravel crusher and associated plant would be on site for not more than three months per year and would be located on the lower levels of the site.

2.3 AMOUNT AND RATES OF GRAVEL EXTRACTION

The rate at which the gravel is removed and the extent of activity on the site will depend upon demand for the material. At this stage it is estimated that between 20,000 and 30,000 m³ per year will be extracted on average.

The total estimated volume of gravel available for extraction is 400,000 m³ (loose measure).

2.4 ROADING AND TRAFFIC

The proposed access road is to be located between the two working faces to provide access through the site and to the stockpile and processing areas. The access road is to be metalled from the site entrance.



SITE LOCATION -
AERIAL PHOTOGRAPH
CIRCA 1994

Two front end loaders would be utilized on site. These would be used to remove over burden and to extract gravel. Extracted gravel would then be stockpiled for processing into other products. After processing the products will either be loaded onto trucks or placed into stockpiles by the loaders for eventual removal.

Vehicle movements to and from the site will be dependant on demand. The average number of truck loads per day is estimated to be seven per day.

The truck movements would be at intermittent periods and it is proposed that the vehicles would follow Corbett Road for the entire distance from the site to State Highway 1. In addition to Sundays, when there will be no activity at the site, there will be other days when there are no truck movements to or from the site.

2.5 BUFFER ZONES

The proposed gravel extraction activities will be separated from sensitive areas by the identification of buffer zones in which no disturbance of the land would occur. At the stream margins beyond the drop structure a buffer zone of 7.5 m is to be established. A buffer zone of at least 75 metres will be established between mean high water springs and the gravel extraction site. The area of this proposed buffer zone has been agreed to by the Department of Conservation and is illustrated on Sheet 1 Plan No. 3805620 as shown earlier.

The unformed road along the southern boundary of the site also provides a buffer of some 10 metres to adjacent property. The southern boundary of the site is to be planted to provide site screening.

2.6 STORMWATER DIVERSION AND COLLECTION

The working area of the site will be limited to an area of 2 hectare, the location of which will move progressively inland. Due to the nature of the soils and gravels at the site stormwater would be rapidly absorbed into the ground surface. Adequate measures, such as site grading and retention of riparian vegetation, would be taken to ensure that stormwater runoff from access roads, disturbed areas and stockpiles does not cause any erosion or contamination of the adjacent water course. There will be no point source of stormwater discharge.

2.7 WATER EXTRACTION

At most times during the operations at the site there would be no need for the extraction of water for use on the site. At this stage there is no washing proposed.

The only times at which water may be extracted would be when there is a need to water the site for reduction of dust. In these instances water would be extracted from the irrigation canal in accordance with an approval from the Irrigation Company to extract water.

2.8 SITE MANAGEMENT

The management of the site would be undertaken in accordance with the proposed development plan (Sheets 1 and 2 of Plan No. 3805620). Road Metals will appoint a Quarry Manager who would oversee the site operations.

The proposed hours of operation are 6.00 am to 7.00 pm Monday to Friday and 7.00 am to 5pm on Saturdays.

2.9 SITE REINSTATEMENT

Reinstatement of the site will take place as the working face moves progressively inland. The reinstatement will involve the placement of overburden and top soil on to the disturbed areas followed by planting with shrubs and trees. Advice has been received from Ford's Nurseries as to the appropriate species to be planted. The relevant correspondence and a Plan of Reinstatement is included in Appendix 1.

3 CONSENTS

Landuse Consent?

The proposed activity is a discretionary activity in the Rural RG Zone of the Waitaki District Council Proposed District Plan and in the Rural A Zone of the Waitaki County section of the Transitional District Plan. Therefore a Landuse Consent is required.

Coastal Permit? A coastal permit is not required as there are no works in the coastal marine area.

Water Permit? A water permit would be required if the proposal included the taking, use, damming or diversion of natural water. The water source for the proposed activity is the irrigation canal owned by the Lower Waitaki Irrigation Company. As this is not a natural water course in terms of the definition in the Resource Management Act, then no water permit is necessary.

Discharge Permit? A discharge permit would be required if the proposal resulted in the discharge of any contaminant into the environment.

Two potential discharges from the site are the discharge of contaminated stormwater and the emission of dust.

As discussed earlier there will be no point source of stormwater discharge due to site grading, retention of riparian vegetation and rapid infiltration. Any stormwater from the site will be of a similar quality to that which discharges from the existing site and adjacent property. In this case the discharge is a Permitted Activity under 12.5.1 of the ORC Regional Plan Water and no discharge permit is required.

The second potential discharge to the environment is the emission of dust from the site. Road Metals have an air discharge permit (Discharge Permit 97508) for mobile crushing and screening equipment

when in use throughout Otago. The Otago Regional Council (Appendix 3) have confirmed that a site specific air discharge permit is not required for this site.

If operations in the future necessitate washing, a water discharge permit to dispose of suitably treated washwater would be applied for before washing commenced.

4 DESCRIPTION OF THE EXISTING ENVIRONMENT

4.1 THE LOCALITY

The site of the proposed gravel extraction is located within the extensive rural plains area to the north of Oamaru. State Highway 1 is located to the west of the site some 3.5 km along Corbett Road. Corbett Road is unsealed for its full length.

The property to the immediate west of the site is owned by RN Needham. There is a single dwelling on this property which is sited some 450 metres from the proposed gravel extraction site. The property is in general farming use.

To the immediate south and south west of the site is a property owned by JH and CR Dennison and Drumena Farms Ltd. The nearest house on this property is located some 550 metres from the site. This property is also in general farming use typical of the area.

The irrigation canal owned by the Lower Waitaki Irrigation Company flows adjacent to the full length of Corbett Road and flows along the western boundary of the site towards the drop structure.

The Plan on the following page shows the relative location of the site, adjacent land uses, property and dwellings.

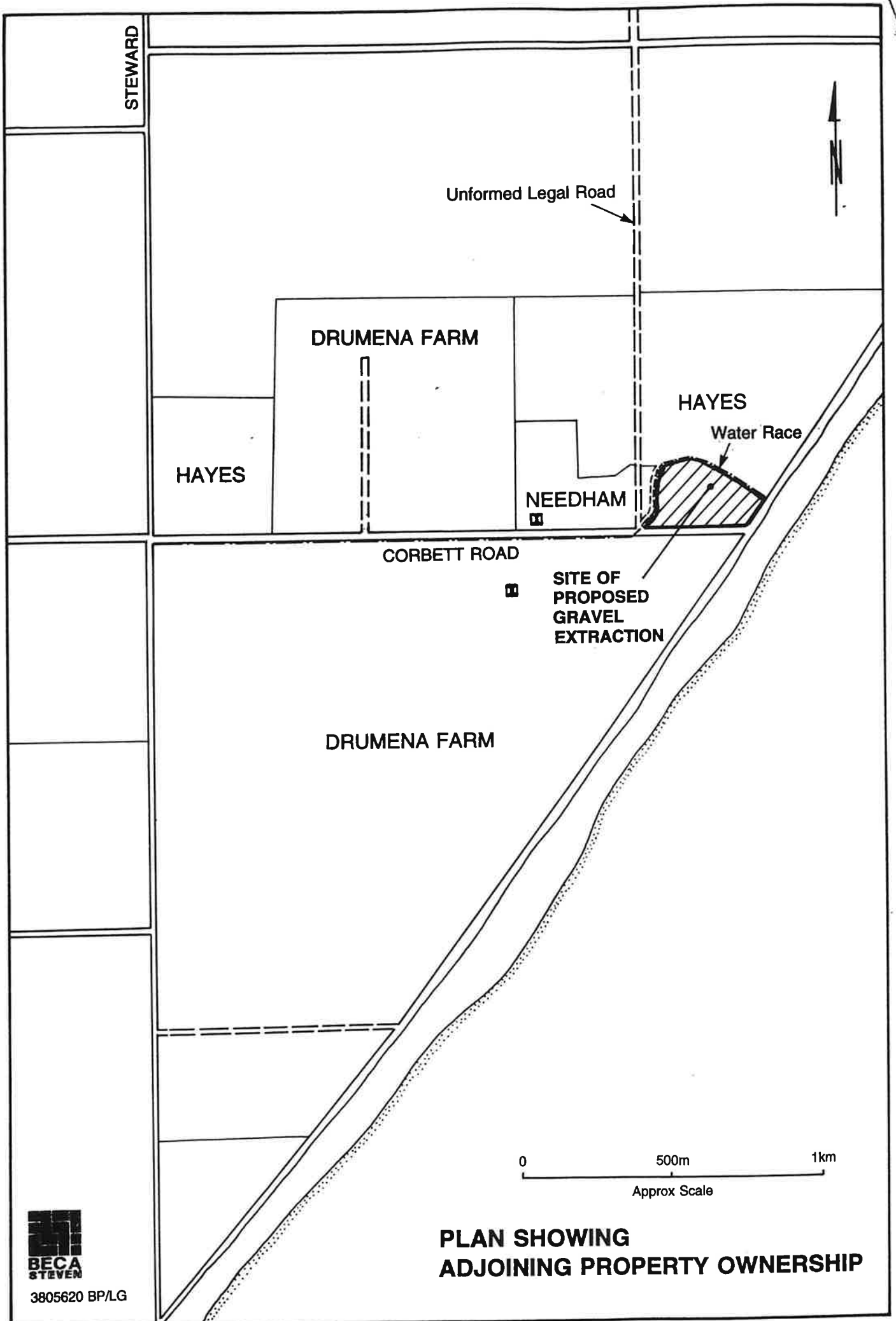
4.2 THE SITE

The site itself is presently in pasture and gorse. Some larger trees are growing on the southern boundary of the site along the unformed road. There is no known vegetation or wild life of special value on the proposed extraction site.

Beyond the energy dissipation drop structure the banks of the irrigation canal and the gully are covered in scrub and gorse. Occasionally the lower reach of the canal has to be re-graded by the Irrigation Company following major flooding.

The Department of Conservation have advised that the land immediately adjacent to the coast provides a suitable habitat for nesting and moulting of yellow-eyed penguins and other penguin species. A buffer zone to the approval of the DOC is incorporated in the development plan to protect this area.

There are no existing buildings or other structures on the site.



3805620 BP/LG

PLAN SHOWING ADJOINING PROPERTY OWNERSHIP

5 ASSESSMENT OF ENVIRONMENTAL EFFECTS

The following section outlines the potential environmental effects of the proposed activity. A number of amendments to the original proposal have been made in response to concerns expressed by submitters to the application. Mitigation measures have also been proposed to ensure that any potential environmental effects are minor or are avoided. These mitigation measures are also described in the following section.

5.1 WATER

5.1.1 Water Quality:

The adjacent water course discharges directly to the sea over the gravel foreshore. Any stormwater runoff from the proposed gravel extraction site is expected to be minimal due to the rapid infiltration through the ground surface and would be well diluted in the receiving water. Stormwater runoff is therefore unlikely to adversely affect the quality of the adjacent water course, which in any case is further diluted on discharging to the sea.

5.1.2 Drainage:

The proposed gravel extraction activities will eventually reduce the upper levels of the site by some 15 metres. The operations and the reinstatement of the site will not affect existing drainage patterns on adjoining properties.

5.2 NOISE

Potential noise generating activities on the site are the movement of heavy vehicles such as the loaders and trucks, and the operation of the metal crusher. The noise potentially generated from these sources will be minimized in a number of ways.

Firstly, the majority of the activity will take place on the lower levels of the site. The topography will therefore provide a sound barrier to the noise generated. In addition, the nearest dwelling is some 600 metres from the lower levels of the site, the distance thereby providing a further aspect likely to minimize any noise impact on adjacent property.

A second aspect of site operations likely to reduce the effect on adjacent property is that the hours of operation will be limited to normal working hours. These times are likely to coincide with usual working hours for farming operations in the vicinity. It would not be unlikely that noise generating activities on other sites would be occurring at the same time as the gravel extraction operations.

Noise potentially generated from truck movements will be limited to those times at which trucks are on site to load. It is expected that the number of trucks visiting the site on any working day will be an average of seven. On some days there will be no trucks visiting the site. Noise generated from truck movements and loading would occur over a relatively limited period and for a short duration only. In any case, and as noted earlier, the topography of the site and distance to nearby dwellings will reduce the potential extent of noise generated.

Truck movements along Corbett Road will occur only during normal working hours and would not affect rural amenity along Corbett Road.

The activity most likely to cause concern in relation to noise generated is the use of the crusher and other mobile or temporary plant. It is expected that the crusher will be in operation not more than three months during the year, thereby reducing the period over which noise could potentially affect adjacent property occupiers.

An environmental noise survey was carried out to determine background noise levels of the area (Report of Davie Lovell Smith March 1994) for a previous application in 1994 to develop the site for gravel extraction. The average background noise level measured was 40dB. In that same report it was reported that measurement of noise levels generated by a similar crusher to that proposed to be used on the site showed that at 150 metres from the crusher the noise level measured was 50dB.

In March 1994 noise measurements were taken by the Environmental Health Officer of the District Council at the new Oamaru Sewage Treatment Plant site where a metal crusher was in operation. These measurements showed that over flat ground some 500 metres from the plant the noise levels ranged from 41 to 52dB. At the time that these measurements were undertaken screening was also occurring and scrapers operating at the site. The noise generated from the proposed site could be expected to be less than this level.

In situations where a noise source is sited adjacent to a sound barrier, adjustments can be made to the calculated sound levels. For example, NZS 6803P:1984 suggests that these adjustments can be as much as 15 dBA but that for average conditions it is safer to assume a reduction in the range of 7 to 10dBA.

At the proposed site the gravel crusher is to be located on the lower levels of the site adjacent to the working face and some 15 metres below the existing ground level of the upper levels and surrounding land area. A natural sound barrier is provided by this topography, particularly the steep working face. In this case the noise levels measured at the nearest dwelling some 450 metres from the site boundary and 600 metres from the lower levels of the site are likely to be unobtrusive compared to existing background noise levels.

5.3 TRAFFIC AND ROADING

Access to the site will be along Corbett Road from State Highway 1. Corbett Road is unsealed along its full length to the gravel extraction site.

As discussed earlier, it is estimated that there will be an average of seven truck visits to the site each day. The additional truck movements generated from the gravel extraction site would not be expected to reduce the standard of Corbett Road.

In terms of traffic safety, the proposed gravel extraction will increase the numbers of vehicles using the site but with an estimated average of fourteen truck movements each day this additional traffic would be unlikely to adversely impact on traffic safety.

5.4 DUST

Gravel extraction activities in general have the potential to generate dust from a number of sources. These include movement of heavy vehicles, movement and transportation of gravel, overburden and topsoil, metal crushing and stockpiling of materials. At the Corbett Road site a number of measures will be taken by Road Metals in order to avoid any dust nuisance beyond the boundaries of the site.

Dust potentially generated by the movement of heavy vehicles will be minimized by the implementation of a speed restriction of 25 km/hr applying to vehicles on the site.

Stockpiles of gravel, topsoil and overburden will be periodically watered to minimize any wind blown dust from these sources. Watering or rainfall on overburden stockpiles will tend to result in the formation of a crust on the surface of the material. This crust will reduce any tendency for wind to generate dust from these stockpiles.

The gravel crushing, which is expected to occur for a total of around three months during the year, also has the potential to generate dust. However the rock to be crushed is greywacke and the excavated material will contain a high proportion of naturally occurring clays and silts. Experience has shown that crushing of this material generates little, if any, dust.

This factor combined with the topography of the site and the placement of the crusher adjacent to the working face means that there will be very little if any dust transported beyond the working area.

Existing trees and vegetation on the boundaries of the site would provide an additional barrier should any dust be generated.

In relation to movement of trucks to and from the site, it is noted that for a previous application for a similar landuse at the site, that an adjacent landowner, Mr Dennison, expressed concern that the generation of dust from the unsealed road would adversely affect the productivity of adjoining land.

Even with the addition of seven return trips on average per day, the total traffic volumes will be significantly below the Transit guidelines for road sealing of approximately 120 vehicles per day. The Transit guidelines incorporate the impact of dust generation from vehicles.

In addition there are existing physical factors which will contribute to a reduction in the transportation of dust to land adjoining Corbett Road. These include the separation distances provided on one side of the road by the irrigation race and the band of mature trees along the northern side of Corbett Road nearer the site.

It is considered that the potential effect of dust generated by the movement of seven trucks a day on average will be minor. For this reason no road dampening in Corbett Road is proposed. If concerns of the adjoining property owner relating to reduced productivity were able to be confirmed following a year or more of gravel extraction, then Road Metals would be prepared to review the implementation of methods for reducing dust generated along Corbett Road.

5.5 VISIBILITY

The site is visible only from immediately adjacent property and from the coast. Most of the activity will occur on the lower levels of the site and these are visible only from the site itself or from the boundary of the site.

Existing screening from adjacent property is provided by an existing band of mature trees along the legal boundary to the west of the site. To the south of the site are existing macrocarpa planted along the road reserve and there is a row of macrocarpa on the northern side of the water race beyond the drop structure. The potential visual impact of the proposed gravel extraction activities is therefore very low.

The gravel extraction will result in the reduction in height of the upper levels of the site by some 15 metres. Although the landscape of the site will be altered this will have little impact on the landscape of the wider area and the environmental effect is considered to be negligible.

As the working face progresses inland, disturbed areas no longer in use will be reinstated. This reinstatement will involve placement of top soil and planting of grass, shrubs and trees in accordance with recommendations of Ford's Nurseries and the plan of Reinstatement (Appendix 1).

It is proposed to construct a planted bund along the east side of the irrigation canal to screen any stockpiles of overburden or gravel which may be located on the high terrace.

5.6 EROSION

Retention of riparian vegetation and a 7.5 metre buffer zone will provide a level of protection from erosion of the stream banks similar to that which currently exists. The proposed gravel extraction would not be expected to exacerbate erosion of the stream banks or coastal margins.

5.7 ECOLOGY

The site is considered to have little ecological value apart from the coastal margins. These have been identified by the Department of Conservation (DOC) as a suitable habitat for the moulting and nesting of yellow eyed penguins. In response to discussions with DOC, a buffer zone of at least 75 metres has been incorporated into the development plan. This has been agreed to by DOC.

With the establishment of the buffer zones as proposed, there will be little adverse effect on ecology and particularly on the potential habitat of yellow eyed penguins.

5.8 LAND PRODUCTIVITY

The soils at the site are identified as Pukeuri soil in "Soils of the Downs and Plains of Canterbury and North Otago". These soils are noted as being most suited to mixed cropping and fat lamb production. The land use capability as identified in the New Zealand Land Resource Inventory is Class II.

The area of the Certificate of Title which includes the site is 8.5 hectares. The total area to be worked during the anticipated life of the gravel extraction is 4 hectares. It is considered that the impact of taking 4 hectares temporarily out of potential productive use bearing in mind that the site has been

covered in gorse and not been in productive use for a long period of time, is negligible. On reinstatement of the site the land would again have a Class II landuse capability and become available for productive use if required.

5.9 RURAL AMENITY

Factors which may potentially affect rural amenity include generation of noise, increased traffic or emission of dust. These items have been discussed earlier and it is considered that any of these factors or even a combination of these factors will not adversely affect rural amenity. The mitigation measures which have been proposed to minimize potential effects on rural amenity include:

- the siting of the gravel crusher on the lower level of the site against the working face to reduce noise carried to a wider area,
- provision of facilities for water spraying on the site to reduce dust if required,
- restriction on hours of operation to ensure that truck movements do not occur outside of normal rural working hours.

Other measures are to be taken and have also been discussed which will reduce the potential environmental effects of the gravel extraction. Implementation of these proposed measures will ensure that the environmental effects of the proposal are minor.

5.10 ARCHAEOLOGICAL SITES

There are no known archaeological sites within the proposed gravel extraction area. Records of the New Zealand Archaeological Association (NZAA) have been searched (Appendix 3) which confirm this.

5.11 STOCK SAFETY AND MOVEMENT

It is understood that Corbett Road is used for the movement of stock from adjacent paddocks.

