APPENDIX H

Statutory Assessment

1.0 INTRODUCTION

This document outlines the statutory framework and related considerations governing the approvals required to establish, operate, and rehabilitate the proposed Screenworks Aylesbury Quarry expansion and associated changes to conditions of existing resource consents for the existing Screenworks Aylesbury Quarry, under the relevant national, regional, district and iwi management planning documents.

2.0 RESOURCE MANAGEMENT ACT – RELEVANT STATUTORY PLANNING DOCUMENTS

The existing Screenworks Aylesbury Quarry site and proposed expansion area are located within the Selwyn District and the Canterbury Region.

The statutory planning documents under the RMA relevant to this application to Canterbury Regional Council (CRC) and Selwyn District Council (SDC) are:

- The National Policy Statement for Freshwater Management 2020
- The Canterbury Regional Policy Statement (CRPS)
- The Canterbury Land and Water Regional Plan (LWRP)
- The Canterbury Air Regional Plan (CARP)
- The operative Selwyn District Plan (SDP)
- The Partially Operative Selwyn District Plan – Appeals Version (POSDP)

An assessment of the relevant rules that trigger the need to seek resource consents for the proposed quarrying expansion activity and associated site operations, is contained in Section 3.0 below.

Section 4.0 contains an assessment of the relevant resource management statutory framework that applies to the consents and change to conditions applications being sought.

3.0 RESOURCE CONSENT REQUIREMENTS AND ACTIVITY STATUS

3.1 Introduction

This section assesses the applicability of the rules contained in the LWRP, CARP, SDP and POSDP in relation to the establishment and operation of the Screenworks Quarry expansion and rehabilitation of the site. Where parts of the activity are permitted activities, the relevant rules are also discussed.

In accordance with section 127(3)(a), an application for a change of condition is assessed as a discretionary activity. This will relate to the existing land use consent and air discharge permit.

There are no National Policy Statements or National Environmental Standards considered directly relevant to the proposal in relation to matters controlled by SDC, as the site is not located on Highly Productive Land (on LUC Class 4 soils) and has no areas of significant indigenous biodiversity, therefore the National Policy Statement for Highly Productive Land and National Policy Statement for Indigenous Biodiversity do not apply. While parts of the existing site are identified on Environment Canterbury's Listed Land Use Register (LLUR), this application does not result in soil disturbance or new activities within these areas. Therefore, the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health is not considered applicable.

The National Policy Statement for Freshwater Management (NPS-FM) is relevant to the application to CRC insofar as applicable policy framework but does not set out consent requirements.

3.2 Canterbury Land and Water Regional Plan

3.2.1 Dust suppressants

Rule 5.18 regulates the use of dust suppressants which the applicant proposes may be used if required. The rule is as follows:

5.18 The discharge of a dust suppressant onto or into land in circumstances where a contaminant may enter water is a permitted activity, provided either of the following conditions is met:

1. The discharge is only of vegetable oil, or of new light fuel or lubricating oil and is:

(a) applied in a manner that does not result in pooling or runoff, with a maximum application rate not exceeding 2 litres/m2 per day and 4 litres/m2 per annum; and

(b) not within 20 m of a surface water body, the Coastal Marine Area, a bore or soakhole; or

2. The dust suppressant is approved under the Hazardous Substances and New Organisms Act 1996 and the use and discharge of the dust suppressant is in accordance with all conditions of the approval.

Screenworks confirms it does not intend to use oil or new light fuel for dust suppression therefore, Condition 1 is not applicable.

Screenworks also confirms that any dust suppressant used will comply with the requirements of Condition 2. Screenworks has used dust suppressants complying with this condition elsewhere in Canterbury, specifically Gravel Lock RDC (Road Dust Control). As such, the use of dust suppressants is permitted in accordance with Rule 5.18.

3.2.2 Stormwater

The quarry expansion is unlikely to generate stormwater, which is defined as runoff which is channelled, diverted, intensified, or accelerated and rainwater will continue to infiltrate to ground.

While the existing quarry operation with hardstand and building areas generates stormwater, consent is currently being sought for this activity by way of a separate resource consent application.

3.2.3 Water take

Rule 5.114 of the LWRP provides for:

The taking and using of less than 5 L/s and more than 10 m^3 but less than 100 m^3 per property per day of groundwater on a property more than 20ha in area is a permitted activity, provided the following conditions are complied with:

1. The bore is located more than 20 m from the property boundary or any surface waterbody.

On approval, the expansion area would be over 20 ha.

While Screenworks is not currently proposing to take groundwater, as it has access to rainwater and dust suppressants, it could in the future look to utilise this rule if needed for operations on site such as the washing of aggregates or dust suppression, subject to compliance with condition 1 and complying with any relevant discharge rules that might be relevant to an activity. Any such use of the permitted activity rule may be required to occur with a partial surrender of an existing irrigation permit over the expansion area.

3.2.4 Earthworks over aquifers

The use of land to excavate material is a permitted activity under Rule 5.175, which provides for the excavation of a volume of more than 100 m^3 of material over an unconfined or semi-confined aquifer, subject to meeting related conditions (i) and (ii) under this rule. The conditions require that:

(i) There is more than 1 m of undisturbed material between the deepest part of the excavation and the highest groundwater level; and
(ii) The excavation does not occur within 50 m of any surface waterbody.

The proposed extraction within the expansion area will comply with the conditions above as the excavation will keep at least 1 m above the highest groundwater level and will not occur within 50 m of a surface water body. It is noted that an SDC water race is shown on Canterbury Maps as running parallel the site to the north, although this is located more than 50 m from any extraction area proposed on the site. Therefore, extraction activities are permitted under Rule 5.175.

Screenworks is not proposing to cleanfill the expansion area but rather reuse material including topsoil, subsoils and reject aggregate from within the excavation, or imported clean topsoil to the site, for rehabilitation of the expanded quarry pit.

Rule 5.177 provides for the use of land and associated discharge of contaminants from the deposition of more than 50 m^3 of material in any consecutive 12 month period onto land, which is excavated to a depth in excess of 5 m below the natural land surface and is located over an unconfined or semi-confined aquifer, where the highest recorded ground water table is less than 5 m below the deepest point in the excavation, and the associated discharge of contaminants onto or into land where it may enter water as a controlled activity subject to meeting conditions 1 to 6 of the rule.

As the depth between the base of the excavation and the HRGWL is expected to be in the vicinity of 30 m, Rule 5.177 is not applicable, and given there is no rule relating to deposition which is contravened by this activity the deposition is permitted under section 9(2) of the RMA.

Rule 5.100 appears to apply to the discharge of contaminants arising from this deposition, by way of a technicality given it is not classified by any other rule in the LWRP. This peculiar situation seems an overhang from 5.177 having originally being incorrectly drafted and included in the LWRP as a land use only rule, such that when the rule wasn't triggered – for example not being within 5 m of groundwater – the filling was considered permitted.