The legal width of the road is 10.06 metres (half a chain). In a number of places the legal width of the road is reduced due the positioning of fencing within the road reserve. Further practical width of the road could be achieved if the fencing were to be placed on the road boundary rather than the road reserve. In some places the useable width of the road reserve is as little as 9.1 metres. However the visibility along the road is good and any stock will be easily seen by the drivers.

It is considered that the current width of the road is adequate to serve both the existing use for stock movement and the potential limited use of the road for access to the gravel extraction site. The situation is not dissimilar to many other rural roading situations.

6 CONSULTATION

Though this application is a repeat of a previous application in 1994 to extract gravel made by the previous owner of the property, Mr G Sloan, and he has made his files available to the present owners, Road Metals, during the preparation of the consent application and this report consultation has been undertaken with the Department of Conservation, Forest and Bird, and with the Otago Regional Councils. Their responses have been included in Appendix 3.

Written approval to the Resource Consent has been received from the Lower Waitaki Irrigation Company. (Appendix 3).

A Draft Report copy of this Assessment of Effects on the Environment dated November 1998 was also been sent to the immediated neighbours to the site who made submissions on Mr Sloan's application, JH & CR Dennison (Drumena Farms Ltd) and Mrs S A Hayes. Neither of the neighbours has given their approval.

Representatives of the local iwi, the Moeraki Runanga, were forwarded a copy of the previous application by Mr Sloan in 1994 and the proposal was discussed by them. The Runanga subsequently advised that they did not wish to oppose the application as the nearest homes were some distance away, the number of trucks would be limited and that the crusher was only on site for a short period. The response of the Runanga is included as Appendix 2.

A copy of this new application by Road Metals which is essentially identical to Mr Sloan's, has also been sent to Kai Tahu Ki Otago Ltd which has responded on behalf of Te Runanga o Moeraki on 18 March 1999. (Appendix 2). They request the opportunity to undertake site visits to check for environmental effects and that the term of the Consent be 10 years.

The Applicant has requested a term of 25 years on the basis that:

- the gravel pit has a life of up to 25 years at expected average extraction rates.
- the Council has a Review of Consent condition for the purposes of dealing with any adverse effects on the environment which may arise from the exercise of this consent. The applicant suggests that representatives of the Moeraki Runanga could visit the site with Council when the Review is to be undertaken.

7 ASSESSMENT OF COMPLIANCE WITH DISTRICT PLAN

The proposed activity is a discretionary activity in the Rural RG Zone of the Waitaki District Council Proposed District Plan and in the Rural A Zone of the Waitaki County section of the Transitional District Plan.

.1 WAITAKI DISTRICT COUNCIL - PROPOSED DISTRICT PLAN

Part III: District Wide Rules Sec 17.2 xxiv lists matters to be addressed in relation to Mining Activities and Gravel Extraction - Rural Zones.

- (a) *The extent to which the activities of vegetation clearance and the excavation and removal of material associated with mining activities impact on amenity values, landscapes values and natural conservation.*

These matters have been addressed in Section 5. A planted buffer zone will be established along the south side of the site and a planted bund constructed along the western side eastwards of the irrigation canal. A 75m coastal buffer zone will be established and no activity will occur within 7.5m of the existing stream.

The extent of the impact on the rural amenity, landscape and conservation values will be minimal.

- (b) *The extent to which roads or buildings impact on amenity values, landscape values and natural conservation values.*

All mining activity will be at the lower terrace level on the site. An access road to the lower terrace will run from the entrance to the site at the end of Corbett Road and a small storage shed will be located on the lower terrace.

The extent of the impact on the rural amenity, landscape and conservation values will be minimal.

- (c) *The ability of the proposal to rehabilitate the site after mining so:*
i) *that the longterm stability of the site is ensured;*
ii) *that the landforms or vegetation on finished areas are visually integrated into the landscape;*
iii) *that the land is returned to its original productive capacity, where appropriate;*
iv) *that water and soil values are protected.*

The final landform after mining as shown on the Plans will be stable, and visually integrated into the coastal and rural landscape and the reinstatement proposed will return the land to its original productive capacity. The proposed buffer zones will protect water and soil values.

- (d) *The ability of the operation to minimise dust, noise, lighting and vibration so amenity or natural conservation values are not at risk.*

The operation will be relatively low scale and intermittent and the operations will be at a lower level some 15m below existing ground levels. Issues of dust and noise have been addressed in Section 5.

The operation is during the hours of daylight therefore lighting will not be an issue and no explosives will be used.

- (e) *The ability of the Company to provide a Contingency plan for early mine closure, including an evaluation of the risk to the neighbouring community and environment.*

This is a relatively small scale operation and reinstatement will occur progressively as the excavation of the gravel moves inland. Should early closure occur, then the only work required to complete the

reinstatement would be to bulldoze the working face to the final slope, respread topsoil from the stockpile and planting.

There will be no risk to the neighbouring community and environment as a result of mine closure.

- (f) *The ability of the Company to provide a Bond to Council annually for the purpose of rehabilitating operation areas in the event of premature closure.*

Road Metals is prepared to offer a Bond of \$25,000 which for the purpose of rehabilitating operation areas as described in (e) above.

- (g) *The ability of the company to adequately monitor the operations and its effects on the receiving environment.*

Road Metals is ISO 9002 certified and successfully operates several similar gravel extraction operations in North Otago.

Other crushing and gravel supply contracts currently being undertaken by Road Metals include:

Canterbury - Full size quarry operation in Christchurch.

Central Otago - Supply of sealing chips and roading aggregates at Cromwell and Clyde.

Otago - Crushing at the Kilmog Rock Quarry.

- Supply of roading aggregates to Whitestone Roding Ltd at the SH1 Goodwood Corner Contract.

Auckland - 150,000 m3 crushing contract for Stevensons and Sons at their East Tamaki Quarry, Manukau City.

Fiordland - 200,000 m3 gravel supply contract to the Fletcher, Dillingham, Ilbau Consortium constructing the 2nd Tailrace Tunnel for the Manapouri Power Station at Deep Cove. This project takes place within the high profile World Heritage Park area and serves as an excellent example of how Road Metals works within very strict environmental guidelines.

7.2 WAITAKI COUNTY COUNCIL TRANSITIONAL PLAN

The relevant criteria for assessing the application, as identified in Ordinance 4.6 of the plan are as follows:

- (a) *The effect the proposal will have on visual amenity, noise levels, and whether or not any smells, water pollution, dust or other noxious elements will be generated; waste disposal methods.*

The effects of the proposal have been discussed in the previous section. The visibility of the site is low due to topography and location, with trees providing additional visual screening. Noise levels generated on the site will be contained by the topography. There will be no odour from the site nor pollution of the watercourse and the extent of dust generated will be minimal.

(b) *The quality of the soils on the site and land stability.*

The site is currently covered in grass and gorse and it is considered that the effect of taking 4 ha temporarily out of potential productive use is negligible. On reinstatement of the site it could potentially be returned to productive use.

The proposed gravel extraction will have no impact on land stability.

(d) *The effects of the proposal on the local road network and State Highways, and the operations of any airfields in the area.*

The proposed gravel extraction will not adversely affect the local road network or the State Highway.

(f) *With regards to quarrying and mining, additional considerations will be how and to what extent the land is to be restored, and the extent of permanent disfigurement to the landscape, and the disposal of spoil.*

The proposals to restore the land have been described. The landscape at this particular site will change but the effect of this on the wider environment is negligible.

8 CONCLUSIONS

8.1 CONCLUSIONS

With the planned site management and mitigation measures, the proposed gravel extraction is able to satisfactorily address the listed criteria and in this respect is consistent with the objectives of the District Plans.

The proposed activity will occur on the lower levels of the site at most times with the topography effectively isolating the activity from adjacent landuses.

8.2 SUGGESTED CONDITIONS

At an earlier hearing by Mr Sloan in 1994, Council granted consent for a similar proposal but this Consent has since lapsed. Road Metals are generally in agreement with the Conditions attached to the previous Consent with some minor amendments which Road Metals consider to more fairly represent their proposed operations. The suggested Conditions have been included as Appendix 4.

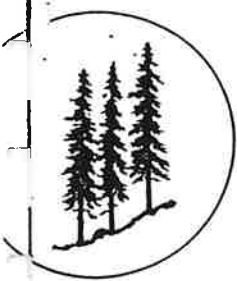
APPENDIX 1
OUTLINE PLAN OF REINSTATEMENT

APPENDIX 1 : OUTLINE PLAN OF REINSTATEMENT

Outline Plan of Reinstatement

Gravel Extraction Site at Section 67 Block V Papakaio Survey District

- 1 The proposed activity on the above site is the extraction of up to 30,000 m³ of gravel per year for a period of 25 years.
- 2 The proposed plan of development is shown on Plan N^o 3805620 Sheets 1 and 2.
- 3 Reinstatement of the site will take place generally in accordance with the plan attached but will be determined as the working face moves inland.
- 4 The reinstatement of the site is to begin with the placement of overburden covered with topsoil to a depth suitable for the establishment of vegetation.
- 5 Reinstated areas will be planted with species suited to the location. These species may include *Coprosma repens*, *Oleria paniculata*, *Cordyline australis* (cabbage tree), *Olearia traversii*, *Griselina littoralis* (broadleaf), *Olearia virgata*, *Hebe elliptica*, *Pittosporum crassifolium*, *Hebe stricta*, *Pittosporum ralphii*, *Myoporum laetum*, *Sophora tetraptera*, *Myoporum insulare*.
- 6 New plantings will be watered as necessary to assist in their establishment.
- 7 On completion of all extraction activities at the site all working areas are to be reinstated and equipment, machinery and debris removed and the site left in a tidy manner suited to the rural environment.



FORD'S NURSERIES LTD

SPECIALISTS IN FOREST & SHELTER TREES



MEMBER:
N.Z. FOREST NURSERY GROWERS
ASSN.
N.Z. NURSERYMEN'S ASSN

11 July 94

Mr G R Sloan
32 Perth St
Oamaru

Dear Graham

Tree Planting - Proposed Gravel Pit

Following discussions with you and perusal of the drawings and photograph you provided we can make the following observations and suggestions.

1. While the environment in the area is not conducive to the easy establishment of a wide range of plant material, provided species suitable to the area are chosen there should be no difficulty in establishing trees and shrubs to provide the screening and aesthetic effects you require.

2. Plantings of Eucalypts and Pines adjacent to the proposed site have been successful and are performing satisfactorily.

3. The tree planting part of your project is effectively in two stages:

(a) Stage 1. Establishment of screen planting on the eastern and northern boundaries.

This will require species that are not only suited to the area and the climatic conditions but which can provide the fastest, most dense and tallest screening effect.

(b) Stage 2 Planting of quarried areas following re-instatement of over-burden and top soil.

Species most suited to this situation will be NZ natives.

4. Recommendations are:

Stage 1. Two or more rows following the line of the irrigation canal but at a distance from the canal that will not affect the canal. Refer to requirement of the Lower Waitaki Irrigation Co.

At least one row should be either Eucalyptus nitens or Eucalyptus gunii planted 3-4 metres apart. Preference would be for Euc. gunii because of its resistance to scale attack which seems to be prevalent in this area. Eucalypts are fast growing and you could anticipate a height of 8-10 metres after 5 years.

The second or other rows we suggest should be Cupressus leylandii (leyland cypress) variety Leighton Green or Naylor's Blue. Preferably Leighton Green. This species is of the same family as macrocarpa and is therefore suitable for coastal planting as well as having the vigour and hardiness to perform on the site. These should be planted at least 2 metres from the Eucalypt row and at 2 metres apart in the row. You can expect a height of 6-8 metres after 5 years.

FERRY ROAD, 1 K., R.D. OAMARU

Telephone 03-431-3626, 03-439-5765

Facsimile 03-431-3624

Stage 2 should consist of mixed, or mixed group, plantings of NZ native trees and shrubs. The main purpose of this planting is aesthetic appeal and therefore height is not a prime consideration although some height variation will add to the effect.

The following species are suited:

Coprosma repens	Oleria paniculata
Cordyline australis (cabbage tree)	Olearia traversii
Griselina littoralis (broadleaf)	Olearia virgata
Hebe elliptica	Pittosporum crassifolium
Hebe stricta	Pittosporum ralphii
Myoporum laetum	Sophora tetraptera.
Myoporum insulare	

Spacings should generally be 2m apart each way.

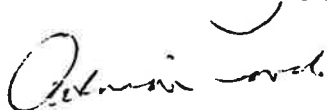
As an aid to successful establishment and initial growth consideration should be given to deep ripping of the planting lines (or some other method of cultivation that will allow good moisture penetration and lateral root development at least 50cms on either side of the row.

Some form of trickle irrigation is also recommended with water obviously being readily available.

Because of the likelihood of rabbit damage in the gorse infested area some form of tree protection will be necessary. Several types of protectors are available from local suppliers with KBC Tree Shelters from Newfield Marketing probably being most suitable.

I trust that this is of some help to you. If any further information or assistance is required please do not hesitate to contact us.

Yours faithfully,



RECEIVED

KAI TAHU KI OTAGO LTD

320 Princes Street
PO Box 446
Dunedin
Ph: 03 477 0071
Fax: 03 477 0072
Email: ktkold@earthlight.co.nz

18 March 1999

Road Metals
2 Caledonian Road
P.O. Box 212
Oamaru

Attn: George Kelcher

Proposed Gravel Extraction Corbett Road, Oamaru

Kai Tahu ki Otago Ltd writes this report on behalf of Te Runanga o Moeraki, the kaitiaki runanga whose takiwa includes the site the proposal relates to.

Te Runanga o Moeraki have concerns regarding the effect of quarry operations on the environment. To that end, Te Runanga o Moeraki would give their approval to this proposal if the consulting authority considers the following term :

- That the term of consent is for only ten years.

As discussed with the applicant, Te Runanga o Moeraki would like to have the opportunity to undertake site visits of the quarry operation.

Please contact me if further clarification or discussion is required.

Yours faithfully



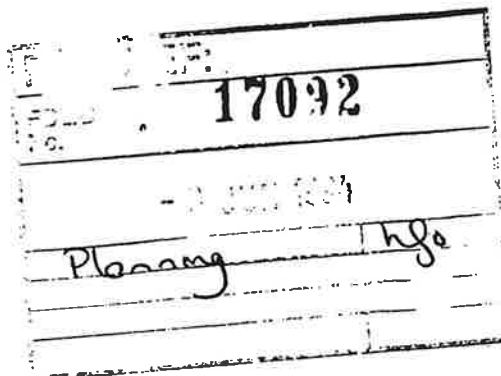
Venessa Anich
Manager

CC Te Runanga o Moeraki

Mrs Y.T.Enoka.
21 Caledonian Rd.
OAMARU.

2 June 1994.

Mr Doug Harwood.
Planning Department,
Waitaki District Council
19 Eden Street.
OAMARU



Tena Koe Doug.

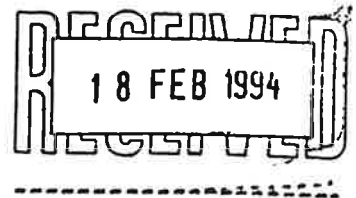
At our last meeting of Te Runanga o Moeraki held on Sunday the 8th of May 1994. The Sloan application for extraction of metal was discussed.

It was decided that after the correct advertising had been done, as requested, that the Runanga's previous letter of approval for the application should remain.

Kia ora mai.

Y.T. Enoka.
Yvonne Enoka
Moeraki Runanga
Representative.

MRS YVONNE T.M. ENOKA
21 CALEDONIAN RD
OHAMARU
17 FEB. 1994



TO MR HARWOOD
WAITAKI DISTRICT COUNCIL
19 EDEN ST
OHAMARU

NOTIFICATION OF APPLICATION FOR A RESOURCE CONSENT UNDER SECTION 93(2)
OF THE RESOURCE MANAGEMENT ACT 1991.

GRAHAM RONALD SLOAN
32 PERTH ST
OHAMARU.

After reading Mr Sloan's application and discussing the contents with THE MOERAKI RUNANGA on Sunday 13th it was agreed not to write a submission against Mr Sloan's request. The nearest house is five miles away and traffic would be minimal as it is not envisaged to sell the metal to public. Therefore there would be ^{only} the contract trucks and a crusher for a short period that would create any noise.

Yours faithfully
Yvonne T.M. Enoka
Liason - Representative
(MOERAKI RUNANGA)

WRITTEN APPROVAL TO A RESOURCE CONSENT

I George Kelcher of
ROAD METALS CO Ltd Oamaru

am applying to the Waitaki District Council for a Resource Consent to undertake the following activity (see also the attached plans)

to extract, process, stockpile
and sell gravel and other quarry
products

The Waitaki District Council considers that the following persons, organisations, property owners, could be adversely affected by the granting of the Resource Consent:

Lower Waitaki Irrigation Company

If written consent of any of the above persons is received, the Council shall not take account of any actual or potential effect of the activity on those persons (section 94(4) Resource Management Act 1991)

If you, as a potentially affected person approve of the application being considered without being notified in accordance with the Act, please sign the form below and any plan attached to the proposal activity.

I Roger Slee Chairman
of Lower Waitaki Irrigation Co.

have studied the proposal by (applicant)
and given my written approval to it being considered as a non-notified application.

Signed R. Slee

Date 2-2-99

(If necessary, attach further comments on a separate page)



Royal Forest and Bird
Protection Society
of New Zealand Inc.

Waitaki Branch
Royal Forest & Bird Protection
Society of N.Z. (Inc.)
c/- Annette Officer
21 Arrow Crescent, Oamaru

John Shirley,
Consultant Project Engineer
ICRD
OAMARU.

Dear Mr. Shirley,

Re N.O. Roadmetals - Proposed Gravel Pit
Corbett Rd

On behalf of Waitaki Branch of Forest & Bird
I would like to give our consent to develop the gravel
pit at the Coastal end of Corbett Rd.

Yours faithfully
Annette Officer
Secretary

Our reference:
RD410

31 October 1997

John Shirley
Becca Steven
269 Homestead Road
1C RD
Oamaru

Dear Sir

North Otago Road Metals - Gravel Pit, Corbett Road

Thank you for your letter of 16 October 1997. I have had a look at the old resource consent granted by the Waitaki District Council, the site, and looked into the requirements for an air discharge consent for the proposed operation.

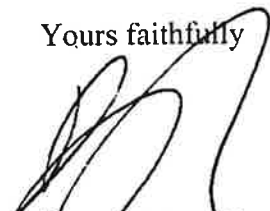
The maximum disturbed area requirement of 1 ha was a reflection of the proposed size of the operation. On looking at the site, and considering your letter it would appear reasonable to allow a maximum disturbed area of 2 ha given that this would include stockpiling and processing areas. Ministry of Commerce mining license 41376 has no conditions relating to maximum disturbed area or other Otago Regional Council requirements.

All of the other requirements for providing buffers should be adhered to, not that any excavation within 7 metres of a watercourse requires a resource consent under our existing Otago Catchment Board and Regional Water Board Bylaw 1988.

I have also spoken with Prue Harwood of our office regarding air discharge permit requirements. Prue informed me that she has spoken with George Kelcher and considers that an air discharge consent is unnecessary.

If you have any further questions my phone number is 03 474 0827.

Yours faithfully



Barry Johnson
Resource Officer
89512 Shirley

Mission Statement: "To promote the sustainable management of the region's resources"
70 Stafford Street, Private Bag, Dunedin. Telephone (03) 474-0827. Facsimile (03) 479-0015





Department of Conservation
Te Papa Atawhai

Our file: RMA 21/2

20 October, 1997

Manager
Beca Steven
Consulting Environmental Engineers
269 Homestead Road
RD 1C
OAMARU

ATTENTION: John Shirley

Dear Sir

PROPOSED GRAVEL PIT - CORBETT ROAD

I refer to your letter dated 16 October 1997 seeking the department's approval of your client's proposed gravel pit operation at a site on Corbett Road.

I acknowledge your client's willingness to maintain the buffer strip originally sought by the Minister of Conservation and attached as a condition of the original consent to Mr Sloan. Consequently, I am happy to approve your client's new application for this activity on condition that the buffer strip continue to be maintained as part of the application.

If you have any queries or wish to discuss this matter further, please do not hesitate to contact Ian McCabe at this office.

Yours faithfully

A handwritten signature in dark ink, appearing to be 'J. Connell', written over the printed name and title.

Jeff Connell
Regional Conservator

Otago Conservancy

P.O. Box 5244, 77 Stuart Street, Dunedin, New Zealand
Telephone 03-477 0677, Fax 03-477 8626

NEW ZEALAND

Archaeological Association Inc.

East Otago Filekeeper,
42 Ann Street,
Dunedin.

Phone (03) 4774101
email jhamel@xtra.co.nz

25 May 1999.
Mr J Shirley,
Beca Stevens,
Homestead Road,
RD 1C, Oamaru.

Dear John,

Proposed Gravel Quarry, Corbett Road, Waitaki Delta.

I confirm that the conditions suggested in my letter of 15 February 1994 are still appropriate.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jill Hamel', with a long horizontal flourish underneath.

Jill Hamel.

42 Ann Street,
Dunedin.

15 February 1994

John Shirley,
Homestead Road,
1C RD,
Oamaru.

Dear John,

Proposed Gravel Quarry Corbett Road.

As requested I have searched the New Zealand Archaeological Association files to see if there are any recorded sites in the application area. There are no sites recorded, but that does not mean that there are none. A survey was carried out along the coastline in about 1980 but it would only have picked up sites revealed by erosion at the time. It is not only possible but likely that there were Maori sites at the mouth of the natural creek which presumably predated the irrigation outfall you mentioned.

I would be grateful if you would explain to your client that all archaeological sites formed prior to 1900 are protected under the Historic Places Act 1993 whether or not they have been recorded. I agree with you that it would be wise for an archaeologist to be present when the topsoil is stripped prior to quarrying. Though some of the ground is covered by gorse, the archaeologist would do his/her best to determine beforehand whether or not there was any surface evidence.

I would be grateful if you would also make contact with the local tangata whenua, Dick Whetu at Hampden.

I enclose an invoice for a fee to be paid to NZAA for the use of their Site Record File.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Jill Hamel', with a horizontal line underneath.

Jill Hamel, Filekeeper,
Eastern Otago.

That pursuant to Sections 104 105, and 108 of the Resource management Act 1991, consent be granted to Road Metals Co Ltd to use land contained in Lot 67 Part Block V Papakaio Survey District for the purposes of gravel and rock extraction, on-site stock piling and storage of the same, and on-site screening and crushing of the same and other associated activities.

The consent is granted in terms of the plans and details submitted with the application and at the hearing of the application and subject to the following conditions:

1 *Annual Work Programme*

The consent holder shall submit to the Council a detailed work programme of operations proposed, prior to the exercise of the consent. The work programme shall be reviewed at least annually, unless the Council notifies the consent holder in writing that a lesser frequency is required. The work programme shall include:

i A description of the sequence of works and procedures adopted during quarrying and processing. This shall include a description of the previous year's rehabilitation work and an assessment of whether the previous rehabilitation work meets of objectives set under condition 11.

ii A description of the measures to be undertaken so that the objectives and conditions of this consent will be met at all times.

2 *Liaison*

During operations the consent holder shall appoint an employee agent fully authorised to liaise with those affected by the project, consider their concerns and where necessary, take appropriate action.

3 *Historic Values*

Any artifacts that are uncovered during excavation or removal of the topsoil and overburden shall be reported to the Moeraki Runanga and the Ngai Tahu Maori Trust Board offices and the Historic Places Trust. Any artifacts should be subsequently be presented to the appropriate persons or organisation.

4 *Operating Hours*

Permissible operating hours for the operation shall be restricted to

Monday to Friday: (0600 hrs to 1900 hrs)

Saturday: (0700 hrs to 1700 hrs).

Other than where necessary for safety, health or environmental reasons there should be no work carried out on Sundays or statutory holidays.

Note: These operating hours also apply to the access or egress of trucks to and from the site.

5 Access to the coast

The unformed part of Corbett Road which crosses the site shall not be disturbed in order to allow the public the opportunity to have access to the coast.

6 Traffic

- i That trucks and loaders working within the site shall be restricted to a maximum speed of 25 km/hr.
- ii Truck access and egress from the site shall be limited to an average of five to seven return trips.
- iii Trucks travelling to and from the site shall use Corbett Road as the access and egress route from State Highway 1.

7 Visual

If placement of processed or unprocessed rock, gravel or over-burden on the high terrace occurs, it shall be screened with a planted bund.

8 Buffer Planting

The following conditions shall apply to the buffer planting programme carried out on the site:

- i The consent holder shall plant and establish a buffer of zone on the southern boundaries of the site
- ii Planting shall be completed in the first planting season after the granting of this consent
- iii The buffer zone shall be a minimum of 6 m wide and contain at least two rows of trees and planted at 2 m centres
- iv The consent holder shall use a species, or mix of species, that are both fast growing and suitable for the site. Prior to planting, a list of the species planted shall be forwarded to the Manager, Parks and Recreation, Waitaki District Council for his approval.
- v The buffer plantings shall not interfere with the maintenance or operation of the irrigation canal.
- vi That all buffer plantings be irrigated and other establishment and management practices implemented to ensure , as far as practicable, plant survival.

9 Noise

- i Subject to the express provision of this condition the noise level shall be measured and assessed in accordance with the requirements of ***New Zealand Standard, NZS 6801: 1991 Measurement of Sound and New Zealand Standard, NZS 6802: 1991 Assessment of Environmental Sound.***

- ii The L_{10} Level as measured at the notional boundary of the nearest residential dwelling to the site, shall not exceed the following limits:

Monday-Friday	0600 hrs - 1900 hrs	L_{10} 55dBA
Saturday	0700 hrs - 1700 hrs	L_{10} 55dBA
All other times		L_{10} 40dBA

The notional boundary of any existing dwelling shall be for the purposes of this condition shall be a point 20 metres from the most exposed facade.

- iii All equipment and machines shall be regularly maintained to ensure noise levels as low as reasonably attainable but at no time shall they exceed the levels permitted in this consent.
- iv The crusher, screening and associated equipment shall be operated on the low terrace at the eastern end of this site.

10 Air Quality

The objective of the consent holder shall be to minimise dust nuisance during all rock and gravel extraction and works incidental to rock and gravel extraction, and associated activities, and when trucks are travelling to and from the site, using the following methods

- i Minimising the area being disturbed at one time;
- ii Avoiding, as far as possible, disturbance to the site - including access to and from the site - during dry, windy periods when dust is most likely to be a problem;
- iii Ensuring materials being moved are kept in a damp state;
- iv Using water to damp down potential dust at source;
- v Revegetating disturbed areas at the earliest opportunity.

11 Wildlife Protection

An area shown on the the Schedule to this decision shall not be disturbed, so to protect the habitat for wildlife.

12 Rehabilitation

The consent holder shall prior to the first exercise of the consent shall present to Council an *indicative rehabilitation plan* which shows an indicative *post operation* plan of the site and a description of the rehabilitation measures required to achieve this plan.

- i The indicative rehabilitation plan shall have the following objectives:
- To ensure short and long term stability of the site;
 - To minimise post operational nuisance;
 - To protect water and soil values; and
 - To return the land to its original productive potential.

ii Rehabilitation work shall be subject to the following conditions:

a Quarrying Area

The maximum area of land disturbed and not fully restored, shall not exceed 2 hectare at any time. Disturbed areas shall include the extraction pit, tailings and overburden, re-levelled area and land pre-stripped ready for mining.

b Topsoil:

The consent holder shall, as far as practicable, strip and stockpile topsoil from all areas separately from the remaining overburden. All salvaged topsoil shall be used for rehabilitation purposes. Waste Rock and overburden shall be returned to the excavations, levelled off and contoured prior to re-spreading topsoil on fines.

c Vegetation

The following conditions shall apply to the vegetation rehabilitation programme carried out on the site:

The consent holder shall progressively undertake vegetation rehabilitation as areas of practical working size become available.

The consent holder shall ensure that the vegetation cover established during the rehabilitation programme, shall be sustained in both the short and the long term.

13 *Water Races and Flood Channels*

The consent holder is responsible for the safeguarding of the water race and flood channel which lie on the perimeter of the site. Any damage incurred as a result of extraction operations must be repaired at the consent holder's expense. Gravel extraction shall not occur within 10 metres of the adjacent watercourse.

14 *Bond*

That prior to any excavation, including site preparation, taking place on the application site, a performance bond agreement to a total value of \$25,000 (1999 dollar value) shall be entered into between the consent holder and the Council to ensure compliance with the rehabilitation conditions of this consent. The bond is to be registered on the title to the application site by way of a memorandum of encumbrance and shall bind any subsequent owners and operators of the site.

15 *Regional Council*

All necessary consents for any discharges into natural water, air, onto land or into the ground shall be obtained from the Otago Regional Council before quarrying commences.

16 *Consent Duration*

The duration of this consent shall be 25 years.

17 *Review of Consent*

The conditions of this consent may be reviewed annually by the Waitaki District Council for the purpose of dealing with any adverse effects on the environment which may arise from the exercise of the consent. This would include whether any road widening is required due to the increased heavy traffic numbers using Corbett Road, and whether hours of truck movement need to be restricted, or whether a restriction in a vehicle speed for Corbett Road is required. A decision on whether or not consent conditions will be reviewed will be made on, or about, the last working day of November each year.

18 *Charges*

Charges set in accordance with Section 36(2) of the Resource Management Act 1991 shall be paid to the Council for the carrying out of its functions in relation to the administrative monitoring and supervision of the consent and for the carrying out of its functions under Section 35 of the Act.

RESOURCE MANAGEMENT APPLICATION REPORT

IN THE MATTER OF

the Resource Management Act 1991

AND

IN THE MATTER OF

LRC 06/15

Road Metals Company Ltd

Corbett Road, Oamaru

Background

In 1999 Road Metals Company Ltd were granted land use resource consent LRC99/27 to quarry aggregate material on their property located at the eastern end of Corbett Road. The activity also involved the use of trucks to transport the aggregate material to various sites around the district. The consent had a number of conditions attached in order to mitigate any adverse effects on the surrounding environment; including condition 5(iii) which limited Road Metals Company Ltd trucks to Corbett Road for entry and egress to the site. A copy of consent LRC99/27 is attached as **Appendix 3**.

Proposal

Road Metals Company Ltd have applied to alter condition 5(iii) of resource consent LRC99/27.

Condition 5(iii) of resource consent LRC99/27 states:

“Trucks travelling to and from the site shall use Corbett Road as the access and egress route from State Highway 1.”

It is proposed to alter condition 5(iii) to allow trucks to use Steward Road when travelling north of Corbett Road. A copy of the application is included as **Appendix 1**.

Application history

A non-notified application was received on 11 May 2006 but was placed on hold on the 15 May 2006 due to outstanding written approvals. The application was

reactivated on 23 May 2006 whereby the applicant requested it be notified as written approvals could not be obtained. The application was notified on 10 June 2006. The period for lodging submissions closed on 7 July 2006.

Zoning

The site is zoned Rural General in the Waitaki District Plan (the Plan) and is shown on planning Map 23.

Consent Required

A Discretionary Activity resource consent is required because the proposed activity is a discretionary activity as per Section 127(3)(a) of the Resource Management Act 1991.

Submissions Received

The application was publicly notified in the Otago Daily Times on 10 June 2006 with submissions closing on 7 July 2006. One opposing submission was received.

Submission **in opposition** was received from the following:

- Shirley Hayes, 4 H RD Hilderthorpe, Oamaru

A copy of this submission is attached in **Appendix 2**.

Date of Hearing 3 August 2006

Preamble

The Waitaki District Council is required to hear and decide on a resource consent application by Road Metals Company Ltd to change or cancel condition 5(iii) of

resource consent LRC99/27 to allow trucks to use Steward Road when travelling north of Corbett Road. The purpose of this report is to bring to the attention of the Council relevant information and issues that should be considered in deliberating on the proposal. Any conclusions reached or recommendations made in this report are not binding on the Committee, and it should not be assumed that the Committee will reach the same conclusion or decision having considered all the evidence.

Introduction

Road Metals Company Ltd is an Oamaru-based company which operates an aggregate supply and transport business from a depot in Caledonian Road, Oamaru. The company also operates quarries throughout the South Island. One of their main quarries in the Oamaru area is located at the eastern seaward end of Corbett Road, approximately 10km north of Oamaru. In 1999 Road Metals Company Ltd were granted resource consent to operate their quarry in this location.

This proposal is to alter a condition of the previous resource consent (LRC99/27) which stipulated that Road Metals Company Ltd trucks must use Corbett Road as the access and egress route from State Highway 1.

Road Metals Company Ltd seeks to alter condition 5(iii) of resource consent LRC99/27.

Condition 5(iii) of resource consent LRC99/27 states:

“Trucks travelling to and from the site shall use Corbett Road as the access and egress route from State Highway 1.”

It is proposed to alter condition 5(iii) to allow trucks to use Steward Road when travelling north of Corbett Road. The main reason for the proposed change is to improve safety. At present trucks turning onto Corbett Road from SH 1 are unable to see whether a train is approaching from the north. The intersection of Steward Road and SH 1 is a major intersection with more room for trucks and warning bells for the railway line.

Site and Locality

The subject site is zoned Rural General in the Plan. Steward and Corbett Roads are located approximately 10km north of Oamaru. Corbett Road runs directly east from SH 1 to the Road Metals Company Ltd quarry and the sea. Steward Road runs approximately north/south from the intersection of Steward Road, Robertson Road and SH 1 to midway along Corbett Road. Steward Road is also intersected midway by both Hilderthorpe and Simpsons Roads.

The intersection of Steward Road, Robertson Road and SH 1 is a major intersection with good sight distances in all directions and train warning bells. Oamaru Airport is accessed through the Steward Road/Robertson Road/ SH 1 intersection. Figure 1 depicts an aerial view of the location.

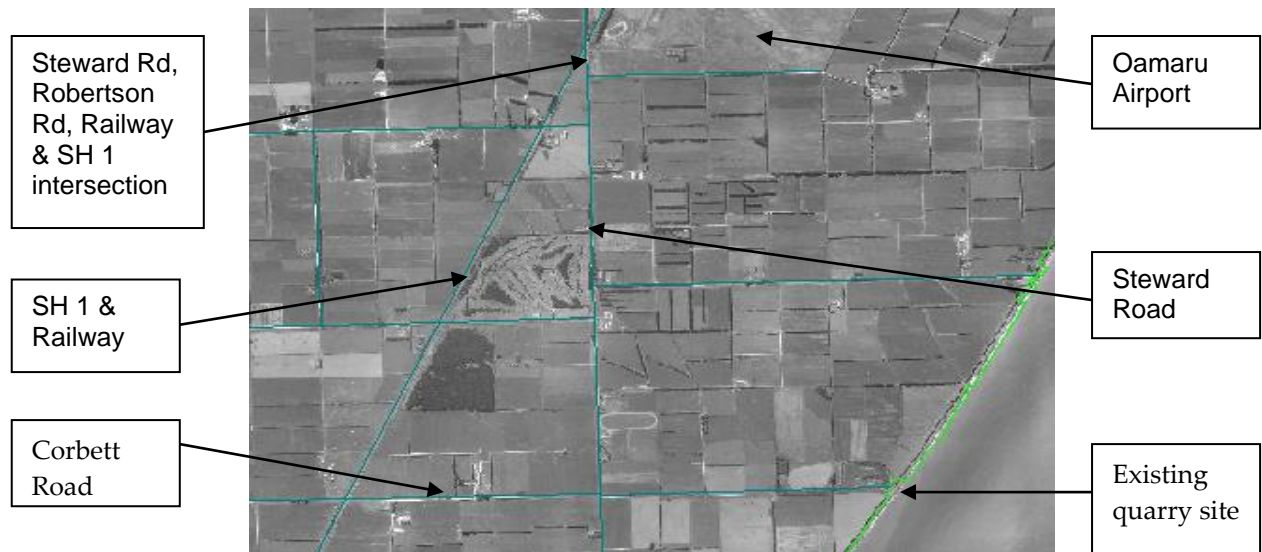


Figure 1: An aerial photograph showing the relevant locations.

Statutory Matters

The proposal is to alter a condition of the previous resource consent (LRC99/27) which required that Road Metal Company Ltd trucks must use Corbett Road as the access and egress route from State Highway 1.

Section 127 of the Resource Management Act 1991 relates to the changing or cancelling of a consent condition by a consent holder. Section 127(3)(a) states that Sections 88 to 121 apply, with all necessary modifications, as if the application were an application for a resource consent for a discretionary activity; and the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.

Therefore the proposed activity is a discretionary activity as per Section 127(3)(a) of the Resource Management Act 1991.

Subject to Part 2 of the Act, the Council under Sections 104 is required to have regard to a range of matters when considering the application. I consider the relevant matters for this application are:

- Any actual and potential effects on the environment of allowing the activity;
- Any relevant rules, policies and objectives of any plans or proposed plans.

Any decision to the land use consent is made pursuant to Sections 104(5) and 104B of the Act and conditions may be imposed pursuant to Section 108 of the Act. Under Section 104B of the Act, the Council may grant or refuse a resource consent application for a discretionary activity.

District Plan Assessment

The site is zoned Rural General in the Plan, which became partially operative on 12 July 2004. The non-operative parts of the Plan are not directly relevant to this application. Consequently, the provisions of the Waitaki County section of the Waitaki Transitional District Plan have not been considered pursuant to Section 19 (1) of the Resource Management Act 1991 (RMA 1991).

There are no Rural General Zone Site Development Standards considered relevant to the proposal for trucks to use Steward Road when travelling north. There is one Rural General Zone Critical Zone Standard, that of noise levels, which is relevant to the proposal but this, has on the most part, been dealt with under the previous

conditions attached to consent LRC99/27. However, I judge it appropriate to reconsider the applicable Critical Zone Standard in light of the present proposal to change condition 5(iii).

Noise:

Critical Zone Standard 4.5.1 states:

“On any site activities shall be conducted such that the following noise limits are not exceeded at the notional boundary of any residential unit, other than residential units on the same site as the activity within the Rural Zone or at the boundary of the Residential, Rural Residential or Township Zones:

<i>55dBA L10</i>	<i>7am-10pm Monday to Friday</i>
<i>55dBA L10</i>	<i>7am – 7pm Saturday</i>
<i>40dBA L10</i>	<i>At all other times and any public holiday</i>
<i>75dBA Lmax</i>	<i>10pm – 7am</i>

Exemption:

Noise limits shall not apply to:

- (a) Residential activities*
- (b) Harvesting, forestry harvesting, bird scarers and any one-off activity not normally anticipated as being required for normal farming activities*
- (c) Fire Service and Police*

Provided that the activity shall comply with the requirements of Section 16 of the Resource Management Act 1991.

Sound levels shall be measured and assessed in accordance with the provisions NZS 6801:1991 Measurement of Sound and NZS 6802:1991 Assessment of Environmental Sound.

The application states that the truck movements would only occur during normal working hours and will not be continuous. The application claims that any noise generated would be unlikely to affect rural amenity along Steward Road.

Although a detailed investigation of the noise levels emanating from the activity would be required to compare accurately with the above standards, I believe that the application is correct in its assessment that the noise of the trucks along Steward

Road is unlikely to breach the above Critical Zone Standard for noise. It is proposed that the average number of truck movements along Steward Road will be 4 per day on a per annum basis. This is a very minimal increase in traffic along Steward Road and in my opinion will not significantly add to the levels of noise already experienced by the residents along Steward Road.

As stated earlier, the previous consent LRC99/27 imposed noise related conditions on the activity. The previous consent LRC99/27 stipulated the following:

- i. Subject to the express provisions of this condition the noise level shall be measured and assessed in accordance with the requirements of New Zealand Standard, NZS 6801:1991 Measurement of Sound and New Zealand Standard NZS 6802: 1991 Assessment of Environmental Sound.*
- ii. The L_{10} level as measured at the notional boundary of the nearest residential dwelling to the site, shall not exceed the following limits:*

<i>Monday to Friday</i>	<i>0700 hours – 1900 hours L_{10} 55dBA</i>
<i>Saturday</i>	<i>0800 hours – 1700 hours L_{10} 55dBA</i>
<i>All other times</i>	<i>L_{10} 40dBA</i>

The notional boundary of any existing dwelling, for the purposes of this condition, shall be a point of 20m from the most exposed façade of a dwelling.
- iii. All equipment and machinery shall be regularly maintained to ensure noise levels are as low as reasonably attainable but at no time shall they exceed the levels permitted in this consent.*
- iv. The crusher and associated equipment shall be operated on the low terrace at the eastern side of the quarry face.*

It is my opinion, following an assessment of the previous conditions, that the previous conditions are still applicable.