When the rule was corrected through Plan Change 7 to incorporate a discharge component, no corresponding permitted activity rule was included in the LWRP for when deposition of material occurs without tiggering the rule. Such a discharge there is now by default discretionary under Rule 5.100 despite not meeting the effects threshold to warrant a controlled activity.

3.2.5 Refuelling

Screenworks has existing refuelling facilities on its main quarry site and these activities will continue to occur at this location and under the relevant consents held by Screenworks.

Where refuelling will occur elsewhere within the expansion area, such as for the refuelling of generators for powering processing plant, the storage and use of hazardous substances (for refuelling) will be undertaken in accordance with Rule 5.179 of the LWRP, with Screenworks likely proposing a 2000 litre mobile diesel trailer (meeting the definition of a portable container) on site with the relevant containment requirements under the Hazardous Substances and New Organisms Act 1996. Accordingly, compliance with condition 1 is met.

Compliance with condition 2 is also achieved as the trailer will not be located within a Community Drinking Water Protection Zone or stored within 20 m of a surface water body. Therefore, any proposed storage and use of a hazardous substance will be permitted under Rule 5.179.

3.3 Canterbury Air Regional Plan

The site is not located within the Christchurch/Ōtautahi Clean Air Zone as identified by the CARP and nor is it within the Christchurch airshed.

The relevant rules applicable to the proposal are contained within Chapter 7 of the CARP. Rule 7.35 provides for the discharge of contaminants into air from the handling of bulk solid materials, while Rule 7.36 provides for the discharge of contaminants into air from the outdoor storage of bulk solid materials.

The meaning of 'handling' is defined in Table 2.1 of the CARP as "extraction, quarrying, mining, processing, screening, conveying, blasting, or crushing of any material"; and therefore, forms part of the proposed activities.

Condition 1 of Rule 7.35 will be complied with as the activity will not cause an offensive or objectionable effect beyond the boundary of the property of origin, when assessed in accordance with Schedule 2 of the CARP, with dust effects to be controlled through a suite of mitigation measures including through the implementation of a Dust Management Plan (DMMP).

Condition 2 will not be complied with as while the rate of handling shall not exceed 100 tonnes per hour, the discharges from activities within the expansion area will occur within 200 m of a 'sensitive activity', being the dwellings at 23, 137, 153 and 158 Bealey Road.

Conditions 4 and 5 will be complied with as the SMP will contain a DMMP section which will be updated and implemented, should consents be granted.

Conditions 3 and 7 are not applicable as the activity will respectively, occur on more than 21 days per annum and will not involve blasting.

The proposed activity will comply with Conditions 1, 3 and 4 of Rule 7.36 as the activity will not cause an offensive or objectionable effect beyond the boundary of the property of origin, when assessed in accordance with Schedule 2 of the CARP with dust effects to be controlled through a suite of mitigation measures including through the implementation of a DMMP. Condition 2 will be complied with as no more than 1000 tonnes of material under 3.5 mm will be stored on site, while Condition 5 will be met as stockpiling will not occur within 100 m of a sensitive activity, wāhi tapu, wāhi taonga or place of significance to Ngāi Tahu that is identified in an Iwi Management Plan.

In addition to the above assessment, it is noted that Rule 7.32 provides for the discharge of dust to air beyond the boundary of the property of origin from unsealed surfaces or unconsolidated land, as a permitted activity subject to meeting conditions 1 to 3, as applicable to the proposal.

The proposed activity will meet these conditions as a DMMP will be prepared in accordance with Schedule 2 of the CARP and will be implemented as required (Condition 2); and the proposed discharges to air will not cause any offensive or objectionable effect beyond the boundary of the property (Condition 3). There are no buildings proposed within the expansion area and condition 1 is therefore complied with.

In terms of site rehabilitation, Rule 7.49 will not be complied as Condition 2 which requires that the discharge does not occur within 200m of a sensitive activity on another property, will not be complied with. The other conditions of this rule will be complied with as the activity will not cause an offensive or objectionable effect beyond the boundary of the property of origin, when assessed in accordance with Schedule 2 of the CARP with dust effects to be controlled through a suite of mitigation measures including through the implementation of a DMMP, and as not more than 1000 tonnes of material with a particle size of less than 3.5 mm will be stored on site.

As such the discharges to air are discretionary under Rules 7.63 of the CARP as compliance will not be achieved with Rule 7.35 and 7.49.

As processing plant to be used within the expansion area will be powered by electricity from the existing quarry site, it is not necessary to consider the rules relating to large scale fuel burning devices.

3.4 Operative Selwyn District Plan (SDP)

The provisions of the POSDP have been considered in this application. The time for lodging appeals on the decisions on provisions of the POSDP has expired, and upon review of these appeals it is considered that none were received in relation to the relevant rules.

As part of separate discussions for a quarrying application, SDC have provided advice in relation to the appeals on the POSDP in relation to EW-R2 Earthworks and whether the operative SDP would have any relevance in respect of earthworks.

SDC advised that their position in respect of this rule is that it does not apply to quarrying and therefore does not need to be considered in the context of this application and as GRUZ-R21 Mineral Extraction (including quarrying) is operative, the operative SDP earthworks rules are not applicable.

Furthermore, it would appear the only appeals that are applicable to the objectives and policies of the POSDP relevant to this application seek to address matters pertaining to transmission lines and noise from rural activities in so far as making these more permissive.

As such, the provisions of the operative SDP do not need to be considered further.

3.5 Partially Operative Selwyn District Plan – Appeals Version (POSDP)

3.5.1 Introduction

The activity will occur within the General Rural zone. As such the rules within the GRUZ chapter are relevant as are rules within other sections of the POSDP. These include:

- TRAN – Transport
- NH – Natural Hazards
- HS – Hazardous Substances
- LIGHT – Light
- NOISE – Noise
- EW – Earthworks

An assessment against the relevant rules of the POSDP is outlined in the sections below.

3.5.2 General Rural Zone

Consent is required for the expansion of a quarrying activity as a discretionary activity in accordance with Rule GRUZ-R21.3 of the POSDP as the activity does not meet the relevant setback requirements of GRUZ-R21.1. This requires that activity is set back from the notional boundary of any lawfully established residential activity or visitor accommodation, or the site boundary of any lawfully established community or educational facility, except where those sensitive activities are located on the same site by:

- 200 metres from the edge of the excavation area; and

- 500 m from anywhere on site where processing will occur.

As outlined in the AEE, processing and extraction within the expansion may occur within these setback distances relative to the residential activities at 23, 35, 137, 153 and 158 Bealey Road.