Assessment of Objectives & Policies:

The most relevant objectives and policies for the present proposal are as follows:

6.2.2 Objective 1

To promote the efficient use of the District's existing and future transportation resource and of fossil fuel usage associated with transportation, and the maintenance and improvement of access, ease and safety of all vehicular, cycle and pedestrian movements.

6.2.3 Policies

- 1 *To protect the safety and efficiency of traffic on arterial roads, particularly State Highways 1, 8, 82, 83 and 85, by restricting opportunities for additional access points off these roads and by ensuring that access to high traffic generating activities is adequately designed and located.*

In respect of the above policy, Transit New Zealand was consulted by the applicant regarding truck access to and from Stewards Road. Transit's primary concern remains with ensuring that SH 1 in the vicinity of the proposal operates in an integrated, safe and sustainable manner. Accordingly, Transit evaluated the proposal to determine the likely adverse effects on the State Highway.

The proposed amendment to the consent condition will mean that the quarry activity will generate a maximum of four vehicle movements per day at the SH 1/Steward Road intersection.

Sight distances from the SH 1/Steward Road intersection are in excess of 330m, thus complying with Transit's sight distance guidelines. Furthermore, there is sufficient

seal width along SH 1 to allow trucks to safely wait for passing trains. Steward Road also has train-warning bells.

Accordingly, Transit raised no concerns pertaining to the proposed amendment to the consent condition and provided their written approval to the activity. It is therefore my opinion that the proposal does not detract from the above District Plan policy.

...

- 5 *To safeguard the operation of Oamaru Airport and Omarama Airfield and to minimise the impacts of surrounding land uses on the operation of the airport.*

Oamaru Airport is accessed through the Steward Road/Robertson Road/ SH 1 intersection. There has been limited traffic generated by the airport in recent times; however the airport is to resume domestic flights both in and out of the district. The resumption of domestic flights would be expected to increase the numbers of vehicles passing through the intersection. No mention of this possibility was made by the applicant, Transit or Council's Roading Engineer.

As stated earlier, the average number of truck movements along Steward Road will be a maximum of four vehicle movements per day at the SH 1/Steward Road/Robertson Road intersection. This is a very minimal increase in traffic through this intersection and in my opinion will not significantly impact the operation of Oamaru Airport. In addition, as future protection against the unlikely event of the trucks impacting upon Oamaru Airport's operations, a condition can be included as part of the consent to the effect that the consent may be reviewed or revoked at any time.

...

6.3.2 Objective 2

Avoid or mitigate adverse effects on the surrounding environment as a result of transport.

6.3.3 Policies

...

- 2 *To discourage traffic in areas where it would have significant adverse environmental effects.*

As has already been stated above, it is considered that there will be minimal adverse effects resulting from the proposal in terms of safety at the Steward Road/SH 1 intersection and the operation of Oamaru Airport.

The main reason for the proposed route change is a safety issue whereby trucks turning onto Corbett Road from SH 1 are unable to see whether a train is approaching from the north. The intersection of Steward Road and SH 1 is a major intersection with more room for trucks and warning bells for the railway line. There is also sufficient seal width along SH 1 to allow trucks to safely wait for passing trains. While there is still potential for conflict between trucks and trains at the intersection, it is considered that providing this option to trucks traveling to and from the north will decrease this likelihood.

The section of Steward Road from SH 1 to Corbett Road has a sealed surface, while almost all of Corbett Road has an unsealed surface. An unsealed surface has the potential to generate dust when used by vehicles. Dust from traffic was a concern raised in the initial consent application. By changing this consent condition there will be less heavy traffic on Corbett Road, thereby reducing the amounts of dust generated.

A further concern relating to this proposal is the possible conflict with pedestrian activities, especially children commuting to and from their school bus depot. As was highlighted in the submission, it may be the intersection of Corbett and Steward Road that could cause problems. However, I consider that Steward Road does have sufficient width to accommodate a large truck passing a pedestrian or school bus. Furthermore, rural roads are subject to the passage of large vehicles on a day to day basis and the small increase in these numbers as a result of this proposal will be very minimal.

Assessment of Effects (Statutory Considerations)

Section 88 of the Resource Management Act 1991 requires the applicant to make an assessment of any actual or potential effects that the proposed activity may have on the environment and the ways in which any adverse effects may be avoided, remedied, or mitigated. Section 88 requires that any such assessment shall be in such detail as corresponds with the scale and significance of the actual and potential effects that the activity may have on the environment.

The applicants have identified noise and dust issues as the main environmental effects resulting from this proposal to alter condition 5(iii) of resource consent LRC99/27 and these two issues have been discussed above. The applicant's assessment of effects is included in the application (attached in **Appendix 1**).

I believe that the above discussion is sufficient and encompasses an assessment of any actual or potential effects that the proposed activity may have on the environment and the ways in which any adverse effects may be avoided, remedied, or mitigated.

Effects summary

On the above basis, it is my opinion that the proposed activity is not contrary to the objectives and policies of the Plan to the extent that it offends the intent of the Plan. This application is to be treated as a Discretionary Activity. In my opinion, the applicants can adequately deal with the effects. My opinion has also considered the receiving environment, which is of a predominantly rural nature which can absorb such an activity without significantly compromising the amenity of the area.

In summary, my assessment of the actual and potential effects on the environment by the proposal shows the effects are no more than minor, and therefore the proposal is consistent with the objectives and policies of the Waitaki District Plan and the intent of the Resource Management Act 1991.

Part 2 of the Act

Any decision of the Council is subject to the provisions of Part 2 of the Act. Section 5 requires promotion of the sustainable management of natural and physical resources. This means ensuring that the use and development of natural and physical resources are managed in a manner so as to enable people and their communities to provide for their social and economic wellbeing while meeting the reasonable foreseeable needs of future generations and avoiding, remedying or mitigating the adverse effects of the proposal on the environment. No matters of national importance in Section 6 are relevant to this application. Section 7 requires the Council to have particular regard to:

“The maintenance and enhancement of amenity values” (Section 7 (c)).

“Maintenance and enhancement of the quality of the environment” (Section 7 (f)).

The existing character and amenity of the area in the immediate vicinity is predominantly rural with some residential uses also established in the area. I consider that the scale and intensity of the proposal is compatible with the amenity and quality of the environment in this area. For the application to be approved, Road Metals Company Ltd must avoid, remedy or mitigate any actual or potential adverse effects consistent with Section 5(2)(c) of the Act and it is my opinion that this is achievable.

Recommendation

It is recommended that pursuant to Section 127 of the Resource Management Act 1991 Council alter condition 5(iii) of resource consent LRC99/27 for reasons discussed in this report.

Should the Committee be of the opinion that the alteration shall proceed, then it is recommended that condition 5(iii) of resource consent LRC99/27 be changed as per the following:

5. Traffic

~~iii. Trucks travelling to and from the site shall use Corbett Road as the access and egress route from State Highway 1.~~

iii. Trucks travelling to and from the site shall use either Corbett Road or Steward Road as the access and egress route from State Highway 1.

James White

Planning Officer

July 2006

Jack Chandra

Planning Manager

APPENDIX 1 – APPLICATION

APPENDIX 2 – SUBMISSIONS ON APPLICATION

APPENDIX 3 – COPY OF LAND USE CONSENT LRC99/27

*Recd. 26 Oct.
@ 10 Am.*

25 October 2016

Reference No. 1659160

Sherilyn Byron
Waitaki District Council
20 Thames Street
Oamaru

ROAD METALS COMPANY LIMITED – CLEANFILL – CORBETT ROAD, HILDERTHORPE

Dear Sherilyn

On behalf of Road Metals Company Limited, please find enclosed an application for a change of conditions of a resource consent in accordance with section 127 of the Resource Management Act.

A payment of \$800.00 will be made by direct credit to the Council's account in the coming days.

If you have any queries on this application, please do not hesitate to contact Kevin Bligh on kblich@golder.co.nz or 021 025 06379.

Thank you for your recent pre-application assistance in respect of the above and we look forward to hearing from you in due course with regards to the processing of the application.

Yours sincerely

GOLDER ASSOCIATES (NZ) LIMITED



Kevin Bligh
Team Leader Planning

KB/la

CC: Jonny Francis, Road Metals Company Limited

Attachments: 2 x copies of Resource Consent Application and Assessment of Effects on the Environment,
Road Metals Company Limited – Cleanfill – Corbett Road, Hilderthorpe

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October 2016

RESOURCE CONSENT APPLICATION AND ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

Road Metals Company Limited - Cleanfill - Corbett Road, Hilderthorpe

Submitted to:
Waitaki District Council
Private Bag 50058
Oamaru 9444



REPORT



Report Number: 1659160_7401_001-R-Rev0

Distribution:

Waitaki District Council
Private Bag 50058
Oamaru 9444





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Report Limitations

APPENDIX B

Certificate of Title

APPENDIX C

Current Consent LRC99/27 (and change of conditions LRC06/15)



**ROAD METALS: CORBETT ROAD - RESOURCE CONSENT
APPLICATION**

PART A – RESOURCE CONSENT APPLICATION FORM



ROAD METALS: CORBETT ROAD - RESOURCE CONSENT APPLICATION

APPLICATION FOR A CHANGE OF CONDITION ON A RESOURCE CONSENT UNDER SECTION 127 OF THE RESOURCE MANAGEMENT ACT 1991

To: Waitaki District Council
Private Bag 50058
Oamaru 9444

1) We, Road Metals Limited (Road Metals) (12 Hazeldean Road, Addington, Christchurch 8024 (PO Box 2341, Christchurch 8014)), apply for a change of a condition of a resource consent in accordance with section 127 of the RMA.

2) The application relates to the following resource consents: LRC99/27

3) The application relates to the following specific condition of the resource consent:
Condition 9.

4) The proposed change is as follows:

Add the following wording to Condition 9:

d. Cleanfilling:

Cleanfilling shall take place generally in accordance with the staging plan included in resource consent application reference LRC16/XX prepared by Golder Associates and dated October 2016. Areas where cleanfilling is taking place shall be top soiled and vegetated in accordance with Condition 9 following the completion of cleanfilling in each stage.

Cleanfill brought to the site shall be in accordance with acceptable materials as set out in section 4.2 of the MfE 2002 Guide to the Management of Cleanfills and shall include the following materials:

- a. uncontaminated soil, rock, gravel, sand, silt and clay;
- b. unlaminated glass containing no fluids;
- c. glass fibres;
- d. bricks;
- e. concrete;
- f. ceramics;
- g. weathered dry asphalt;
- h. tiles;
- i. road metal;
- j. untreated wood comprising less than one percent of any load by volume;
- k. vegetative material comprising less than three percent of any load by volume;
- l. metals such as reinforcing rods that cannot be reasonably separated from demolition materials listed above.



ROAD METALS: CORBETT ROAD - RESOURCE CONSENT APPLICATION

5) The site at which the proposed activity is to occur is as follows:

The quarry site is located at the end of Corbett Road, Hilderthorpe, approximately 15 km north of Oamaru. The location of the site is shown on Figure 1 of Part B of this application. The legal description is Lot 2, 5 Deposited Plan 493064 and Section 67 Block V Papakaio Survey District. A copy of the Certificate of Title for the site is contained in Appendix C. A full description of the site and surrounds is contained in Part B of this application.

6) There are no other activities that are part of the proposal to which this application relates.

7) There are no additional resource consents required for the cleanfilling activity.

8) We attach an assessment of the proposed activity's effect on the environment that—

- a) Includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
- b) Addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and
- c) Includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

9) We attach an assessment of the proposed change against the matters set out in Part 2 of the Resource Management Act 1991.

10) We attach an assessment of the proposed change against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.

11) We attach the following further information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under that Act:

This application includes an assessment of: the RMA, the operative and proposed Otago Regional Policy Statement and the Waitaki District Plan.

Dated this 20th day of October 2016

Signature:

Signature of the applicant (or person authorised to sign on behalf of the applicant)



ROAD METALS: CORBETT ROAD - RESOURCE CONSENT APPLICATION

Address for service:

Kevin Bligh
Golder Associates (NZ) Limited
Level 2, 129 Hurstmere Road
PO Box 33-849
Takapuna 0740
Telephone: 09 905 3318
Fax: 09 486 8072
Email: kbligh@golder.co.nz

Address for fees/charges for the application:

Jonny Francis
Road Metals Company Limited
PO Box 2341
Christchurch 8014



ROAD METALS: CORBETT ROAD - RESOURCE CONSENT APPLICATION

PART B – SUPPORTING INFORMATION



1.0 INTRODUCTION

1.1 Overview

Road Metals Company Limited (Road Metals) currently hold resource consents LRC99/27 and LRC10/73 which authorise quarrying at the beach end of Corbett Road, Hilderthorpe. Road Metals has been undertaking quarrying and associated activities on this site since the late 1990s in accordance with LRC99/27 and has expanded its operations in the location after 2010 following the grant of LRC10/73.

Road Metals is now proposing to accept cleanfill material at the site to assist with ongoing site rehabilitation, brought in predominantly by way of 'backloads' on trucks already carting aggregate from the quarry. A change to the conditions of LRC99/27 is required to undertake this activity as cleanfilling is not currently provided for at the site.

Part A of this document¹ contains the application form for a change of conditions pursuant to section 127 of the Resource Management Act 1991 (RMA). Part B contains supporting information including an assessment of effects on the environment (AEE) required as part of the application by Road Metals. The application has been prepared in accordance with the requirements of sections 88 and 127 and the Fourth Schedule of the RMA, and the relevant planning documents.

2.0 SITE DESCRIPTION

2.1 The Site

The site is located at the end of Corbett Road, Hilderthorpe, approximately 15 kilometres (km) to the north of Oamaru. The site is zoned Rural General under the operative Waitaki District Plan with part of the site also identified as an area of High Class Soils and a Significant Coastal Landscape.

The site is legally described as Lot 2, 5 Deposited Plan 493064 and section 67 Block V Papakaio Survey District and comprises an area of 28.5120 hectares, as shown in Figure 1. A copy of the Certificate of Title for the site is included in Appendix B.

The site has been quarried since the late 1990s and is now well established as a quarry site. Activities taking place on the site include aggregate extraction and processing, stockpiling of aggregate materials, site offices and amenities, earth bunding, and site rehabilitation. Water for site operations and dust suppression is available to Road Metals from the Lower Waitaki Irrigation Scheme as required.

Quarrying and ancillary activities on the site are authorised by WDC by way of resource consents LRC99/27 and LRC10/73. The areas authorised for quarrying by each consent are generally shown on Figure 1 with the southern part of the quarry authorised under LRC99/27, and the northern part of the quarry under LRC10/73.

It is noted that LRC99/27 was subject to an application for a change of conditions in 2006 (reference LRC06/15) which deleted Condition 5(iii) from the original consent which limited trucks accessing the site to only using Corbett Road as a route to State Highway 1. A copy of LRC99/27 and change of conditions LRC06/15 are included as Appendix C to this application.

2.2 Surrounding Area

The surrounding area is that of a productive rural environment, with the majority of the land being used for pastoral farming and cropping activities on large landholdings.

¹ This report is subject to the report limitations contained in Appendix A.



LEGEND

LRC 10/73

 LRC 99/27 + LRC 06/15

☐ Proposed cleanfill staging

Parcel boundary

LRC
10/73

**LRC 99/27 +
LRC 06/15**

Year 5
2439 m²

Year 7
626m²

Year 10
640 m²

Year 15
1308 m²

Year 6
715m²

Year 9
739 m²

Year 3
10,10 m²

Year 8
831 m²

Year 1
936 m²

Year 1
2767 m²

Year

2 Year
814 m

4 Year 886 r

Year 1
1997-Year
891

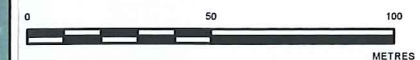
CORBETT ROAD

NOTES

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2. Schematic only, not to be interpreted as an engineering design or construction drawing.

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REFERENCE SCALE: 1:2,000 (at A3)

PROJECTION: NZGD 2000 New Zealand Transverse Mercator

CLIENT
WAITAKI DISTRICT COUNCIL

PROJECT
RESOURCE CONSENT APPLICATION AND ASSESSMENT OF
EFFECTS ON THE ENVIRONMENT

TITLE
PROPOSED CLEANFILL STAGING

CONSULTANT	YYYY-MM-DD	2016-10-10
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PREPARED	KC
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REVIEW RW

APPROVED
KB

PROJECT NO.	REPORT
1659160	001

REPORT
001REV.
0FIGURE
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LEGEND

- LRC 10/73
- LRC 99/27 + LRC 06/15
- Significant coastal landscape
- High class soils
- Parcel boundary

NOTES

- Aerial: LINZ and Eagle Technology, CC-BY-3.0-NZ.
- Schematic only, not to be interpreted as an engineering design or construction drawing.
- Significant coastal landscape and high class soils sourced from Waitaki District Plan Map 23 (18/01/2011).

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REFERENCE SCALE: 1:2,800 (at A3)

PROJECTION: NZGD 2000 New Zealand Transverse Mercator

CLIENT

WAITAKI DISTRICT COUNCIL

PROJECT

RESOURCE CONSENT APPLICATION AND ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

TITLE

PROPOSED CLEANFILL STAGING

	CONSULTANT	YYYY-MM-DD	2016-10-11
		PREPARED	KC
		REVIEW	RW
		APPROVED	KB

PROJECT NO.	REPORT	REV.	FIGURE
1659160	001	0	02

Path: K:\GIS\Projects-Dynamics\2016\24011659160_RoadMetallic_Cleanfill_Clearing\1659160-001-Dr-2002-Road_A3L_GIS.mxd

25mm
* THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN. THE SHEET SIZE HAS BEEN ADJUSTED FROM A3



The site is bordered to the east by the coastline, to the south and west by unformed sections of Corbett Road and an unnamed road respectively, and to the north by an unnamed access track which extends to the coast.

Also present in the wider locality are other features typically found in rural areas including established shelterbelts, utility buildings and horse training tracks.

2.3 Quarry Operations

The site is currently excavated to varying degrees and has well-established site infrastructure including an aggregate processing plant, a site access way, office and amenity blocks, and earth bunding. Road Metals progressively rehabilitates the site once quarrying has been completed in an area, in accordance with Condition 9 of LRC99/27, although no cleanfilling currently takes place on the site.

Quarrying at the site is undertaken using standard quarry machinery such as excavators, dump trucks, a water cart, road truck and trailer units, and other machinery as required.

The quarry is authorised to operate from 6 am to 7 pm Monday to Friday and 8 am to 5 pm on Saturday. The quarry has direct access onto Corbett Road and the number of vehicles entering and exiting the site is limited by the existing consent to an average of 7 return trips per day.

The site supplies various concrete, roading and drainage aggregates to contractors and the public.

2.4 Roothing Network

The site has direct access to and from Corbett Road. The proposed rehabilitation and filling operation will result in no change to the existing road network or the number of vehicle movements allowed under the current consent given that cleanfill will be brought to the site predominantly as 'backloads' by those trucks already carting aggregate from the site.

2.5 Other Values

Given that the site is an operational quarry, it is highly modified such that the pastoral grasslands that previously existed are now largely removed. There are no streams running through the site and it is considered that the site has very limited ecological value.

Parts of the site are identified as having High Class Soils and Significant Coastal Landscape values under the District Plan, areas are shown on Figure 2 below. It is noted that the landscape values in this area have been all but removed, being primarily located in previously disturbed areas of the quarry. Soil values will be able to be restored following final rehabilitation of the site.

3.0 DESCRIPTION OF PROPOSAL

3.1 Cleanfilling Operations

Cleanfill, which complies with the definition for such material in accordance with the Ministry for the Environment's (MfE) A Guide to the Management of Cleanfills 2002, will be brought to the site predominantly as backloads by trucks already carting aggregate from the quarry, and will be unloaded at the fill 'tip head' prior to being spread across the cleanfill area by a loader. In wetter months, a bulldozer or tracked loader may be also be used. Fill will then be track-rolled to achieve greater compaction. It is proposed that up to a maximum volume of 5,000 m³ per year will be received at the site, although the average annual volume is expected to be less than this.



Visual inspections of the quality of the fill material coming to the site will assist in ensuring that the material is consistent with any resource consent requirements, and any unacceptable loads will be turned away from the site. This will take place by inspecting all material as it is placed at the fill tip head locations. Should any unacceptable loads reach the tip head and be unloaded, it will be removed from the site for transportation to landfill.

An indicative staging plan for cleanfilling over the next 15 years is shown on Figure 1. While the staging of cleanfilling may differ from the staging shown, the actual stage sequence may vary depending on operational requirements and final fill volumes placed, however these are unlikely to be a substantial change from that shown (Figure 1). Prior to back filling commencing, a Fill Management Plan will be prepared.

There will be no increase in the total number of trucks allowed for by the current conditions of LRC99/27 given that the vast majority of cleanfill will be brought to the site as 'backloads'.

The area within which cleanfill is to be placed is located entirely within the southern part of the site. It is necessary to change the conditions of LRC99/27 to enable the cleanfilling activity to occur.

3.2 Rehabilitation

Following completion of filling in an area, rehabilitation will take place.

Rehabilitation activities at the site will continue to be in accordance with the conditions of LRC99/27, in particular Condition 9, and will be based on the following principles:

- Development of a free draining landform following completion of backfilling in an area.
- Re-grassing by spreading stored topsoil and subsoil, and replanting with suitable grass species as soon as practicable to reduce erosion.
- Establishment of worked areas to a slope of no more than 1v:3h to reduce erosion and to leave the site in a safe and stable condition.
- Control of weeds.
- Monitor and maintain rehabilitated areas to ensure they are functioning appropriately post-closure for a period of 12 months and/or until 80 % groundcover is established.
- On completion of filling and rehabilitation activities, Road Metals will remove all mobile machinery from the site, and secure the site so as to be suitable for its ongoing use.

3.3 Future Land Use

The final rehabilitated ground level is yet to be determined but will ultimately depend on the availability of backfill and Road Metals' plans for the future use of the site. It is likely that rehabilitation will be undertaken to enable the site to be used for rural activities.

4.0 PROPOSED CHANGES TO CONSENT CONDITIONS

Road Metals requests that Condition 9 of LRC99/27 be amended by adding a new subsection (d) as follows: (note underline indicates proposed additions):

d. Cleanfilling:

Cleanfilling shall take place generally in accordance with the staging plan included in resource consent application reference LRC16/XX prepared by Golder Associates and dated October 2016.



Areas where cleanfilling is taking place shall be top soiled and vegetated in accordance with Condition 9 following the completion of cleanfilling in each stage.

Cleanfill brought to the site shall be in accordance with acceptable materials as set out in section 4.2 of the MfE 2002 Guide to the Management of Cleanfills and shall include the following materials:

1. uncontaminated soil, rock, gravel, sand, silt and clay;
2. unlaminated glass containing no fluids;
3. glass fibres;
4. bricks;
5. concrete;
6. ceramics;
7. weathered dry asphalt;
8. tiles;
9. road metal;
10. untreated wood comprising less than one percent of any load by volume;
11. vegetative material comprising less than three percent of any load by volume;
12. metals such as reinforcing rods that cannot be reasonably separated from demolition materials listed above.

5.0 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

5.1 Introduction

The potential effects of the proposed backfilling of the quarry with cleanfill are assessed in the following sections of this report. Measures for avoiding, remedying or mitigating adverse effects are also discussed where relevant.

The following potential effects have been identified and assessed below:

- Effects on the soil resource.
- Effects on water quality.
- Effects on air quality.
- Visual and landscape effects.
- Traffic effects.
- Noise effects.
- Positive effects.

5.2 Effects on the Soil Resource

While it is acknowledged that the area within which cleanfilling will take place is partially identified as an area of High Class Soils, this area has already been subject to quarrying. In accordance with the requirements of LRC99/27, topsoil from these areas is stored in bunds and will be used in future site rehabilitation. It is not considered that the cleanfilling will detract from the final rehabilitation of these areas and will in fact provide additional scope to recreate a useable final land form post quarrying and cleanfilling.



In terms of the material to be deposited on the site as cleanfill, all material brought to the site will constitute cleanfill in accordance with the provisions of the MfE 2002 Cleanfill Guidelines. There is some potential for soil quality effects to occur through the importation of the cleanfill if unacceptable material is brought onto the site. To prevent unacceptable material making it into the cleanfill, all loads delivered to the site will be visually inspected by site staff at the fill tip head and any loads found to be unsuitable will be taken off site for disposal at landfill.

To assist in management of the site and to ensure that soil quality is not adversely affected, a Fill Management Plan will also be prepared prior to back filling commencing.

In summary, given that only cleanfill will be deposited within the site, and given the range of mitigation measures proposed, any adverse effects on the soil resource at the site will be avoided, remedied or mitigated to a level which is less than minor.

5.3 Effects on Water Quality

Potential effects of the proposed backfilling on groundwater quality are similar to those effects on soil quality discussed above. That is, if unacceptable fill material is brought onto site, there is potential for contaminants to leach into groundwater. As noted above, to prevent unacceptable material making it into the cleanfill, all loads delivered to the site will be visually inspected by site staff at the fill tip head and any loads found to be unsuitable will be taken off site for disposal at landfill.

With respect to surface water quality, the only water body in close proximity to the site is the coastal marine area. The areas of cleanfilling are proposed to be along the western side of the site away from the coast, and stormwater from this area will be managed so as not to discharge off site.

Overall, no adverse effects on water quality are expected as a result of the proposed activity.

5.4 Effects on Air Quality

5.4.1 Potential effects

Cleanfill operations give rise to dust emissions that are similar in character and are no worse, and in many cases better, than dust from quarry operations.

Dust nuisance effects include impacts on amenity, visibility, and impacts on structures, such as soiling and abrasion. Effects of dust deposition on plant life can also occur where there are significantly high dust deposition loadings and sensitive vegetation when in very close proximity to a source. Impaired visibility effects close to a source can also occur when there are significant dust emissions.

Owing to the small volumes of cleanfill proposed at the site and in the context of the existing quarry activity, it is anticipated that any dust effects will be imperceptible from the existing quarry operation. Furthermore, the closest house to the quarry site is located approximately 500 m from the quarry operation and the proposed areas of cleanfilling. This distance is in excess of the Environment Protection Authority Victoria 2013 (EPA Victoria) 'recommended separation distances for industrial residual air emissions'. In the absence of specific New Zealand guidance, these buffer guidelines have been extensively used in New Zealand. EPA Victoria recommends a separation distance from quarries (including quarrying, crushing, screening, stockpiling and conveying of rock), that operate without the use of blasting, to sensitive activities of 250 metres (m). The 500 m distance to the nearest residential dwelling is well in excess of this distance.



5.4.2 Dust mitigation measures

To limit dust emissions from the backfill operation the following mitigation measures are proposed:

- A water cart will be used for dust suppression during dry weather so that working areas, haul roads and stockpiles are kept damp. This is consistent with Condition 8 of LRC99/27.
- Vehicle speeds will be kept below 25 km per hour in accordance with the requirements of Condition 8 of LRC99/27.
- Areas backfilled with cleanfill will be re-grassed by spreading stored topsoil and subsoil and replanting with suitable grass species as soon as practicable. This will limit potential for dust generation by minimising exposed surfaces.
- Total stockpiled volumes of cleanfill materials will not exceed a maximum of 2,000 cubic metres (m³).
- Existing bunds and vegetation within the site and along site boundaries will be retained. The retention of screening will assist in minimising dust particles being transported from the site.

Overall the above measures are considered appropriate to manage any minor dust emissions likely to arise from cleanfilling on the site and are consistent with the existing conditions of LRC99/27.

5.4.3 Summary

As discussed, there are no residential dwellings or other highly sensitive activities located within 250 m of the proposed backfilling activity, with the closest residential dwelling being located around 500 m from the site.

Combined with the limited scale of operations proposed, and the dust management and mitigation measures to be implemented, it is considered that any potential or cumulative dust effects of the proposal will be less than minor.

5.5 Visual and Landscape Effects

Visual and landscape effects associated with the proposed backfilling operation will be no greater than those associated with quarrying. While it is acknowledged that the cleanfilling activity is proposed to take place within an area identified on the District Plan planning maps as being a Significant Coastal Landscape, this area has already been subject to extensive quarrying and any landscape values that previously existed are likely to have already been compromised.

During the backfilling operation itself the bunds that surround the site will be retained, screening views from nearby locations. Once all cleanfilling has been completed and final site rehabilitation has occurred, the resultant landform will be more consistent with that which existed prior to quarrying commencing on site.

Overall it is considered that the potential visual and landscape effects associated with the activity will be less than minor, and ultimately the cleanfilling activity and rehabilitation of the site will be positive.

5.6 Traffic Effects

As detailed in Section 3.1, there will be no increase in vehicle movements with the majority of cleanfill material to be brought in as backloads. Vehicle movements will comply with the requirements of the existing resource consent LRC99/27 via the vehicle access that has already been established as part of the quarry operations.



On this basis, it is considered that there will be no traffic related effects as a result of the proposed change to Condition 9 of LRC99/27.

5.7 Noise Effects

It is considered that any potential for noise effects arising from the proposed cleanfill activity will be negligible. Noise effects on the site are dominated by aggregate processing and vehicle movement and the disposal of cleanfill on the site will be imperceptible from current quarrying operations taking place on the site.

It is also noted that the proposed operating times of the cleanfill activity will be within the currently authorised quarry hours.

5.8 Positive Effects

Utilising quarry sites to dispose of cleanfill enables the disposal of inert waste material at relatively low cost (i.e., as opposed to disposing such material to landfills).

Road Metal's site provides an excellent location for disposing of cleanfill, owing to the limited presence of any nearby sensitive receivers, the capacity of the site to take this material and the ability of Road Metals to implement appropriate on-site management and mitigation measures. The proposal also minimises the need for additional vehicle movements and costs that would be incurred by development and infrastructure work, were aggregate sourcing and cleanfill disposal having to occur in separate locations.

The site also has an established access point which can accommodate vehicle movements associated with the proposal while the backfilling will provide ongoing employment for site staff and contractors.

5.9 Summary

It is considered that the proposed cleanfill activity will result in negligible changes in effects to those which arise from the existing quarry operation. Any effects will be difficult to distinguish from the existing quarrying activity that is already authorised at the site and no person is considered to be adversely affected by the proposal. There are also positive effects as noted above, which will arise from the proposal and help provide for peoples economic and social wellbeing.

6.0 CONSULTATION

At this stage, Road Metals has not carried out consultation with the general public as the backfilling activity is not anticipated to adversely affect any specific parties or the wider environment. There will be no increase in traffic movements to or from the site as a result of the proposal and all cleanfilling will be contained within the site.

A pre-application telephone discussion and subsequent email exchange took place with Sherilyn Byron of WDC prior to lodging the application², where it was agreed with the applicant that a change of conditions in accordance with section 127 of the RMA would be the most appropriate means of authorising the proposed cleanfill activity.

² Telephone conversation between Kevin Bligh and Sherilyn Byron on 27 September 2016.



7.0 STATUTORY ASSESSMENT

7.1 Introduction – Section 127 of the RMA

Section 127 of the RMA allows the holder of a resource to apply to a consent authority for a change or cancellation of a condition of the consent, subject to the following provisions:

- 1) *The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent, subject to the following:*
 - a) *the holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under Section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and*
 - b) *no holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.*
- 2) *Repealed.*
- 3) *Sections 88 to 121 apply, with all necessary modifications, as if—*
 - a) *the application were an application for a resource consent for a discretionary activity; and*
 - b) *the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.*
- 3A) *...*
- 4) *For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who—*
 - a) *made a submission on the original application; and*
 - b) *may be affected by the change or cancellation.*

Subsection (1)(a) is not relevant as it applies only to subdivision consents. In accordance with subsection (1)(b) this application does not relate to a condition on the duration of the consent.

Section 127(3) of the RMA states that for such applications, sections 88 to 121 apply, the application is to be processed as if the application is for a discretionary activity (section 127(3)(a)) and all aspects of the application, including the assessment of effects, only need to relate to the changes being sought (section 127(3)(b)).

Section 127(4) of the RMA states that for determining who is adversely affected by the change or cancellation, WDC must consider every person who made a submission on the original application and who may be affected by the change. While there were a number of submissions on the original application (LRC99/27), only one submission was made to the change of conditions sought in 2006 (LRC06/15).

Irrespective of this, as discussed in Section 5.0 above, the effects of this proposal are considered to be less than minor and no person is considered to be adversely affected by the proposed change of conditions.

7.2 Resource Management Act

7.2.1 Part 2 considerations

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

Section 6 of the RMA identifies matters of national importance which shall 'be recognised and provided for', while section 7 identifies other matters which shall 'be had regard to' under the Act.



Section 6 matters (a) and (b) are set out below.

- “(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.”*

While these matters are acknowledged, owing to the presence of the Significant Coastal Landscape overlay, it is considered the proposal is consistent with these matters as the rehabilitation of the site with cleanfill, is an appropriate use of the site and will ultimately contribute to achieving a landform that integrates within the surrounding environment. As noted previously in Section 5.5 any landscape values that did exist prior to quarrying on the site are likely to have already been compromised.

The following section 7 matters are considered to be relevant to this application:

- “(b) the efficient use and development of natural and physical resources;*
- (c) the maintenance and enhancement of amenity values;*
- (f) maintenance and enhancement of the quality of the environment”*

The backfilling of the Corbett Road Quarry with cleanfill helps enable effective rehabilitation of the quarry site as it prepares the site for potential future uses, thereby enabling people to meet the reasonably foreseeable needs of future generations. Overall it is considered that the proposed activity is consistent with sections 7(b), (c), (f) and (g) as it will enable the effective rehabilitation following the extraction of an aggregate resource, while not adversely affecting amenity values or the quality of the overall environment. Specifically, in consideration of section 7(b), utilising quarry pits by backfilling with cleanfill, provided the proposed management and mitigation measures are adopted, is considered an efficient use of the natural land resource at the quarry, and the physical resource of cleanfill.

Section 8 of the RMA requires specific regard to be had to the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). It is considered that, for this proposal, there are no specific Treaty of Waitangi matters requiring consideration in accordance with section 8 of the RMA.

Given the nature of the proposal, together with the mitigation measures proposed and the benefits to be derived, it is considered the proposal is consistent with Part 2 of the RMA and accords with the relevant matters set out under sections 5 to 8 of the RMA.

7.2.2 Sections 95A to 95F – notification

Section 127(4) of the RMA states that *“for the purposes of determining who is adversely affected by the change or cancellation, the Consent Authority, must consider, in particular, every person who—*

- (a) made a submission on the original application; and*
- (b) may be affected by the change or cancellation.”*

While the original consent (LRC99/27) and the subsequent change of condition application (LRC06/15) received submissions, given the very minor nature of the change being sought and as the effects on the environment have been assessed as negligible, it is considered that there are no parties who are likely to be affected by the proposed change. It is noted that there were no submissions in opposition to Road Metals most recent expansion of the site authorised under resource consent LRC10/73.

Under section 95A(4) there are not considered to be any special circumstances that exist in relation to the application that would warrant its notification. Therefore, it is considered that this application for a change of conditions can be processed on a non-notified basis and without the need for any affected party approvals.



7.2.3 Section 104 considerations

Given that section 127 of the RMA specifies that an application to change conditions of a resource consent is subject to the requirements of sections 88 to 121, section 104 matters have been assessed below.

For any resource consent application, section 104 of the RMA requires the consent authority, in making a decision on a resource consent application, to have regard to:

- The actual and potential effects on the environment of allowing the activity (section 104(1)(a)).
- The relevant provisions of any national environmental standard, other regulation, national policy statement, coastal policy statement, regional policy statement or proposed regional policy statement, plan or proposed plan (section 104(1)(b)).
- Any other matters considered relevant or necessary to consider (section 104(1)(c)).

The actual and potential effects associated with the proposal have been assessed in Section 5.0 of this document. An assessment of the proposal against the relevant provisions of the Waitaki District Plan and the operative and proposed Otago Regional Policy Statement (ORPS) are contained in the following sections of this document.

7.3 Relevant Planning documents

7.3.1 Regional Policy Statement for Otago

The RPS, which became operative in October 1998³, provides an overview of resource management issues within the region. The purpose of the RPS is to promote the sustainable and integrated management of the region's natural and physical resources.

The matters of regional significance covered by the RPS include the manawhenua perspective, land, water, air, coast, built environment, biota, natural hazards, energy, wastes and hazardous substances as well as monitoring and review of the RPS and cross-boundary issues.

Chapters 5 (Land), 6 (Water), and 13 (Wastes and Hazardous Substances) of the RPS contain objectives and policies which are relevant to the activities associated with Road Metals' proposal to accept cleanfill as part of the rehabilitation of the site.

Chapter 5 seeks to promote the sustainable management of Otago's land resource (Objective 5.4.1), manage the effects on the natural and physical resources from land use activities (Objective 5.4.2) and protect outstanding features and landscapes from inappropriate subdivision use and development (Objective 5.4.3).

Policies 5.5.2 and 5.5.3 seek the retention of high class soils to enable primary productive activities and the avoidance of use which would remove these soils and to remedy and mitigate adverse effects on such resources where avoidance is not practicable, as well as not adversely compromising the values of these soils.

Policy 5.5.5 seeks to minimise adverse effects of land use activities on water quality including the degradation of groundwater from contaminants and sediments, while Policy 5.5.6 seeks to recognise and provide for the protection of Otago's outstanding landscapes.

As discussed in Section 5.0 above, while the proposed cleanfilling will take place in an area identified as having high class soils and coastal landscape values, it is considered that these values will have already been affected by quarrying on this land and the cleanfilling proposal will in fact assist in the rehabilitation of the quarry site.

³ Since being made operative in 1998, no changes to the RPS have been notified. However, a Proposed RPS, which will totally replace the RPS once it is made operative, was notified in May 2015.



As the material to be deposited at the site is only clean inert fill and is permitted under the Regional Plan: Waste, no adverse effects on groundwater underlying the site are anticipated.

Objectives 6.4.2 and 6.4.3 seek to ensure the quality of Otago's water bodies are maintained or enhanced and that the life supporting capacity of these resources is safeguarded. The proposal will achieve these objectives as no adverse effects on water quality are expected and only acceptable cleanfill materials will be used, which is to be strictly monitored by site staff in accordance with a Fill Management Plan.

Chapter 13 addresses Wastes. While the objectives and policies are mainly focussed on landfill type wastes and the reduction of these, there is recognition of the need to reduce waste. While a cleanfill disposal site is not reducing waste as such, it is providing a much more appropriate means for disposal of inert materials than unnecessarily using up landfill space for the disposal of this material. In this respect it is noted that the Regional Plan: Waste provides for the discharge of cleanfill as a permitted activity.

Overall it is considered that the proposed change of conditions is consistent with the policy direction of the RPS.

7.3.2 Proposed Regional Policy Statement for Otago

The Proposed RPS was publically notified on 23 May 2015, with decisions on submissions being released on 1 October 2016. It is noted that these decisions are still subject to appeal.

The Proposed RPS, once its provisions are deemed to be operative, will establish the future framework of resource management approaches within the Otago region.

The introduction to the Proposed RPS identifies that as a high level policy framework it aims to provide for sustainable integrated management of Otago's resources. The Proposed RPS also identifies the regionally significant issues that are to be addressed in its policy framework. Accordingly, the matters of regional significance covered in Part B of the Proposed RPS include: Kai Tahu values, rights and interests; Otago's high quality natural resources and ecosystem; providing for resilient, safe and healthy communities; and, enabling people to use and enjoy the natural and built environment.