Processing of material from the expansion area, may also take place in the existing Aylesbury Quarry. While this would have no more effect than existing processing in this area, it could technically breach the 500 m setback in respect of 23, 35 and 137 Bealey Road and 1062 Railway Road.

It is noted that the site is not located within 500 m of a residential zone.

3.5.3 Transport

The site will continue to be served by the existing heavy vehicle access onto Bealey Road and no increase in vehicle movements is proposed because of the expansion or associated changes of conditions. Bealey Road is an arterial road in this location so does not have rules around maximum vehicle numbers per day.

In summary, the activity complies with the relevant rules and requirements of the Transport Chapter and does not constitute a high trip generator. No changes to parking or access are proposed.

3.5.4 Natural Hazards

Parts of the quarry expansion area are located within the Plains Flood Management Overlay but are not considered to constitute a High Hazard Area[1] as the identified depth during the 1 in 500 flood event is less than 1 m. No additional buildings are proposed which could constitute principal buildings. Any processing plant to be used within the expansion area will not be roofed, being of a portable nature, and therefore is not considered to constitute a building. As such, there are no rules within the Natural Hazards chapter that apply to this proposal.

3.5.5 Hazardous Substances

Rule HAZS-R1 states that the use and/or storage of hazardous substances, excluding a major hazard facility is permitted without any specific rule requirements. As the activity does not constitute a major hazard facility with reference to the Health and Safety at Work (Major Hazard Facilities) Regulations 2016, the use and storage of any hazardous substances on the site is a permitted activity.

3.5.6 Lighting

No fixed lighting is proposed within the expansion area.

The activity is only proposed to occur between the hours of 7 am to 6 pm. Limited lighting exists on the existing quarry and having regard to the location of the activities proposed on the site and the daytime hours of operation, it is considered the activity will be permitted in accordance with LIGHT-R1 for the additional half hour of morning operations sought through the change of conditions.

The lighting will comply with rule requirements REQ1-3. These include that during these daytime hours, a maximum light spill of 5 lux is provided for within the General Rural zone between the hours of 6 am to 10 pm, that all artificial outdoor lighting is directed away from and/or screened from adjoining properties and roads and shall be directed downward and shielded from above to ensure that all light shines below the horizontal.

Screenworks propose to start operations on the existing Aylesbury Quarry half an hour earlier than currently consented, to start at 7 am. While this requires resource consent under s127 for a discretionary activity to change these conditions, any lighting during this half hour period will also comply with the 5 lux requirement.

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[1] Land within any of the:

1. Coastal Erosion Overlay; or
2. Coastal Inundation Overlay; or
3. Waimakariri Flood Management Overlay; or
4. Plains Flood Management Overlay, but limited to land where, in a 1 in 500 year Average Recurrence Interval flood event, either:
    a. the water depth (measured in metres) x the water velocity (measured in metres per second) is greater than 1; or
    b. the water depth is greater than 1m

3.5.7 Noise

A detailed noise assessment has been prepared by Acoustic Engineering Services (AES) and is included in Appendix G. This assessment has considered the proposal against the POSDP noise provisions and discusses noise control measures, or mitigation measures, required to achieve compliance with noise limits, and the effects of the activity on nearby receivers.

The noise report prepared by AES finds that the activity will comply with the POSDP noise rules in all respects with noise levels at all nearby dwellings throughout the entire quarry operation except when works within the expansion area are taking place within 100 m of dwellings. While this would only occur with the written approval of the owners and occupiers of the dwellings, a technical non-compliance would arise under Rule NOISE-R1.2 as compliance would not be achieved with NOISE-REQ1.

3.5.8 Earthworks

As outlined above, where an activity is subject to GRUZ-R21, it is excluded from the Earthworks rules. The activity status under GRUZ-R21 –discretionary, is discussed in Section 3.5.2 above.

On the basis that EW-R2 Earthworks does not apply to quarrying, it is logical that EW-R5 (Earthworks) Stockpiling does also not apply to the activity since earthworks stockpiling would be dependent on earthworks. If it was considered EW-R5 did apply however, then compliance would be achieved with the rule as any stockpiling will comply with EW-R5.1(i) and (ii), including that stockpiling will not be within 100 m of a sensitive activity on an adjoining site.

3.6 Summary of rule assessment

Overall, the proposal requires land use consent from SDC and discharge permits from CRC for discretionary activities.

In addition, the change of condition applications for SDC and CRC will be assessed as discretionary activities.

4.0 RESOURCE MANAGEMENT DECISION FRAMEWORK

4.1 Resource Management Act 1991

Part 2 of the RMA defines the purpose and principles of the RMA, and Part 6 outlines the matters to be considered when making decisions in relation to resource consents. The relevant provisions of these sections are outlined below.

In assessing an application for resource consent, a consent authority is required to determine whether the proposal is consistent with the purpose and principles of the Act (Part 2), having regard to the matters set out in section 104, the Fourth Schedule, and any other statutory consideration. Part 2, as set out under sections 5 to 8 of the RMA, outlines the purpose and principles of the Act.

As determined by the Court of Appeal in the Davidson[2] case, the Court held that the Supreme Court's decision in *Environmental Defence Society Incorporated v King Salmon Company Limited* [2014] NZSC 41 was a contextual rejection of the "overall judgment" approach (whereby reference was made to Part 2 after consideration of relevant planning instruments). The Supreme Court's decision did not prohibit consideration of Part 2 in the context of resource consent applications. The Court of Appeal in *Davidson* held that decision makers should usually consider Part 2 when making decisions on resource consents and must do so where the relevant planning instruments have not been prepared in a way which reflects Part 2. However, consideration of a consent application under Part 2 may be unnecessary where the relevant planning instruments have clearly been prepared in a way which gives effect to Part 2.

In the case of these applications, it is considered the relevant planning documents have been prepared to give effect to Part 2 of the RMA and it is considered that direct detailed assessment of Part 2 is not required as the provisions do not appear invalid, incomplete, or uncertain in respect of the matters relevant to this application.

4.2 Section 104 and 104B

For any resource consent application, section 104 of the RMA requires the consent authority, in deciding on a resource consent application, to have regard to:

[2] Davidson Family Trust v Marlborough District Council [2018] NZCA 316.

- The actual and potential effects on the environment of allowing the activity (section 104(1)(a)).
- Any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity (section 104(1)(ab)).
- 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 6.0 of the AEE and are supported by the landscape, dust and noise technical assessments which find the effects of the activity to be no more than minor.

The assessment of the provisions of the relevant statutory documents are contained within this Appendix and conclude that the proposal is consistent with the relevant objectives and policies of the identified planning documents.

As such, there are no impediments to granting the applications under section 104 and 104B. Under section 104B, if a consent authority grants an application, it may impose conditions under section 108.