Chapter 3 contains objectives and policies of relevance to the change of conditions sought, seeking to recognise the values of Otago's natural and physical resources including managing effects on water quality (Policy 3.1.1), soil values (Policy 3.1.7), recognising the values of natural features, landscapes and seascapes Policy (3.1.10) and recognising the values of the natural character of the coastal environment (Policy 3.1.11).

For the reasons discussed in Section 5.0 and also in respect of the Operative RPS, it is considered the proposal is consistent with the policy direction of the Proposed RPS.

7.4 Waitaki District Plan

The Waitaki District Plan was made operative on 31 May 2010. The site is identified on Map 23 of the District Plan as being zoned Rural General with parts of the site being identified as High Class Soils and Significant Coastal Landscape.

The relevant objectives and policies are included within Part II Chapter 16 Rural of the District Plan and relate to High Class Soils, Rural Amenity, Mineral Extraction and Landscapes.

Section 16.2.2 Objective 1 and supporting policies in 16.2.3 seek to achieve the retention of the productive potential of high class soils. While the area within which cleanfilling is proposed to occur is identified as being an area of high class soils, it has already been subject to quarrying. In accordance with the existing conditions of consent for the quarrying activity, it is considered that cleanfilling will not prevent the ability to restore this land with stored topsoil for future productive use.



Section 16.5.1 Objective 4 and the supporting policies in 16.5.2 seek to achieve a level of rural amenity consistent with activities anticipated in rural areas. In this respect it is noted that the cleanfilling activity will be almost imperceptible from the existing quarry operation and will not detract from existing levels of rural amenity. No increase in consented truck movements is proposed for the cleanfilling, the closest dwelling is approximately 500 m from the quarry site and the site has existing mitigation such as earth bunding in place to control effects on amenity values of the surrounding area.

Section 16.7.2 Policy 6.4 directs that after mining, sites are rehabilitated sufficiently to enable the establishment of activities appropriate to the area. While existing conditions on LRC99/27 already address rehabilitation (and there is a bond registered on the title by Road Metals in favour of WDC), it is considered that the proposed cleanfilling will also be beneficial to the sites rehabilitation and the speed at which the site can be returned to other rural uses post quarrying.

The Landscape Objectives and Policies in sections 16.8.2 and 16.8.3 are relevant given that the site is partially identified as being a Significant Coastal Landscape. Among other matters, these seek to protect the values identified for the significant coastal landscapes from inappropriate use and development including that the natural character of the coastal environment is preserved and protected from inappropriate use and development. As those parts of the site identified as a significant coastal landscape have already been quarried, it is considered that the backfilling does not constitute inappropriate use and development and will in fact assist in helping return the final landscape to one that complements the surrounding rural landscapes.

As discussed previously, having regard to the range of design, operational controls and mitigation measures which already apply to the site and the limited quantities of cleanfill to be brought to the site, predominantly as backloads, it is considered any effects of the proposed cleanfilling will be negligible and will ultimately make a positive contribution to site rehabilitation. It is therefore considered that the proposal is consistent with the relevant objectives and policies of the District Plan.

8.0 CONCLUSION

Road Metals are seeking a change to resource consent Condition 9 of LRC99/27 to undertake cleanfill at its Corbett Road Quarry, Hilderthorpe.

The potential effects associated with backfilling the site are assessed in Section 5.0 of this document. This assessment identifies that although there is the potential for there to be adverse effects, subject to the management and mitigation measures proposed, it is considered that the adverse effects of the proposal as a whole will be less than minor and no person will be adversely affected. The proposed activity will have positive effects including diverting waste material away from landfill sites, while assisting with site rehabilitation.

The proposed activity is consistent with Part 2 of the RMA and the policy framework of relevant planning documents. Therefore, it is considered the application for a change of conditions can be granted on a non-notified basis.



Waitaki

DISTRICT COUNCIL
TE KAUNIHERA Ā ROHE O WAITAKI

Report on a non-notified Discretionary Landuse Resource Consent Application - s127 application

Considered under Delegated Authority
Section 34 of the Resource Management Act 1991

Consent number:	201.2016.846 – (s127 to LRC 99/27 and LRC 06/15)
Applicant:	Road Metals Company Limited
Site address:	Corbett Road, Oamaru
Legal description:	Sec 67 Blk V Papakaio SD and Lot 2 DP 493064 (CFR 721816)
Zoning:	Operative Waitaki District Plan – Rural General - Map 23. Significant Coastal Landscape overlay
Status:	Discretionary
Description of application:	The existing land use resource consent enables quarrying activities from the subject site in Corbett Road. The site has a Rural General zoning with a Significant Coastal Landscape and high class soils overlays. This s 127 application relates to Condition 9 of LRC99/27. The applicant seeks an amendment to Condition 9 to allow backloads of cleanfill to the site to assist in the sites rehabilitation.

1. INTRODUCTION

This report has been prepared under the Resource Management Act 1991 (RMA), to make a recommendation on a s 127 application to change the conditions of the original resource consent. This application has been processed on a non-notified basis, pursuant to the notification provisions contained in ss95-95G of the RMA. This report also forms the decision and reasons for that decision as is required by s 113(4) of the RMA.

2. SITE DESCRIPTION

The subject site is located at the beach end of Corbett Road, in an area known as Hilderthorpe. The site is approximately 15 kilometres north of Oamaru and approximately 7 kilometres south of the District boundary. The site is zoned Rural General. A significant coastal landscape overlay affects two thirds of the more eastern portion of the site and high class soils have been identified on the northern half of the property. The areas subject to the additional planning notations have been highly modified as they form part of the existing consented quarry area.

Currently access to the site is obtained via State Highway 1 and then along Corbetts Road. The site cannot be readily seen from publicly accessible areas. As the quarry site has been developed top-soil is stripped and stockpiled in bunds around portions of the perimeter of the site. The surrounding farm land is predominantly flat with hedgerows.

The site comprises of approximately 28.5120 hectares and is legally described as Sec 67 Blk V Papakaio SD and Lot 2 DP 493064 (CFR 721816). Figure 1 set out below details the subject site in relation to the surrounding environment, and figure 2 show the site with District Plan zoning overlain.

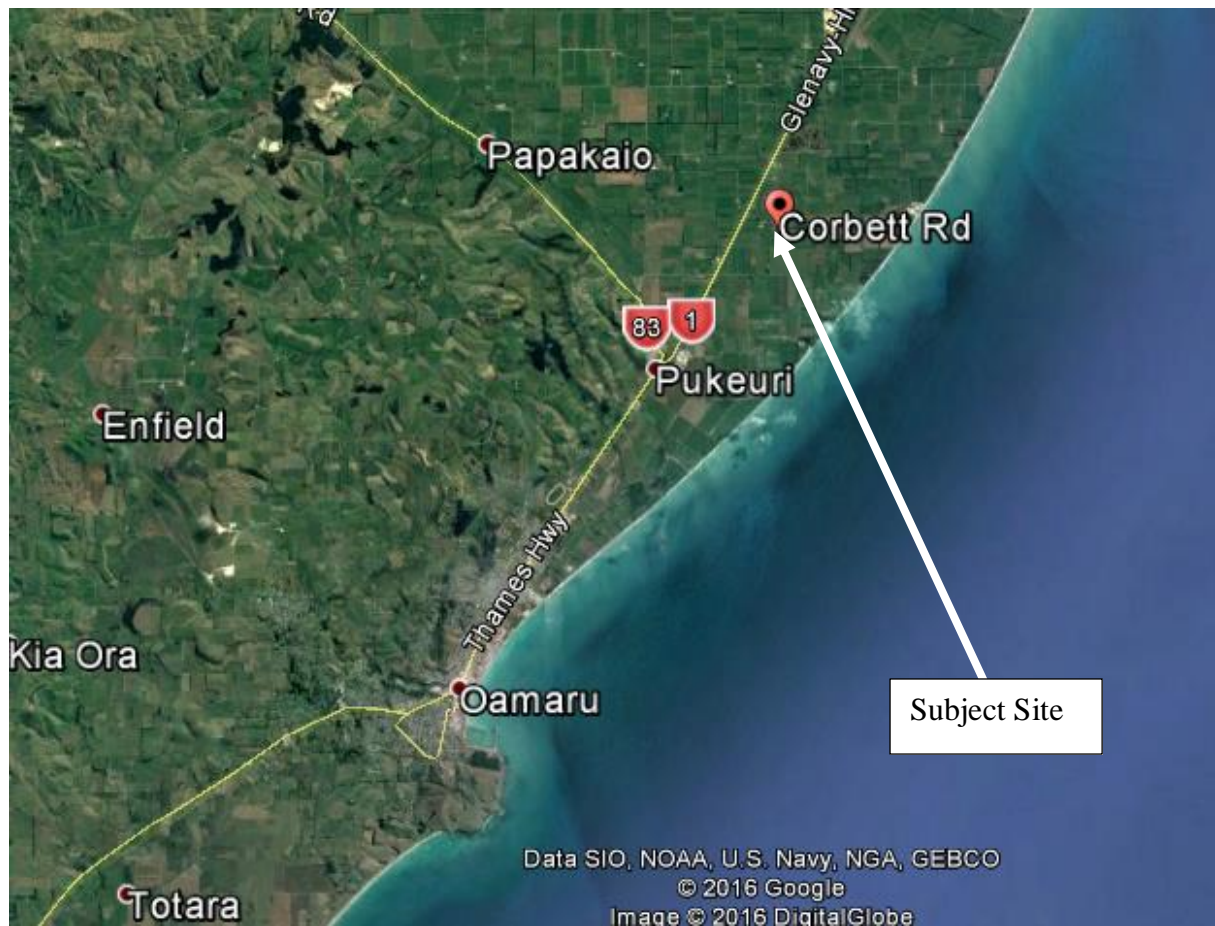


Figure 1: Subject site in relation to the surrounding environment.

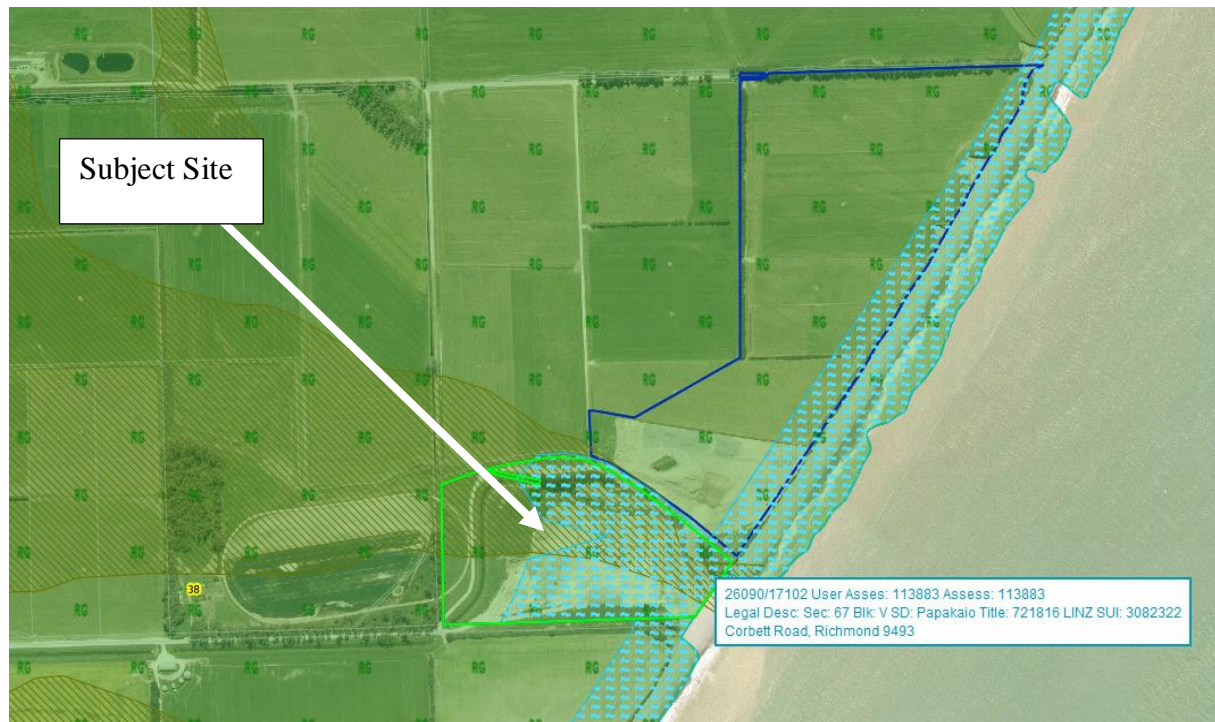


Figure 2: Subject site with District Plan zoning overlay.

3. ACTIVITY DESCRIPTION

Road Metals currently operates a quarry at Corbett Road which supplies roading materials and concrete sand and aggregate for the Oamaru market. The existing quarry on the site was established in 1999 by way of a notified resource consent application (LRC99/27). A further notified resource consent was granted in 2006 (LRC06/15) to allow the quarry trucks to utilise Steward Road as part of the operation. In 2010 Road Metals applied to establish and operate a gravel extraction quarry on Sec 64 Blk V Papakaio SD, the parcel of land adjoining the existing consented quarry activity, in which consent was granted in December of that year.

The applicant is seeking an addition to their existing consent conditions to enable the use of cleanfill to assist in progressively rehabilitating the site. The condition amendment relates to Lot 2 DP 493064 (CFR 721816) and consent LRC99/27 and subsequent amendments.

The applicant is suggesting these additions to condition 9:

Cleanfilling:

Cleanfilling shall take place generally in accordance with the staging plan included in the resource consent application prepared by Golder Associates and dated October 2016. Areas where cleanfilling is taking place shall be top soiled and vegetated in accordance with Condition 9 following the completion of cleanfilling in each stage.

Cleanfill brought to the site shall be in accordance with acceptable materials as set out in section 4.2 of the MfE Guide to the Management of Cleanfills and shall include the following materials:

- a) uncontaminated soil, rock, gravel, sand, silt and clay;
- b) unlaminated glass containing no fluids;
- c) glass fibres;
- d) bricks;
- e) concrete;
- f) ceramics;
- g) weathered dry asphalt;
- h) tiles;
- i) road metal;
- j) untreated wood comprising less than one percent of any load by volume;
- k) vegetative material comprising less than three percent of any load by volume;
- l) metals such as reinforcing rods that cannot be reasonably separated from demolition materials listed above.

Other than the addition to condition 9, the previous application will remain unchanged. All other conditions of consent will remain and will continue to be adhered to. It is proposed that the cleanfill will take place in stages. The proposed scheme plan is set out below.



Figure 3: Proposed cleanfill stages

4. ACTIVITY STATUS

This application has been considered under the requirement of the Operative Waitaki District Plan (the Plan).

As outlined above, the applicant wishes to amend the application(s) and plan(s) originally lodged (and subsequently consent) to facilitate cleanfilling as a part of the site rehabilitation. It is noted that the original application was assessed as a discretionary activity under the then proposed and transition District Plan and processed on a notified basis. The subsequent s127 application to enable access to and from the site via alternative routes was processed on a notified basis at the applicant's request.

Notwithstanding, Section 127 of the RMA allows a consent holder to apply for a change or cancellation of consent conditions. Section 127(3) of the RMA states that in assessing a Section 127 application, Sections 88 to 121 apply, with all necessary modifications, as if the application were an application for a resource consent for a Discretionary Activity; and the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.

Given the above, and overall, this application has been assessed as a **Discretionary Activity**.

5. NOTIFICATION PROVISIONS:

5.1 Statutory Context:

The notification provisions are in sections 95 to 95F of the Resource Management Act 1991.

Under section 95A Council has discretion whether to publicly notify an application for resource consent. The application is required to be publicly notified if:

- Council decides under section 95D that the activity will have or is reasonably likely to have adverse effects on the environment that are more than minor, or

- if the applicant requests, or
- if a rule or national environmental standard requires it.

Under section 95D Council considers effects on the environment, but must disregard the effects on people who own or occupy land on which the activity will occur, or land adjacent to that land.

Under section 95A the application is required to be notified if the applicant requests notification or if a rule/national environmental standard requires notification.

Under section 95B, if Council does not publicly notify an application, Council must decide if there are any affected persons or affected order holders (customary rights order holders).

Under section 95E Council must decide that:

- a person is an 'affected person' if adverse effects on them are minor or more than minor (but not less than minor)
- a person is not an 'affected person' if:
 - they have given written approval (and not withdrawn approval) to the application, or
 - it is unreasonable in the circumstances to seek their written approval.

As a result of section 95E a person who has provided written approval to an application (and not withdrawn approval) does not need to be included in serving notice for limited notification.

5.2 Assessment of Environmental Effects:

This section constitutes an assessment of effects in accordance with sections 95A and 95D. It is noted that Council must disregard the effects on people who own or occupy land on which the activity will occur, or land adjacent to that land.

Section 127(3) of the RMA guides Council in its effects assessment. Any reference to resource consent LRC 99/27 and to the activity in terms of this application must be related only to the change or cancellation of condition 9 and the effects of the change or cancellation of condition 9.

The applicant wishes condition 9 to be amended to include backfilling, which will further facilitate the rehabilitation of the site.

Soil Effects

The extraction of gravel at the existing gravel extraction site has resulted in a changed land contour with the majority of change being a cut below the natural surrounding ground level. However, as the topography is relatively flat the change in contour is only visible if in close proximity to the site. There has been a short term loss of productive farm land and, there may be long term impacts to the productive qualities of the land. As the site is progressively rehabilitated, provided that purely cleanfill material is used, then there would be minimal impacts on the productive quantities of the land long term, provided that the stock piled mid and top soils are re-used to 'cap' the cleanfill waste materials. Where cleanfill waste is deposited consistently with the Ministry's guidelines for cleanfills, then no site contamination or leachate should be generated from the cleanfill site. In addition, discharge permits would be required from the regional authority where there is the potential for contaminant leaching into the receiving environment.

There may be however the potential for soil contamination or adverse effects on the quality of the soil long term if the cleanfill guidelines are not adhered to and adequate monitoring is not implemented. Vigilance is required by the cleanfill operators to ensure that unacceptable waste is not accepted into the cleanfill site. Unacceptable waste has the potential to cause adverse environmental and health effects as landfill material has the potential to change through biological, chemical and physical processes. In my opinion, there could be potential adverse effects on the land and thus soil which may be minor; therefore a standard review condition allowing Council to review the conditions of consent is appropriate to allow for any effects on natural and physical resources (including erosion) not anticipated at this stage.

Given that the quarry activity is consented, erosion and sediment controls are other aspects worth considering as part of the rehabilitation process. The proposed location of the cleanfilling component of the site rehabilitation is located a sufficient distance from the coastal area that erosion should not affect the cleanfilled area. As the material will be cleanfill there will not be any adverse impacts requiring sediment controls.

Water Effects

The existing consented quarry areas are located a sufficient distance from any existing irrigation waterway and the coastline. The cleanfill area is will be of equal distances, setback at least 20 metres. In addition there has been no inception of groundwater at the site. There will be no direct disposal of cleanfill material into rivers or streams or within the coastal marine area. In addition, any discharge of stormwater from the cleanfill site will not be directly into the coastal marine area or intertidal zone, as the surrounding landforms and rehabilitated areas will form a type of buffer zone. If the site does produce any discharges to the coastal or intertidal areas, then additional consents will be required from other agencies.

Water contamination is a consideration in relation to any cleanfilling activity. Provided that the Ministry's guidelines are adhered to there is unlikely to be any leachate and therefore there is no need for liners or collection systems. If there is the potential for discharge of contaminant to occur, then a discharge permit would be required from the regional authority, unless the activity is expressly provided for as a permitted activity.

Similarly, erosion and sediment controls/measures to control discharges are aspects that require consideration. As the proposal relates to cleanfilling activity there is no requirement from a regional perspective for sediment control measures to be in place.

Traffic Effects

The applicant wishes to amend condition 9 by way of additional wording to enable the incorporation of clean filling as a rehabilitation component. It is considered that the heavy vehicle traffic associated with the proposal is within the range that could be expected from normal agricultural operations within the area. There will be no change to the consented number of vehicular movements. Given that these are intermittent and the distances from adjoining residential dwellings, the impacts from traffic effects will remain unchanged and less than minor in respect of this s127 application.

Visual Effects

Dust may be generated during the proposed backfilling component, however given the distance of the site from neighbouring properties it is unlikely that it will be offensive or objectionable at neighbouring property boundaries. Potential visual impacts may occur from this proposal, however the rehabilitation requirements set out in the original consent conditions will ensure any visual amenity impacts are adequately mitigated. The site, once rehabilitated, will eventually have the appearance of farmland, consistent with the surrounding environment.

5.3 Notification Assessment

Section 95B, and sections 95E, 95F and 95G Assessment:

This section constitutes an assessment of potentially affected parties in accordance with sections 95B and 95E.

It is noted that section 127(4) of the RMA states that:

'For the purposes of determining who is adversely affected by the change or cancellation [of a condition], the local authority must consider, in particular, every person who-

- a) made a submission on the original application; and*
- b) may be affected by the change or cancellation'*

The original application LRC99/27 and LRC06/15 amendment was processed as a notified application with written approvals provided from various governmental agencies and individuals.

Particular consideration was given to whether any parties were potentially affected by the current s 127 application. The affects from the s 127 application will primarily be in relation to the soil at the site and ultimately any waterways impacted by the quarry activity at the site. As the application indicated, the cleanfill activity will comply with the applicable Otago Regional Council plans, namely the Waste plan. Therefore it is considered that the affects from this s 127 application will be less than minor. In addition

there will be no other changes to the vehicle movements to and from the site, or any change to the other consented and in existence activity. It is deemed that pursuant to s 95E of the RMA, no persons were identified as being potentially affected by the s 127 application. Accordingly it was not considered necessary to undertake limited notification of the s 127 application pursuant to section 95B of the RMA.

Given the above, it was not considered necessary to undertake notification of the application pursuant to Sections 95B and 95E of the RMA.

Overall, and in accordance with sections 95-95F of the RMA, the application was processed on a **non-notified** basis.

6. CONSIDERATION ASSESSMENT

6.1 Section 104 Assessment:

Applications for resource consent are considered under Section 104 of the Resource Management Act 1991 ("the Act"). Section 104 sets out the matters the Council shall have regard to when considering an application for resource consent. Subject to Part II of the Act, which contains the Act's purpose and principles including matters of national importance, the Council must have regard to:

- any actual and potential effects on the environment of allowing the activity; and
- any relevant provisions of a national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement, a plan or proposed plan; and
- any other matters that the consent authority considers relevant and reasonably necessary to determine the application.

It should be noted that, other than giving pre-eminence to Part II, Section 104(1) gives no priority to other matters. They are all matters to have regard to, and the consent authority must exercise its discretion as to what weight it gives certain matters, depending on the circumstances of the case.

6.2 Actual and potential environmental effects:

An assessment of the environmental effects from this proposal was undertaken as part of the notification provisions assessment at 5.2 above.

6.3 Assessment of District Plan provisions:

Rule 18.2 in the Plan specifies the Mining Activities and Gravel Extraction in the Rural Zone assessment criteria to be considered in assessing this application. Having regard to the assessment of the effects of the proposal and the relevant assessment criteria of the Plan, the following comments in regards to the cleanfill proposal are made:

xxiii Mining Activities and Gravel Extraction - Rural Zones

a) The extent to which the activities of vegetation clearance and the excavation and removal of material associated with mining impact on amenity values, landscapes values and natural conservation values. (Refer to relevant Assessment Matters.)

I concur with the assessment of this Plan aspect undertaken as part of the original consent application. In my opinion the activity will not adversely affect the amenity values, landscape values and natural conservation values as a result of the cleanfilling as a part of the site rehabilitation; specifically the daily number of trucks and other vehicles frequenting the site will remain unchanged. In addition the site is not located in a visually prominent position. The back filling utilising cleanfill will assist the applicant in meeting their other conditions of consent, namely the rehabilitation requirements.

Although the site is located in an area identified on the planning maps as being within a significant coastal landscape, the visual amenity values attributed to significant coastal areas have already been highly modified, and this application will not negatively impact those values any further.

b) The extent to which roads or buildings impact on amenity values, landscape values and natural conservation values. (Refer to relevant Assessment Matters.)

In my opinion the activity will not adversely affect the amenity values, landscape values and natural conservation values as a result of roads or buildings primarily for the reasons outlined above.

c) *The ability of the proposal to rehabilitate the site after mining so:*

- i) that the long term stability of the site is ensured;*
- ii) that the landforms or vegetation on finished areas are visually integrated into the landscape;*
- iii) that the land is returned to its original productive capacity, where appropriate;*
- iv) that water and soil values are protected.*

The quarry has been developed in a sequential manner to avoid having large areas of denuded soil and mining affecting large parts of the site rendering it incapable of production. Thus the sub clauses (i)-(iii) will be met. The water and soil values have already been modified and with the consent amendments are considered to be maintained. There will not be any impacts to water with the acceptance of cleanfill materials as a rehabilitation method. Similarly there will be no additional adverse impacts to soil values. There is no proposed change to the use of topsoil retained for rehabilitation purposes.

d) *The ability of operation to minimise dust, noise, lighting and vibration so that amenity or natural conservation values are not at risk.*

As there will be no operational changes to the existing consented activity, the s127 proposal to allow backloads of cleanfill material to be deposited at the site, is unlikely to affect any of the immediate adjoining landowners. It is unlikely that there will be minor or more than minor adverse effects on those adjoining and adjacent landowners or on the wider community.

e) *The ability of the company to provide a contingency plan for early mine closure, including an evaluation of the risk to the neighbouring community and environment.*

The rehabilitation component of the consented activity reduces the risk to the community and the environment. Additionally this application further enhances the rehabilitation aspect of the existing consented activity and thus reduces the risk from early mine closure.

f) *The ability of the company to provide a bond to the Council annually for the purpose of rehabilitating operation areas in the event of a premature closure.*

There is an existing bond in place in relation to all consented quarry / mining activity. There will be no change to the bond imposed as a result of this application.

g) *The ability of the company to adequately monitor the operations and its effects on the receiving environment.*

Monitoring is an important factor to consider for any consented quarry / mining activity. It appears that Road Metals Ltd have complied with the annual work programme requirements to date. The application indicates that the monitoring undertaken in relation to the proposed cleanfill will amount to visual inspections of loads coming into and being deposited at the site. It is likely that this form of monitoring will be appropriate. A further condition of consent can also be imposed to allow Council to review the consent should any adverse effects arise during the course of the back cleanfilling process.

Overall, the proposal generally accords with the above assessment matters.

6.4 District Plan Objectives and Policies assessment:

Of note, Objective 16.5.1 and the underlying policies are primarily concerned with maintaining a level of rural amenity that is consistent with the range of activities anticipated in the rural areas, but which does not create unacceptably unpleasant living or working conditions for the District's residents and visitors, nor a significant deterioration of the quality of the rural environment. In addition, Policy 16.5.2.3 seeks to ensure decision makers set performance standards or use enforcement provisions for activities that may cause unpleasant living or working conditions for other people in the rural community, or that could cause a significant adverse effect to the environment.

Provided the activity is conducted in the manner proposed and the recommended conditions continue to be adhered to, it is my opinion that the proposed quarry operation and clean filling which forms part of the rehabilitation will not create unacceptably unpleasant living conditions for those landowners adjacent to the subject site. The large separation distance between the site and any adjoining landowners is the

primary mitigating factor in this instance. I therefore consider that the proposal meets the intent of Objective 16.5.1 and Policy 16.5.2.3.

Underlying Objective 6.2.2, Policy 6.2.5 seeks to maintain and improve safety and accessibility within the District by adopting appropriate design, parking and access standards. In addition, Objective 6.3.2 seeks to avoid or mitigate adverse effects on the surrounding environment as a result of transport. The proposed clean filling will be undertaken as back loads of the existing vehicle movements forming part of the quarry operation. Council's Roading Engineer did not raise any concerns with the proposal. Given this, I consider that the proposal meets the intent of Objective 6.2.2, the underlying Policy 6.2.5 and Objective 6.3.2.

Overall, having conducted an assessment of the proposal against the Operative Waitaki District Plan, in my opinion the proposal does not contravene the objectives and policies in Part II of the Plan and assessment matters found in Part III of the Plan.

6.5 Assessment of Other Policy Documents and Plans:

There are no National Environmental Standards (NES) or National Policy Statements relating to cleanfilling operations specifically. There is a NES relating to soil contamination. The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) is a nationally consistent set of planning controls and soil contaminant values. It has been developed to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed and if necessary the land is remediated or the contaminants contained to make the land safe for human use. Provided that the proposed cleanfill site is appropriately managed and monitored, then it is unlikely that any action under this NES will be required.

The New Zealand Coastal Policy Statement guides local authorities in the day to day management of the coastal environment. Given the proposed location of the cleanfill site, the proposal in this instance does not necessitate consideration under this policy document.

Otago Regional Planning Documents:

The relevant regional planning document is the Regional Plan for Waste compiled by the Otago Regional Council (ORC). Cleanfill is defined in the Regional Plan for Waste:

Cleanfill

Generally a natural material such as clay, soil, and rock, and such other materials as concrete, brick or demolition products that are free of combustible or organic materials and are therefore not subject to biological or chemical breakdown.

Cleanfills are listed as a permitted activity where any discharges from the activity, specifically sediment, does not enter any water body.

7.6.3 Cleanfill landfills (permitted activity)

The discharge of any contaminants into or onto land when occurring as the result of cleanfill landfills is a permitted activity, provided that no sediments enter into any water body.

The application has indicated that the proposal will comply with this rule, therefore being assessed as a permitted activity against the regional plan requirements. However in assessing the application, the types of materials proposed by the applicant to be placed into the cleanfill will not meet the ORC cleanfill definition. As such it was necessary to liaise with the ORC and the following comments have been received:

In regards to the Regional Plan: Waste our definition of cleanfill is: Generally a natural material such as clay, soil, and rock, and such other materials as concrete, brick or demolition products that are free of combustible or organic materials and are therefore not subject to biological or chemical breakdown.

Given this definition Council believes that fibre glass, asphalt, wood, vegetative material and metals do not meet this definition as they are subject to biological and chemical breakdown.

Our Rules for Cleanfills are attached below also:

7.6.3 Cleanfill landfills (permitted activity)

The discharge of any contaminants into or onto land when occurring as the result of cleanfill landfills is a permitted activity, provided that no sediments enter into any water body.

7.6.4 Cleanfill landfills (discretionary activity)

The discharge of any contaminant into or onto land when occurring as the result of a cleanfill landfill which does not comply with Rule 7.6.3, is a discretionary activity.

It's up to the individual to determine if they meet this permitted activity rule or not.

It is noted that the regional authority considers the onus to be on the applicant to ensure that the permitted activity status is complied with or the relevant consents are obtained. Given these comments, the amended conditions will reflect the ORC cleanfill definition to ensure compliance with the regional documents.

For conciseness the assessment matters relevant to discretionary cleanfill activity in the Regional Plan for Waste are set out below, and comment is made where appropriate:

7.6.4.1 Assessment matters

In considering any application under this rule, in addition to the matters listed in Section 104 of the Resource Management Act, the Otago Regional Council will have regard to, but not be restricted by, the following matters:

(a) The location of the cleanfill landfill relative to any waterbody, and areas prone to erosion, inundation or subsidence, and areas of cultural, conservation or historic significance;

It is proposed that the cleanfill site will be positioned in the south western portion of the quarry area consented under LRC99/27 and subsequent amendments. The ORC did not provide any specific comment relating to the positioning of the cleanfill activity in relation to the coastline and any potential adverse effects as a result of erosional issues.

(b) The adverse effects on land, water and air arising from any discharges;

If the activity is carried out in accordance with the best practise guidelines as recommended by the MfE and in accordance with any conditions of consent then there is unlikely to be any adverse effects on land, water or air arising from the activity.

(c) The action that is to be taken to avoid, remedy or mitigate any adverse effects of any discharges;

As the proposed activity equates to a permitted activity in terms of the Regional Plan, this assessment aspect is not relevant to the proposal.

(d) The monitoring programme to be implemented.

Although monitoring was not included as an aspect of the amendment proposal, a monitoring component will be incorporated into the change of conditions, thus ensuring any potential adverse effects are minimised.

The s 127 cleanfill proposal is consistent with the methods identified in the Regional Plan for Waste to meet the Objectives and Policies of that document, specifically Method 7.5.12, which seeks to encourage the investigation, evaluation and, where appropriate, promote alternatives to the disposal of waste at landfills.

Overall the s 127 application to enable cleanfilling as part of the quarry site rehabilitation works is consistent with the Regional Plan for Waste.

Other Relevant Documents:

The Ministry for the Environment (MfE) has produced a guidance document for the establishment and operation of cleanfills. That document specifies the types of materials that are acceptable for cleanfill sites. These are detailed in the table below:

Table 4.1: Cleanfills – acceptable materials

Material	Discussion
Asphalt (cured)	Weathered (cured) asphalt is acceptable: After asphalt has been exposed to the elements for some time, the initial oily surface will have gone and the asphalt is considered inert.
Bricks	Inert – will undergo no degradation.
Ceramics	Inert.
Concrete – un-reinforced	Inert material. Ensure that other attached material is removed.
Concrete –reinforced	Steel reinforcing bars will degrade. However, bars fully encased in intact concrete will be protected from corrosion by the concrete. Reinforced concrete is thus acceptable provided protruding reinforcing steel is cut off at the concrete face.
Fibre cement building products	Inert material comprising cellulose fibre, Portland cement and sand. Care needs to be taken that the product does not contain asbestos, which is unacceptable.
Glass	Inert, and poses little threat to the environment. May pose a safety risk if placed near the surface in public areas, or if later excavated. The safety risk on excavation should become immediately apparent, so glass is considered acceptable provided it is not placed immediately adjacent to the finished surface.
Road sub-base	Inert.
Soils, rock, gravel, sand, clay, etc	Acceptable if free of contamination (see 4.3.2 for definition of contaminated soil in this context).
Tiles (clay, concrete or ceramic)	Inert.

Figure 4: Acceptable cleanfill materials as set out in the current MfE cleanfill guidance document.

In addition to the acceptable materials, there is a list of conditionally acceptable materials. These materials are generally able to be cleanfilled, provided that quantities are controlled or testing is undertaken to ensure materials meet the acceptable materials guidance.

The applicant is proposing to place some materials within the cleanfill site which do not meet the acceptable materials criteria. The approach taken in the guide is that no amount of unacceptable waste is permitted. However, it is acknowledged that reasonableness in approach is required and that small amounts of vegetation mixed with soil or steel or timber attached to concrete for example are unlikely to have significant environmental effects. Additionally, unacceptable waste must be rejected from the cleanfill site and deposited of appropriately at a landfill as necessary.

The guide also refers to nominal amounts of green waste and metals and the type of materials described in section 4.2.2, may have specified percentages within the requisite regional or district planning documents, if they are to be accepted at cleanfill sites. The ORC Waste Plan does not contain any such discretion and therefore the onus is, to a degree, on the applicant / consent holder to ensure the relevant regional plan rules are complied with or consent is obtained.

The cleanfill proposal has been flagged to the ORC and the amendments to the conditions will ensure the consent holder is clear about their obligations and potential other consent requirements going forward. Additionally adequate monitoring and an appropriate management plan will be required, therefore, the overall acceptability of the cleanfill proposal is satisfactory.

6.6 Other matters:

Council's Environmental Health Officer, Richard Davies, was asked to comment on this aspect of the proposal and he did not raise any issues.

Additionally, Council's Roading engineer has assessed the change of consent application, and has made the following comments:

Sect 127 change conditions of consent LRC99/27

The land use resource consent has been reviewed and the following recommendations and advisory notes are proposed;

Recommended Conditions

1. If dust is raised as issue Road Metals shall be responsible for containment.

Advisory Notes

1. All previous conditions remain in place.

These comments will be incorporated as conditions of consent where appropriate.

6.7 Section 104B Assessment:

As a Discretionary Activity, Section 104B of the RMA states that Council may grant or refuse this resource consent application, and if it grants the application, may impose conditions under Section 108.

6.8 Conclusion:

For reasons outlined in the above Section 104 assessment, the proposal is not contrary to any relevant provisions of the Operative Waitaki District Plan.

Any actual and potential effects on the environment of allowing this proposal to amend the existing consent condition (condition 9) specified within resource consent 201.2016.846, pursuant to Section 127 of the Resource Management Act 1991 will be less than minor and can be consented to subject to the conditions in the recommendation.

7. RECOMMENDATION:

That the Waitaki District Council hereby grants resource consent to amend the existing consent conditions, specifically being to change condition 9 of consent LRC 99/27 and LRC 06/15, to enable cleanfilling as part of the site rehabilitation works, pursuant to Section 127 of the Resource Management Act 1991, subject to the following conditions (changes to conditions are shown with additions underlined and deletions struck-out):

General:

1. That the activity be in general accordance with the application and plans lodged by the applicant, submitted with application 201.2016.846 and received by Council on 27 October 2016, except where modified by the following conditions. The approved plans are attached.
2. The consent holder shall ensure that, should any human remains or archaeological items be exposed while undertaking works to give effect to conditions of this consent, works in that area will cease immediately. The Police, Heritage New Zealand Historic, and Kaumatua representing the local Tangata Whenua shall be contacted and work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained.
3. Annual Work Programme
The consent holder shall submit to the Council a detailed work programme of operations proposed, prior to the exercise of the consent. The work programme shall be reviewed at least annually, unless the Council notifies the consent holder in writing that a lesser frequency is required. The work programme shall include:
 - i. A description of the sequence of works and procedures adopted during quarrying and processing. This shall include a description of the previous year's rehabilitation work and an assessment of whether the previous rehabilitation work meets the rehabilitation objectives set out under Condition 9.
 - ii. A description of the measures to be undertaken so that the objectives and conditions of this consent will be met at all times.
4. Historic Values
Any artefacts that are uncovered during excavation or removal of the topsoil and overburden shall be reported to the Moeraki Runanga and the Ngai Tahu Maori Trust Board Offices and the N.Z. Historic Places Trust. Any artefacts should subsequently be presented to the appropriate persons or organisations.

5. Consultation

During operations the consent holder shall appoint an employee agent fully authorised to liaise with those affected by the project, consider their concerns and where necessary, take appropriate action.

6. Operating Hours

Permissible operating hours for the operation shall be restricted to:

Monday to Friday: 0600 hours to 1900 hours

Saturday: 0800 hours to 1700 hours

Other than where necessary for safety, health or environmental reasons there should be no work carried out on Sundays or statutory holidays.

Advisory Note: These operating hours also apply to the access or egress of trucks to and from the site.

7. Traffic

- i. That trucks and loaders working within the site shall be restricted to a maximum speed of 25km/hr.
- ii. Trucks access and egress to and from the site shall be limited to an average of seven return trips per day, calculated on a per annum basis.
- iii. Trucks travelling to and from the site shall use either Corbett Road or Steward Road as the access and egress route from State Highway 1.
- iv. The consent holder shall supply, install and maintain PW50 "Trucks Crossing" warning signs. These shall be installed in locations approved by the Council's Infrastructural Assets Manager for use when cartage of quarry material is in operation.
- v. The consent holder shall construct an approximately 300m long passing bay on Corbett Road, east of Steward Road. The passing bay shall be located mid-way between Steward Road and the last house before the site. Detailed construction and location to be approved by the Infrastructural Assets Manager.

The passing bay shall be of sufficient width to allow two trucks to pass each other on Corbett Road. The passing bay shall be constructed to the Council's standards that accommodate quarry trucks, sheep trucks or other vehicles and construction details are to be forwarded to Council's Infrastructural Assets Manager for his approval. All costs of construction fall with the consent holder.

- vi. The consent holder shall upgrade the intersection of Corbett Road and State Highway 1 to a design set out in Plan 4 attached with this consent and detailed standards shall be in accordance with Transit New Zealand standards in order to enable the safe operation of the State Highway.

8. Bunding

- i. The consent holder shall construct bunds not less than 3 metres in height in the locations set out on Plan 2 attached with this consent.
- ii. The bunds shall be constructed within a 3 month period after the consent is first exercised.