4.3 Section 105 and 107

Section 105 of the RMA requires regard be had to the following matters for discharge permit applications:

a) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and

b) the applicant's reasons for the proposed choice; and

c) any possible alternative methods of discharge, including discharge into any other receiving environment.

As discussed in Section 7.0 of the AEE alternative methods of discharge have been considered and the reasons for the applicant's proposed choice explained. There are minimal effects expected to arise from the discharges proposed.

Section 107 directs that a consent authority shall not grant a discharge permit, if after reasonable mixing, the discharge is likely to give rise to the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, any conspicuous change in the colour or visual clarity, any emission of objectionable odour, the rendering of fresh water unsuitable for consumption by farm animals, and any significant adverse effects on aquatic life.

Having regard to the assessment of effects on water resources as discussed in Section 6.6 of the AEE, it is considered that after reasonable mixing, any discharge is unlikely to give rise to any of the adverse effects described in section 107(1)(c) to (g) on either the underlying groundwater resource or any surface water body.

4.4 Section 127

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 was 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 applications seeking changes 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, sections 88 to 121 apply, with the application 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)).

As discussed in the AEE, it is proposed to change the conditions to enable the expansion to occur, align the current operation with the expansion and to be better reflect the nature of current operation – together with any required consequential amendments and changes to the accompanying plans.

Throughout the original application, Screenworks proposal always included a processing plant on the quarry site, the same maximum number of traffic movements as currently proposed, an office and workshop, cleanfilling and site rehabilitation components. Once the required screen planting and temporary bunding is in place, effects will be no more than minor from all offsite locations, subject to the mitigation measures proposed.

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, sections 104 and 105 matters have been assessed, above and below.

4.5 Assessment of relevant objectives and policies

4.5.1 Introduction

In accordance with section 104(1)(b) of the RMA, the relevant objectives, and policies of the national, regional and district planning documents applicable to the proposed activity are considered in this section.

4.5.2 The National Policy Statement for Freshwater Management 2020 (NPSFW)

The NPSFW includes requirements such as managing freshwater in a way that 'gives effect' to the concept of Te Mana o te Wai, improves degraded water bodies, and maintains or improves all others using bottom lines defined in the NPSFW.

Subclause 1.3 of the NPSFW sets out the concept of Te Mana o te Wai as being the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. Further, Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community. The hierarchy of obligations in Te Mana o te Wai, is directly translated to Objective (1) which seeks to ensure that natural and physical resources are managed in a way that prioritises:

a) first, the health and well-being of water bodies and freshwater ecosystems

b) second, the health and needs of people (such as drinking water)

c) and third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

There are six associated principles relating to the roles of tangata whenua and other New Zealanders in the management of freshwater which inform the NPSFW and its implementation as set out under the 'Framework' for Te Mana o te Wai (Part 1, Section 1.3 (4)). The last two principles of Stewardship and

Care and Respect are directly relevant to the applicant's role in proposing this activity. These are as follows:

- Stewardship: the obligation of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations
- Care and respect: the responsibility of all New Zealanders to care for freshwater in providing for the health of the nation.

Considering there should be no adverse effects on freshwater, it is considered the proposal is consistent with the NPSFW.

4.5.3 Canterbury Regional Policy Statement

The CRPS provides an overview of the resource management issues in the Canterbury region. The CRPS contains objectives, policies and methods to address the region's resource management issues with a goal to achieve integrated management of the region's natural and physical resources.

Chapter 5 (Land-Use and Infrastructure), Chapter 6 (Recovery and Rebuilding of Greater Christchurch), Chapter 9 (Fresh Water), Chapter 14 (Air Quality), Chapter 15 (Soils) and Chapter 18 (Hazardous Substances) of the CRPS contain objectives and policies which are directly relevant to the proposal.

Table 1 provides a detailed assessment of the proposal against the relevant objectives and policies of the CRPS.

Overall, the proposal is consistent with the CRPS as the activity will appropriately manage potential effects, including those on soil resources, while providing for extraction and processing of a valuable aggregate resource within the growing Selwyn District and near Christchurch, and extending the life of existing physical resources on the existing Screenworks Aylesbury quarry site.

4.5.4 Canterbury Land and Water Regional Plan

The LWRP identifies the resource management outcomes or goals for managing land and water resources in Canterbury to achieve the purpose of the RMA.

The LWRP maps identify that the site is located over a semiconfined or unconfined aquifer and within the Selwyn-Waimakariri Combined Surface & Groundwater Allocation Zone but not within the Christchurch Groundwater Protection Zone.

The objectives and policies are included within sections 3 and 4 respectively of the LWRP and largely relate to protecting groundwater resources and the efficient use of water, while recognising the benefits of gravel extraction for the construction and roading industry, for economic activity and for the re-build of Christchurch.

Table 2 provides a detailed assessment of the proposal against the relevant objectives and policies of the LWRP.

It is considered that the proposal is consistent with the objectives and policies of the LWRP. The proposal enables gravel extraction vital for growth and redevelopment of infrastructure and buildings to occur, while avoiding potential adverse effects on the environment.

4.5.5 Canterbury Air Regional Plan

The CARP implements an air quality management framework for the region through processes and methods for managing air quality resources in Canterbury, which will achieve the purpose of the RMA. The purpose of the CARP is to establish a resource management approach that manages the human influences on air quality in the region so that people's health and wellbeing is optimised.

The objectives and policies are set out in sections 5 and 6 respectively of the CARP. Table 3 provides a detailed assessment of the proposal against the relevant objectives and policies of the CARP.

Overall, the proposal is consistent with the objectives and policies of the CARP. The proposal will maintain air quality and amenity values, while being appropriately located within a rural zoning where quarrying is already established.

4.5.6 Partially Operative Selwyn District Plan – Appeals Version (POSDP)

The provisions of the POSDP that are applicable to the proposal are Strategic Directions, Transport, Hazardous Substances, Noise, and the General Rural provisions.

The Strategic Directions chapter provides for the overarching direction for the POSDP from which the objectives and policies in other chapters must give effect to. Given that the objectives and policies, discussed below, are consistent with and give effect to the Strategic Direction objectives, these have not been specifically assessed in this document.

Table 4 provides a detailed assessment of the proposal against the relevant objectives and policies of the POSDP.

The proposal is considered consistent with the objectives and policies of the POSDP, particularly those provisions within the General Rural Chapter which provide for activities that have a strategic need to locate on the site. Potential effects, including those arising from traffic, visual and landscape effects, and noise, can all be appropriately avoided, remedied, or mitigated to a level which is no more than minor, and in some cases negligible.

4.5.7 Iwi Management Plans

Consideration has been given accordingly to various Iwi Management Plans including the Te Runanga O Ngāi Tahu Freshwater Policy and the Mahaanui Iwi Management Plan.

In summary, there are no known heritage structures, waahi tapu sites or other sites of significance on the quarry site. Furthermore, there are no proposed direct discharges to water, no disturbance of significant indigenous flora and fauna, and no identified areas of ecological significance on the site. No adverse effects on water resources are expected to arise with no excavation to take place below the highest recorded ground water level and rehabilitation of the expansion area to be with clean soil material only. The mitigation measures proposed for the storage and use of hazardous substances and vehicle maintenance and washing, which will continue to occur within the existing site, will assist in the protection of the water resource due to the avoidance of adverse effects.

Overall, the proposal is considered to be consistent with the relative objectives and policies of the Iwi Management Plan of Mahaanui, the Te Runanga O Ngāi Tahu Freshwater Policy Statement 1999 and the Te Waihora Joint Management Plan.

5.0 SUMMARY OF STATUTORY ASSESSMENT

This report has assessed the proposal to establish, operate and rehabilitate the proposed Screenworks Quarry expansion and associated changes to consent conditions of existing consents for the existing quarry against the relevant statutory framework and related considerations.

The assessment concludes that the proposed activity achieves Part 2 of the RMA and is consistent with the relevant objectives and policies of the NPS-FW, CRPS, LWRP, CARP and the POSDP, and that there are no impediments to granting consents for this application.

The relevant matters set out in sections 104, 104B and 127 lead to the conclusion that the potential adverse effects of the application can be appropriately avoided, remedied or mitigated. The resource consents can therefore be granted subject to appropriate conditions.

Table 1: Canterbury RPS - relevant objectives and policies assessment

Objectives and Policies	Discussion
Chapter 5 – Land Use and Infrastructure	
Objective 5.2.1 Location, design and function of development *Development is located and designed so that it functions in a way that:* *1 …* *2. enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which:* *a) maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural features and landscapes, and natural values;* *b) …* *c) Encourages sustainable economic development by enabling business activities in appropriate locations;* *d) minimises energy use and/or improves energy efficiency;* *e) enables rural activities that support the rural environment including primary production;* *f) is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure;* *g) avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure;* *h) …* *i) avoids conflicts between incompatible activities.*	Providing for the continued extraction of aggregate in this location will provide for the wellbeing of the wider Selwyn and Canterbury community. The location is considered appropriate for this rural activity with the existing Screenworks Quarry already being established. Quarrying is a primary production activity under the National Planning Standards and is a rural activity under the CRPS. The design of the proposed expansion and mitigation measures will ensure adverse effects are appropriately avoided, remedied or mitigated. Extension of screen planting and bunding will ensure visual and landscape effects are minimised and will assist with noise effects. In addition, a minimum 250 m setback for processing activities from the notional boundary of existing off-site residential properties is proposed and stockpiling and load out activities are to be located within the extent of the currently consented quarry operation. This separation distance will also assist in reducing conflicts with incompatible activities. The existing heavy vehicle access into the main quarry site will continue to be used, and the volume of traffic movements associated with the expansion will be of no greater intensity than the current quarry operation. As such it is considered vehicle movements associated with the expansion will be able

Objectives and Policies	Discussion
Objective 5.2.2 Integration of land use and regionally significant infrastructure 1. *To recognise the benefits of enabling people and communities to provide for their social, economic and cultural well-being and health and safety and to provide for infrastructure that is regionally significant to the extent that it promotes sustainable management in accordance with the RMA.* 2. *To achieve patterns and sequencing of land-use with regionally significant infrastructure in the wider region so that:* a) *development does not result in adverse effects on the operation, use and development of regionally significant infrastructure.* b) *Adverse effects resulting from the development of regionally significant infrastructure are avoided, remedied or mitigated as fully as practicable.* c) *There is increased sustainability, efficiency and liveability.*	to comfortably be accommodated by the wider traffic network and will not be distinguishable from current quarry movements. No access is proposed directly onto State Highway 73 or across the railway line, to avoid the need for vehicles associated with the quarry crossing the railway lines which adjoin the site or to access a limited access road. Appropriate dust management measures are proposed to ensure dust does not adversely affect the operation of the railway line or the State Highway which form part of the strategic land transport network.

Objectives and Policies	Discussion
Policy 5.3.2 Development Conditions *To enable development including regionally significant infrastructure which:* *1. Ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclose:* *a) existing or consented regionally significant infrastructure;* *b) options for accommodating the consolidated growth and development of existing urban areas;* *c) the productivity of the region's soil resources, without regard to the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land;* *d) the protection of sources of water for community supplies;* *e) significant natural and physical resources;* *2. Avoid or mitigate:* *a) natural and other hazards, or land uses that would likely result increases in the frequency and/or severity of hazards;* *b) reverse sensitivity effects and conflicts between incompatible activities, including identified mineral extraction areas; and* *3. Integrate with:* *a) the efficient and effective provision, maintenance or upgrade of infrastructure; and* *b) transport networks, connections and modes so as to provide for the sustainable and efficient movement of people, goods and services, and a logical, permeable and safe transport system*	For the above reasons, the proposal is consistent with objectives 5.2.1, 5.2.2, and related policies 5.3.2, 5.3.7 and 5.3.8.

Objectives and Policies	Discussion
Policy 5.3.7 Strategic land transport network and arterial roads *In relation to strategic land transport network and arterial roads, the avoidance of development which:* *1. adversely affects the safe efficient and effective functioning of this network an these roads, including the ability of this infrastructure to support freight and passenger transport services; and* *2. in relation to the strategic land transport network and arterial roads, to avoid development which forecloses the opportunity for the development of this network and these roads to meet future strategic transport requirements.*	
Policy 5.3.8 Land use and transport integration *Integrate land use and transport planning in a way:* *1. that promotes:* *a) the use of transport modes which have low adverse effects;* *b) the safe, efficient and effective use of transport infrastructure, and reduces where appropriate the demand for transport;* *2. that avoids or mitigates conflicts with incompatible activities; and* *3. where the adverse effects from the development, operation and expansion of the transport system:* *a) on significant natural and physical resources and cultural values are avoided, or where this is not practicable, remedied or mitigated; and* *b) are otherwise appropriately controlled.*	
Chapter 6 – Recovery and Rebuilding of Greater Christchurch	

Objectives and Policies	Discussion
Objective 6.2.1 Recovery Network *Recovery, rebuilding and development are enabled within Greater Christchurch through a land use infrastructure framework that:* *1. …* *2. …* *3. …* *4. …* *5. …* *6. maintains or improves the quantity and quality of water in groundwater aquifers and surface water bodies, and quality of ambient air;* *7. maintains the character and amenity of rural areas and settlements;* *8. …* *9. integrates strategic and other infrastructure and services with land use development;* *10. achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure and freight hubs;* *11. optimises use of existing infrastructure; and* *…*	Enabling the continuation of aggregate extraction assists in support of rebuilding and development within Greater Christchurch as envisaged by objective 6.2.1 and policy 6.3.5. The site is expected to provide a valuable source of aggregate near key areas of demand and will help ensure the continuation of aggregate supply to this wider market. The quarry expansion has been designed with appropriate mitigation and remediation measures to ensure that any effects of the proposed quarry expansion on groundwater, surface water, air quality, and character and amenity values are acceptable. A key aspect of these measures is the processing separation distance to existing dwellings of at least 250 m, keeping extraction activities at least 100 m from existing dwellings unless written approval is obtained, and screen planting and bunding proposed to screen views from offsite.