- iii. Grass shall be established and maintained on the bunds consistent with the rehabilitation conditions set out in condition 9.

9. Noise

- i. Subject to the express provisions of this condition the noise level shall be measured and assessed in accordance with the requirements of New Zealand Standard, NZS 6801:1991 Measurement of Sound and New Zealand Standard, NZS 6802: 1991 Assessment of Environmental Sound.
- ii. The L10 level as measured at the notional boundary of the nearest residential dwelling to the site, shall not exceed the following limits:

Monday to Friday	0700 hours - 1900 hours	L10 55dBA
Saturday	0800 hours - 1700 hours	L10 55dBA
All other times	L10 40dBA	

The notional boundary of any existing dwelling, for the purposes of this condition, shall be a point 20 metres from the most exposed façade.

- iii. All equipment and machinery shall be regularly maintained to ensure noise levels are as low as reasonably attainable but at no time shall they exceed the levels permitted in this consent.
- iv. The crusher and associated equipment shall be operated on the low terrace at the eastern side of the quarry face.

10. Air Quality

The objective of the consent holder shall be to minimise dust nuisance during all rock and gravel extraction and works incidental to rock and gravel extraction, using the following methods:

- i. Minimising the area being disturbed at one time;
- ii. Avoiding, as far as possible, disturbance to the site - including access to and from the site - during dry, windy periods when dust is most likely to be a problem;
- iii. Ensuring materials being moved are kept in a damp state;
- iv. Using water to damp down potential dust at source;
- v. Revegetating disturbed areas at the earliest opportunity.

11. Rehabilitation

The consent holder shall, prior to the first exercise of the consent; present to Council an “indicative rehabilitation plan” which shows an indicative “post operation” plan of the site and a description of the rehabilitation measures required achieving this plan.

- i. The indicative rehabilitation plan shall have the following objectives:
 - To ensure short and long term stability of the site;
 - To minimise post operational nuisance;
 - To protect water and soil values; and
 - To return the land to a productive potential.
- ii. Rehabilitation work shall be subject to the following conditions:

a. QUARRYING AREA: The maximum area of land disturbed and not fully restored, shall not exceed 2 hectares at any time. Disturbed areas shall include the extraction pit, tailings and overburden, re-levelled area and land pre-stripped ready for mining.

b. TOPSOIL: The consent holder shall, as far as practicable, strip and stockpile topsoil from all areas separately from the remaining overburden. All salvaged topsoil shall be used for rehabilitation purposes. Waste rock and overburden shall be returned to the excavations, levelled off and contoured prior to re-spreading topsoil on fines.

c. VEGETATION: The following conditions shall apply to the vegetation rehabilitation programme carried out on the site:

- The consent holder shall progressively undertake vegetation rehabilitation, as areas of practical working size become available.
- The consent holder shall ensure that the vegetation cover established during the rehabilitation programme, shall be sustained in both the short and the long term.

d. CLEANFILLING:

Cleanfilling shall take place in general accordance with the staging plan included in the resource consent application prepared by Golder Associates and dated October 2016. Areas where cleanfilling is taking place shall be top soiled and vegetated in accordance with Condition 11 following the completion of cleanfilling in each stage.

Cleanfill brought to the site shall be in accordance with acceptable materials as set out in section 4.2 of the MfE Guide to the Management of Cleanfills which includes the following materials:

- a) uncontaminated soil, rock, gravel, sand, silt and clay;
- b) unlaminated glass containing no fluids;
- c) bricks;
- d) concrete;
- e) ceramics;
- f) weathered dry asphalt;
- g) tiles;

Only nominal amounts of the following materials shall be deposited into the cleanfilling area. Nominal equates to less than 1% of the total cleanfill volume.

- a) glass fibres;
- b) road metal;
- c) untreated wood;
- d) vegetative material;
- e) metals such as reinforcing rods that cannot be reasonably separated from demolition materials;

Advisory Note:

Resource Consent maybe required from the Otago Regional Council (ORC) where the proposed cleanfill materials do not meet the ORC's definition of cleanfill materials in the Regional Plan for Waste; and therefore cannot meet the permitted activity status for cleanfill landfills.

12. Unformed Road

The consent holder shall not disturb the unformed part of Corbett Road.

13. Water Races and Flood Channels

The consent holder is responsible for the safeguarding of the water race and flood channel, which lie on the perimeter of the site. Any damage incurred as a result of extraction operations must be maintained and repair of the western and southern facing batter slopes. Gravel extraction shall not occur within 10 metres of the adjacent watercourse.

14. Bond

That prior to any excavation, including site preparation, taking place on the application site, a performance bond agreement to a total value of \$50,000 (1999 dollar value) shall be entered into between the consent holder and the Council to ensure compliance with the rehabilitation conditions of this consent. The bond is to be registered on the title to the application site by way of a memorandum of encumbrance and shall bind any subsequent owners and operators of the site.

This condition shall be reviewed, pursuant to Section 129 of the Act, on the first day of October in the year 2009 for the purposes of adjusting the quantum of the bond upwards in order to take into account inflation. This shall be achieved using the criteria set out in appendix A of NZS 3910;1998 (conditions of contract for Building and Civil Engineering Construction).

15. Regional Council

All necessary consents for any discharges into natural water, onto land or into the ground shall be obtained from the Otago Regional Council before quarrying commences.

All necessary consents relating to the cleanfilling activity shall be obtained from the Otago Regional Council before any cleanfilling commences.

16. Consent Duration

The duration of this consent shall be 25 years.

17. Review of Consent

The conditions of this consent may be reviewed annually by the Waitaki District Council for the purpose of dealing with any adverse effects on the environment which may arise from the exercise of the consent, and shall include a review to Condition 5 on traffic, if traffic from the quarry causes any damage to Corbett Road beyond what would be reasonably expected for typical public use.

A decision on whether or not consent conditions will be reviewed will be made prior to August 30 in each year.

18. Charges

Charges set in accordance with Section 36(2) of the Resource Management Act 1991 shall be paid to the Council for the carrying out of its functions in relation to the administrative monitoring and supervision of the consent and for the carrying out of its functions under Section 35 of the Act.

19. Commencement of Consent

Your attention is drawn to Section 116 of the Resource Management Act 1991 which provides that any resource consent which has been granted shall, unless stated otherwise, commence either, when the time for lodging appeals expires and no appeals have been lodged, or when the Environment Court determines the appeals or all appeals are withdrawn.

20. Lapsing of Consent

Your attention is also drawn to Section 125 of the Resource Management Act 1991 which provides that a resource consent that is not given effect to shall lapse on the expiry of two years after the commencement of the consent or such shorter or longer period provided for in the consent; unless the Council agrees to a longer period upon an application made up to three months after the expiry date.

21. Right of Appeal

Please note that pursuant to Section 120 of the Resource Management Act 1991, you may, within 15 working days of receiving notification of this decision, appeal to the Environmental Court against the whole or any part of Council's decision, in accordance with Section 121 of the Act, by writing to:

The Registrar, Environment Court, P O Box 5027, Wellington.

- A. Having considered the effects of the activity on the environment in accordance with Section 104(1)(a) of the Resource Management Act 1991, Council is satisfied that the actual and potential effects of the activity on the environment will be less than minor provided that the amended conditions are complied with.
- B. The granting of the change of consent condition will not be contrary to the intent of the policies and objectives contained within the Operative Waitaki District Plan in accordance with Section 104(1)(b) of the Resource Management Act 1991.
- C. The proposal to change condition 9 of resource consent LRC99/27 will have adverse effects that will be less than minor pursuant to Sections 95-95F of the Resource Management Act 1991. No special circumstances have been identified and no persons were considered to be potentially affected pursuant to Sections 95B-95E of the Resource Management Act 1991. Amendments relating to the General (Condition 1) and recent Heritage New Zealand changes (Condition 2) have been included.
- D. This application (Section 127) has been assessed as a Discretionary Activity as per Section 127 of the Resource Management Act 1991 for which consent may be granted under Section 104B of the Resource Management Act 1991.
- E. Pursuant to Section 104B and Section 108 of the Resource Management Act 1991 specific conditions have been imposed to mitigate any adverse effects of the activity on the environment.

Reported and recommended by: Sherilyn Byron
Resource Management Planner

DECISION

That the above recommendations be adopted for the reasons outlined in this report.

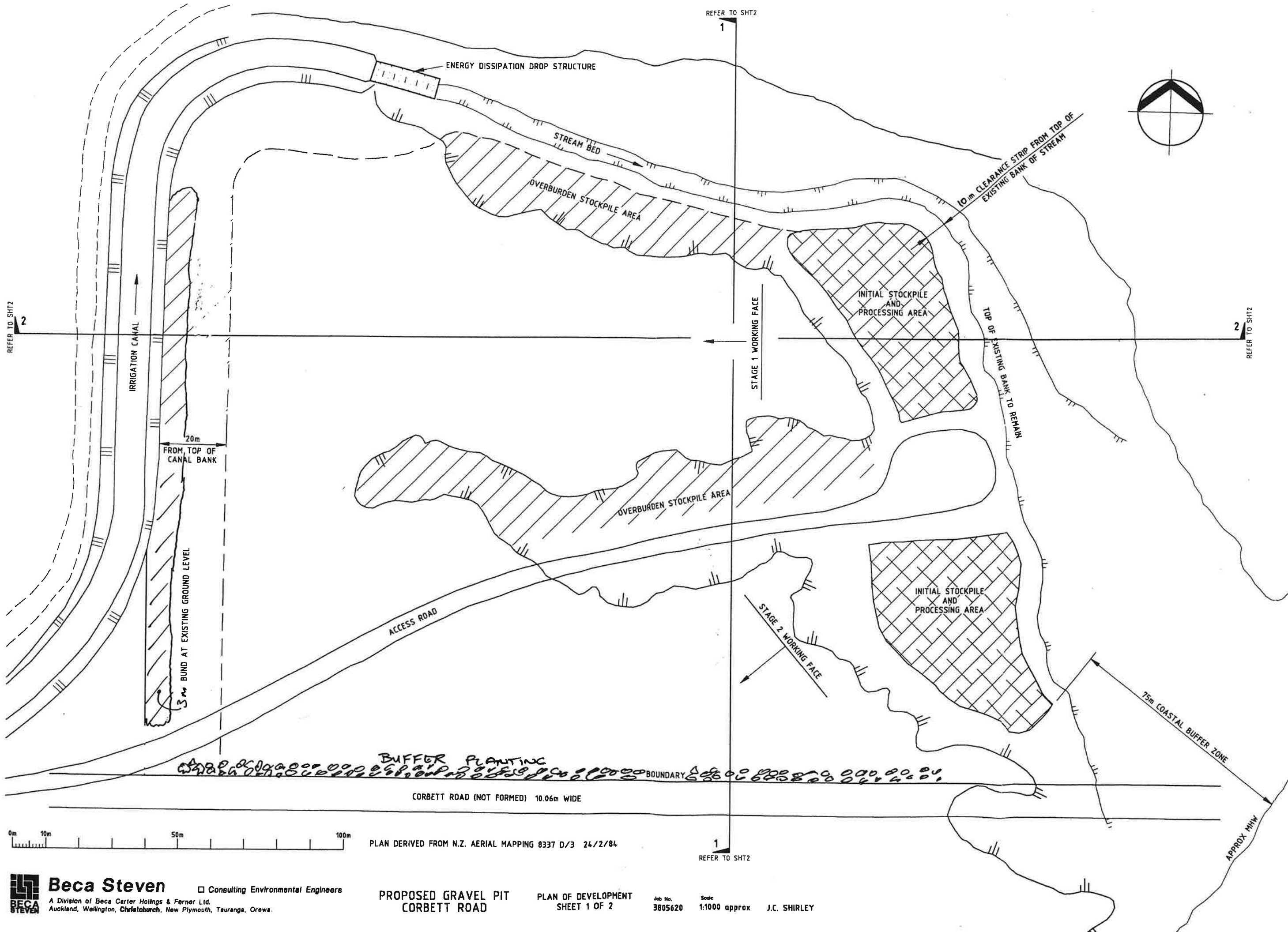
Consent Granted:

..... **Date:**
Peter Kloosterman
Planning Manager



A Division of Becc Carter Holdings & Ferner Ltd.
Auckland, Wellington, Christchurch, New Plymouth, Tauranga, Orewa.

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PLAN DERIVED FROM N.Z. AERIAL MAPPING 8337 D/3 24/2/84



Beca Steven

□ Consulting Environmental Engineers

A Division of Beca Carter Hollings & Ferner Ltd.
Auckland, Wellington, Christchurch, New Plymouth, Tauranga, Orewa.

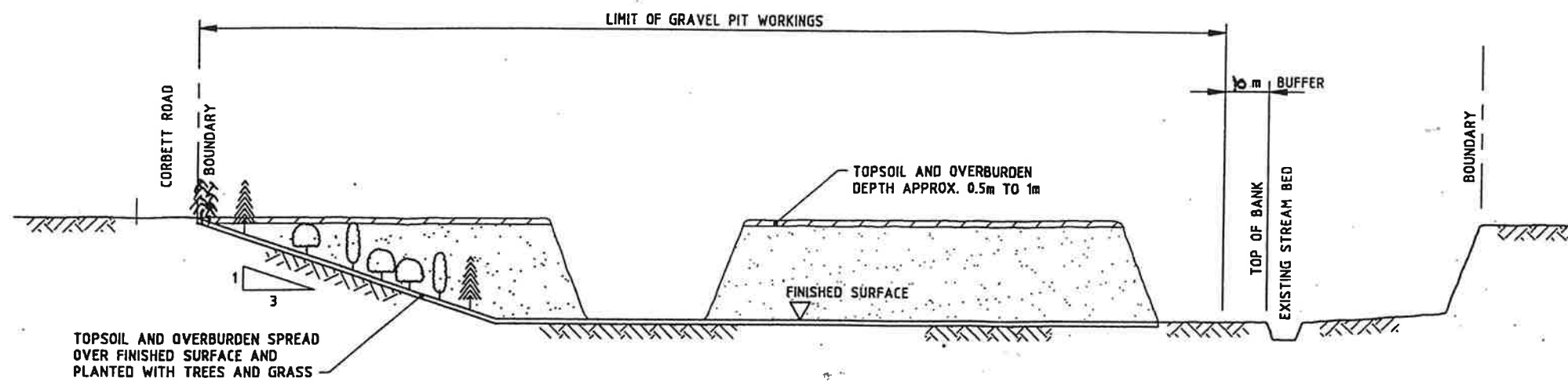
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CORBETT ROAD**

**PLAN OF DEVELOPMENT
SHEET 1 OF 2**

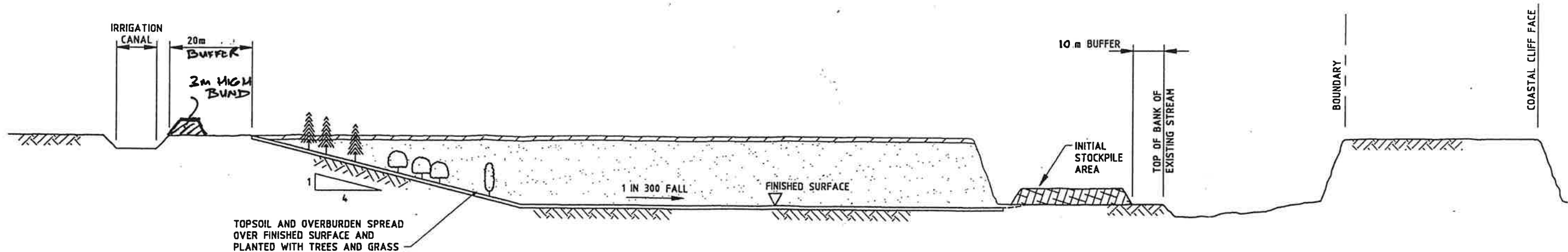
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J.C. SHIRLEY



SECTION 1-1 REFER TO SHT 1



SECTION 2-2 REFER TO SHT 1



File reference LRC06/15
Enquiries to Planning Department

16 August 2006

Road Metals Ltd
20 Regina Lane
OAMARU

Dear Sir

Resource Consent LRC06/15 - Road Metals, Corbett Road, Oamaru

Council has granted a land use resource consent to your application LRC06/15 pursuant to 104(5), 104B and 108 of the Resource Management Act 1991.

The decision on your resource consent was made by the Hearings Committee in accordance with the Resource Management Act 1991.

Date of Hearing 3 August 2006

Granted to Road Metals Co Ltd

Application

Road Metals Company Ltd applied to alter condition 5(iii) of resource consent LRC99/27. Condition 5(iii) of resource consent LRC99/27 states:

"Trucks travelling to and from the site shall use Corbett Road as the access and egress route from State Highway 1."

Zoning

The site is zoned Rural General in the Waitaki District Plan (the Plan) and is shown on planning Map 23.

Submissions Received

The application was publicly notified in the Otago Daily Times on 10 June 2006 with submissions closing on 7 July 2006. One opposing submission was received from the following:

- Shirley Hayes, 4 H RD Hilderthorpe, Oamaru

Decision

Delete condition 5(iii) from resource consent LRC99/27.

Reasons for the Decision

Road Metals Co Ltd is an Oamaru based company which operates an aggregate supply and transport business. In 1999 Road Metals Company Ltd was granted land use resource consent LRC99/27 to quarry aggregate material on their property located at the eastern end of Corbett Road. The activity also involved the use of trucks to transport the aggregate material to various sites around the district. The consent had a number of conditions attached to it in order to mitigate any adverse effects on the surrounding environment, including condition 5(iii) which limited Road Metals Company Ltd trucks to Corbett Road for entry and egress to State Highway 1.

The subject site is zoned Rural General in the Plan. Steward and Corbett Roads are located approximately 10km north of Oamaru. Corbett Road runs directly east from SH 1 to the Road Metals Company Ltd quarry and the sea. Steward Road runs approximately north/south from the intersection of Steward Road, Robertson Road and SH 1 to midway along Corbett Road. Steward Road is also intersected midway by both Hilderthorpe and Simpsons Roads.

The intersection of Steward Road, Robertson Road and SH 1 is a major intersection with good site distances in all directions and train warning bells. Oamaru Airport is accessed via the Steward Road/Robertson Road/ SH 1 intersection.

Having considered the application the Committee accepts the effects of the deletion of the condition would enable the company to use the most efficient route to and from the site. There appeared to be no good reason for the condition to remain. The likely effects on the environment would be minor.

The Committee gave careful consideration to the submissions of Mrs Shirley Hayes who pointed out the danger posed to school children by trucks. The Committee noted that no such restriction applied to trucks from other companies. Children were likely to be affected only in the morning and in the afternoon during school days. It was pointed out that only a few truck movements occurred at those times and that the drivers knew and adhered to the regulation that the speed limit was 20km/hr when passing school buses.

The Committee noted that both Richmond Road and Steward Road intersections with the railway had bells whereas the Corbett Road intersection did not. Accordingly, the Committee concluded that the deletion of the condition would not have any adverse effects on the surrounding environment.

The Committee also believes that the granting of the consent will not be contrary to the objectives and policies contained within the Waitaki District Plan.

Commencement of Consent

Your attention is drawn to Section 116 of the Resource Management Act 1991 which provides that any resource consent which has been granted shall, unless stated otherwise, commence either when the time for lodging appeals expires and no appeals have been lodged, or when the Environment Court determines the appeals or all appeals are withdrawn.

Lapsing of Consent

Your attention is also drawn to Section 125 of the Resource Management Act 1991 which provides that a resource consent lapses on the date specified in the consent or, if no date is specified, five years after the date of commencement of the consent unless before the consent lapses the consent is given effect to or an application is made to the Council to extend the period after which the consent lapses, and the Council decides to grant an extension.

Right of Appeal

Pursuant to Section 120 of the Resource Management Act 1991, you may, within 15 working days of receiving notification of this decision, appeal to the Environmental Court against the whole or any part of Council's decision, in accordance with Section 121 of the Act, by writing to:

The Registrar, Environment Court, P O Box 2069 Christchurch.

Yours faithfully

Val Lucas

Committee Secretary

c.c. Shirley Hayes, 4 H RD Hilderthorpe, Oamaru