Objectives and Policies	Discussion
Policy 6.3.5 Integration of land use and infrastructure *Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure by:* *1. …* *2. Ensuring that the nature, timing and sequencing of new development are co-ordinated with the development, funding, implementation and operation of transport and other infrastructure in order to:* *a) optimise the efficient and affordable provision of both the development and the infrastructure;* *b) maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;* *c) protect investment in existing and planned infrastructure; and* *d) ensure new development does not occur until provision for appropriate infrastructure is in place* *3. Providing that the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained* *4. …* *5. Managing the effects of land use activities on infrastructure, including avoiding activities that have the potential to limit the efficient and effective, provision, operation, maintenance or upgrade of strategic infrastructure and freight hubs.*	The ongoing use of existing processing plant and site infrastructure on the main quarry site, including the existing heavy vehicle access onto Bealey Road, will ensure the efficient use of existing physical resources and assist in mitigation of effects through the well-established site infrastructure. Traffic movements to and from the site will be no greater than the existing operation and are generally low therefore not constituting a high trip generator, meaning they can be accommodated by the surrounding SDC network. Appropriate dust management measures are proposed to ensure dust does not adversely affect the operation of the railway line or the State Highway which form part of the strategic land transport network.
Chapter 7 – Fresh Water	

Objectives and Policies	Discussion
Objective 7.2.1 Sustainable management of fresh water *The region's freshwater resources are sustainably managed to enable people and communities to provide for their economic and social well-being through abstracting and/or using water for irrigation, hydro-electricity generation and other economic activities, and for recreational and amenity values, and any economic and social activities associated with those values, providing:* *1. the life-supporting capacity ecosystem processes, and indigenous species and their associated freshwater ecosystems and mauri of the fresh water is safe-guarded;* *2. the natural character values of wetlands, lakes and rivers and their margins are preserved, and these areas are protected from inappropriate subdivision, use and development and where appropriate restored or enhanced; and* *3. any actual or reasonably foreseeable requirements for community and stockwater supplies and customary uses, are provided for.*	No water take permits are required as part of the proposal although water although water could potentially be obtained using the permitted activity rules of the LWRP at a rate not exceeding 100 m^3 a day,. As any take would be within the permitted activity levels, accordingly, any effects on groundwater quantity from the proposed activity are assessed as being negligible, and meeting Objectives 7.2.1 and 7.2.2 policies 7.3.4, 7.3.5 and 7.38. There are not expected to be any adverse effects on water resources therefore, the proposal meets objective 7.2.3 and policies 7.3.6 and 7.3.7. The application of appropriate consent conditions can address any areas of uncertainty that may exist, and appropriate remediation measures can be provided should they be required, to ensure the proposal is consistent with the policy direction of Chapter 7. These measures include maintaining a separation distance of at least 1 m between the quarry pit floor and the highest recorded groundwater level at the site, which is more likely to be considerably more than 1 m most of the time, as well as spill management measures. Due to the absence of natural surface water bodies near the site, and that no effects on groundwater are expected, the AEE concludes that extraction will not result in any effects on surface water resources.
Objective 7.2.2 Parallel processes for managing fresh water *Abstraction of water and the development of water infrastructure in the region occurs in parallel with:* *1. improvements in the efficiency with which water is allocated for abstraction, the way it is abstracted and conveyed, and its application or use;* *2. the maintenance of water quality where it is of a high standard and the improvement of water quality in catchments where it is degraded; and* *3. the restoration or enhancement of degraded fresh water bodies and their surroundings.*	
Objective 7.2.3 Protection of intrinsic value of waterbodies and their riparian zones *The overall quality of freshwater in the region is maintained or improved, and the life supporting capacity, ecosystem processes and indigenous species and their associated fresh water ecosystems are safeguarded.*	

Policy 7.3.4 Water Quantity *In relation to the management of water quantity:* *1. to manage the abstraction of surface water and groundwater by establishing environmental flow regimes and water allocation regimes which:* *a) manage the hydrological connections of surface water, groundwater and the coastal environment;* *b) avoid long-term decline in groundwater levels and saltwater intrusion of coastal groundwater resources;* *c) protect the flows, freshes and flow variability required to safeguard the life-supporting capacity, mauri, ecosystem processes and indigenous species including their associated ecosystems and protect the natural character values of fresh water bodies in the catchment, including any flows required to transport sediment, to open the river mouth, or to flush coastal lagoons;* *d) provide for any existing or reasonably foreseeable needs of surface water or groundwater for individual, marae or community drinking water or stockwater supplies;* *e) support the exercise of customary uses, including any flows required to maintain wetlands or water quality for customary uses; and* *f) support any flow requirements needed to maintain water quality in the catchment; and, having satisfied the requirements in (a) to (f), provide for:* *g) recreational values (including the patterns and timing of flow variability desired by recreational users) and amenity values; and* *h) any actual or reasonably foreseeable demand for abstraction (for uses other than those listed in (d) above), unless Policy 7.3.4(2) applies; and* *2. body is at or exceeds the maximum amount provided for in an environmental flow and water allocation regime:* *a) avoid any additional allocation of water for abstraction or any other action which would result in further over-allocation; and* *b) set a timeframe for identifying and undertaking actions to effectively phase out over-allocation; and*	As such the proposal is consistent with the relevant objectives and associated policies of Chapter 7.

Objectives and Policies	Discussion
c) *effectively addresses any adverse effects of over-allocation in the interim.*	
Policy 7.3.5 Water quantity and land uses *To avoid, remedy or mitigate adverse effects of land uses on the flow of water in surface water bodies or the recharge of groundwater by:* 1. *controlling the diversion of rainfall run-off over land, and changes in land uses, site coverage or land drainage patterns that will, either singularly or cumulatively, adversely affect the quantity or rate of water flowing into surface water bodies or the rate of groundwater recharge; and* 2. *managing the planting or spread of exotic vegetation species in catchments where, either singularly or cumulatively, those species are or are likely to have significant adverse effects on flows in surface water bodies.*	

Objectives and Policies	Discussion
Policy 7.3.6 Fresh water quality *In relation to water quality* *1. to establish and implement minimum water quality standards for surface water and groundwater resources in the region, which are appropriate for each water body considering:* *a) the values associated with maintaining life supporting capacity, ecosystem processes and indigenous species including their associated ecosystems, and natural character of the water body;* *b) any current and reasonably foreseeable requirement to use the water for individual, marae or community drinking water or stockwater supplies, customary uses or contact recreation;* *c) the cultural significance of the fresh water body and any conditions or restrictions on the discharge of contaminants that may be necessary or appropriate to protect those values; and* *d) any other current or reasonably foreseeable values or uses; and* *2. to manage activities which may affect water quality (including land uses), singularly or cumulatively, to maintain water quality at or above the minimum standard set for that water body; and* *e) where water quality is below the minimum water quality standard set for that water body, to avoid any additional allocation of water for abstraction from that water body and any additional discharge of contaminants to that water body, where any further abstraction or discharges, either singularly or cumulatively, may further adversely affect the water quality in that water body:* *f) until the water quality standards for that water body are met; or* *g) unless the activities are undertaken as part of an integrated solution to water management in the catchment in accordance with Policy 7.3.9, which provides for the redress of water quality within that water body within a specified timeframe.*	

Objectives and Policies	Discussion
Policy 7.3.7 Water quality and land uses *To avoid, remedy or mitigate adverse effects of changes in land uses on the quality of fresh water (surface or ground) by:* *1. identifying catchments where water quality may be adversely affected, either singularly or cumulatively, by increases in the application of nutrients to land or other changes in land use; and* *2. controlling changes in land uses to ensure water quality standards are maintained or where water quality is already below the minimum standard for the water body, it is improved to the minimum standard within an appropriate timeframe.*	
Policy 7.3.8 Efficient allocation and use of fresh water *To improve efficiency in the allocation and use of fresh water by:* *1. ensuring the infrastructure used to reticulate and apply water is highly efficient relative to the nature of the activity, for any new take or use of water;* *2. ensuring the infrastructure used to reticulate and apply water is increasingly efficient (where not already highly efficient) for existing takes and uses of water, having regard to:* *a) the nature of the activity;* *b) the benefits and costs of achieving a higher level of efficiency;* *c) practicable options to implement any change required; and* *d) the physical environment in which the activity takes place.* *3. ensuring the quantities of water allocated, as part of a water allocation regime or by grant of water permit, are no more than are necessary for the proposed use for all activities, including urban uses and municipal supplies;* *4. recognising the importance of reliability in supply for irrigation;* *5. recognising the potential for efficiency in infrastructure through combined uses of water and energy efficient infrastructure; and* *6. promoting the integrated management and use of fresh water resources within or across catchments.*	

Objectives and Policies	Discussion
Chapter 14 – Air Quality	
Objective 14.2.1 Maintain or improve ambient air quality *Maintain or improve ambient air quality so that it is not a danger to people's health and safety and reduce the nuisance effects of low ambient air quality.* ***Objective 14.2.2 Localised adverse effects of discharges on air quality*** *Enable the discharges of contaminants into air provided there are no significant localised adverse effects on social, cultural and amenity values, flora and fauna, and other natural and physical resources.* ***Policy 14.3.3 Avoid, remedy or mitigate localised adverse effects on air quality*** *To set standards, conditions and terms for discharges of contaminants into the air to avoid, remedy or mitigate localised adverse effects on air quality.* ***Policy 14.3.5 Relationship between discharges to air and sensitive land uses*** *In relation to the proximity of discharges to air and sensitive land-uses:* *1. To avoid encroachment of new development on existing activities discharging to air where the new development is sensitive to those discharges, unless any reverse sensitivity effects of the new development can be avoided or mitigated.* *2. Existing activities that require resource consents to discharge contaminants into air, particularly where reverse sensitivity is an issue, are to adopt the best practicable option to prevent or minimise any actual or likely adverse effect on the environment.* *3. New activities which require resource consents to discharge contaminants into air are to locate away from sensitive land uses and receiving environments unless adverse effects of the discharge can be avoided or mitigated.*	A range of operational controls and mitigation measures are proposed to manage dust emissions, many of which are already used on the existing quarry site. These measures are designed to avoid and mitigate potential adverse effects on air quality, so that the proposal does not degrade air quality, or adversely impact any sensitive receivers and as such will not impact amenity values. The dust mitigation measures as outlined within the AEE will control dust to an acceptable level, so that no significant dust nuisance or health effects relative to applicable air quality guidelines and standards will arise from the proposal. A key feature of these measures is that no processing will occur within 250 m of any existing nearby off-site dwelling. Any discharge to air from the site will not be offensive or objectionable beyond the site boundary. General and targeted mitigation measures will also help to mitigate PM_{10} so that concentrations of these dust fractions are below the applicable health-based criteria. The proposal is therefore considered consistent with the objectives and policies of Chapter 14.
Chapter 15 - Soils	
Objective 15.2.1 Maintenance of soil quality *Maintenance and improvement of the quality of Canterbury's soil to safeguard their mauri, their life supporting capacity, their health and their productive capacity.* ***Objective 15.2.2 Prevention of soil erosion*** *Prevention of new significant induced soil erosion, and the reduction of significant existing induced erosion.*	The land to be quarried has a classification of LUC4, as identified by Canterbury maps, which is not considered to be highly productive land.

Policy 15.3.1 Avoid remedy or mitigate soil degradation *In relation to soil:* *1. to ensure that land-uses and land management practices avoid significant long-term adverse effects on soil quality, and to remedy or mitigate significant soil degradation where it has occurred, or is occurring; and* *2. to promote land-use practices that maintain and improve soil quality.* ***Policy 15.3.2 Avoid and remedy significant induced soil erosion*** *To avoid significant new induced soil erosion resulting from the use of land and as far as practicable remedy or mitigate significant induced soil erosion where it has occurred. Particular focus is to be given to the desirability of maintaining vegetative cover on non-arable land.*	While there will be a temporary loss of land for farming activities within the expansion area, the applicant intends to restore the site in accordance with a Quarry Site Rehabilitation Plan (QSRP) within the Site Management Plan (SMP) so that on completion of rehabilitation, the land will be returned to its pastoral state or used for another appropriate activity, with the soils stored during site preparation being spread over the site. In this respect, the loss of the site from productive use will be temporary, with overall adverse effects on the soil resource considered to be less than minor. Screenworks has a history of progressive rehabilitation at its' Aylesbury Quarry, with rehabilitated areas showing signs of excellent growth and productivity and methods used to create these finished forms will be used as part of the rehabilitation of the expansion area with oversight provided by a suitably qualified soil scientist. The proposed measures for storing top and subsoils, will ensure that the soil resource is effectively protected while aggregate extraction is taking place at the site. Measures will include that bunding is either grassed or covered to minimise erosion losses and prevent degradation thereby achieving consistency with objectives 15.2.1 and 15.2.2 and related policies 15.3.1 and 15.3.2. Refuelling will continue to occur on the main quarry site and when additional refuelling occurs within the expansion area, it would be in accordance with the permitted activity rules of the LWRP (including Rule 5.179). Operating activities in accordance with a Spill Management Plan, which will include having spill kits available to clean up

Objectives and Policies	Discussion
	spills, and undertaking staff training to avoid spills, will help ensure that soil and groundwater resources are not contaminated by the quarrying operation. For the above reasons, it is considered that the proposal is consistent with the objectives and policies of Chapter 15 of the CRPS.
Chapter 18 – Hazardous Substances	
Objective 18.2.1 Avoid, remedy or mitigate adverse effects *Adverse effects on the environment from the storage, use, disposal and transportation of hazardous substances are avoided, remedied or mitigated.*	Fuel and lubricants to be used for refuelling quarry machinery will be stored and used on the site. Screenworks has detailed storage and spill management controls and procedures in place for the use of such substances for the current site and activities within the expansion will be operated in accordance with a Spill Management Plan. The proposal is not considered to result in any adverse effects on soil and groundwater resources and therefore is consistent with objectives 18.2.1 and 18.2.2. Excavation which retains an appropriate separation depth (consistent with the permitted activity rule of the LWRP) to the
Objective 18.2.2 New contamination of land *To avoid contamination of land.*	
Policy 18.3.1 Protection of sensitive areas and activities *Avoid actual or potential adverse effects, resulting from the use, storage or disposal of hazardous substances, in the following locations:* *1. …* *2. …* *3. In areas of unconfined or semi-confined aquifer, where the depth to groundwater is such that there is a risk of contamination of that groundwater* *4. …* *…*	

Objectives and Policies	Discussion
Policy 18.3.2 Avoid, remedy or mitigate adverse effects *To avoid, remedy or mitigate adverse effects on the environment, including contamination of land, air and water, associated with the storage, use, transportation or disposal of hazardous substances.*	highest groundwater levels at the site will help eliminate any risk of contamination of the underlying aquifer in the event of a spill. The proposal is therefore consistent with policy 18.3.1, noting the range of mitigation and management techniques to avoid new contamination of land sought under objective 18.2.2. Machinery will be well maintained to limit the potential for any hydraulic fluid spills, and machine operators and site staff will be trained in spill avoidance techniques in line with policy 18.3.2. Refuelling will continue to occur on the main quarry site, and any refuelling within the expansion area would be in accordance with the permitted activity rules of the LWRP (including Rule 5.179). Lastly, any soil contaminated because of a spill will be removed and appropriately disposed of to an authorised off- site facility as such it is considered the activity will be consistent with the policy direction contained in Chapter 18.

Table 2: LWRP – relevant objectives and policies assessment

Relevant objectives and policies	Discussion
Objective 2A.1 *(1) When considering any application for a discharge the consent authority must have regard to the following matters:* *(a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water; and* *(b) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided*.	The proposal will achieve consistency with objective 3.5 by providing a continued supply of aggregate to address demand, after which the associated areas of land will be appropriately rehabilitated for future uses when quarrying is complete. Related policies 4.93 and 4.94, providing for gravel extraction, are also relevant to this proposal and recognise the value of the gravel resource for the demand within the Canterbury region and enable the extraction, subject to managing potential effects on groundwater resources. Quarrying will not intercept groundwater as an expected buffer of approximately 20 m above the highest groundwater level from the base of the extraction area will be maintained. The potential for hydrocarbons to contaminate groundwater because of any spills is assessed as being unlikely as machinery operators and site staff will be trained in spill avoidance techniques, and a spill kit will be kept on site and staff trained in its use, in accordance with a Spill Management Plan. Machinery will be regularly inspected and well maintained to limit the potential for hydraulic or fuel leaks. All spill events will be recorded, including the volume of any spill and a record of any clean up action taken, with any soil contaminated owing to a spill to be
Objective 3.5 *Land uses continue to develop and change in response to socio-economic and community demand.*	
Objective 3.6 *Water is recognised as essential to all life and is respected for its intrinsic values.*	
Objective 3.8 *The quality and quantity of water in fresh water bodies and their catchments is managed to safeguard the life-supporting capacity of ecosystems and ecosystem processes, including ensuring sufficient flow and quality of water to support the habitat and feeding, breeding, migratory and other behavioural requirements of indigenous species, nesting birds and, where appropriate, trout and salmon.*	
Objective 3.13 *Groundwater resources remain a sustainable source of high-quality water which is available for abstraction while supporting base flows or levels in surface water bodies, springs and wetlands and avoiding salt-water intrusion.*	
Objective 3.23 *Soils are healthy and productive, and human-induced erosion and contamination are minimised.*	
Objective 3.24 *All activities operate at good environmental practice or better to optimise efficient resource use and protect the region's fresh water resources from quality and quantity degradation.*	
Policy 4.13 Discharges of Contaminants to land or water	

Relevant objectives and policies	Discussion
For other discharges of contaminants into or onto land where it may enter water or to surface water bodies or groundwater (excluding those passive discharges to which Policy 4.26 applies), the effects of any discharge are minimised by the use of measures that: *(a) first, avoid the production of the contaminant;* *(b) secondly, reuse, recovers or recycles the contaminant;* *(c) thirdly, minimise the volume or amount of the discharge; or* *(d) finally, wherever practical utilise land-based treatment, a wetland constructed to treat contaminants or a designed treatment system prior to discharge; and* *(e) in the case of surface water, results in a discharge that after reasonable mixing meets the receiving water standards in Schedule 5 or does not result in any further degradation in water quality in any receiving surface waterbody that does not meet the water quality standards in Schedule 5 or any applicable water conservation order.*	removed and appropriately disposed of to an authorised off-site facility. Vehicle maintenance and washing activities will continue to occur on the existing Screenworks Quarry in accordance with relevant resource consents. Having regard to the mitigation measures proposed to ensure water resources are not adversely affected, consistency is achieved with objectives 2A.1, 3.6, 3.8, 3.13 and 3.24 and associated policies 4.13, 4.14 and 4.19. Topsoil and subsoil removed during the quarrying process will be appropriately stored for use in progressive rehabilitation and any soil bought into the site will be limited to clean topsoil. In this way, the proposal ensures that the soil resource is effectively protected to minimise erosion losses and prevent any soil damage or degradation, demonstrating consistency with objective 3.23. This rehabilitation will occur in accordance with a QSRP.
Policy 4.14 Discharges of Contaminants to land or water *Any discharge of a contaminant into or onto land where it may enter groundwater (excluding those passive discharges to which Policy 4.26 applies):* *(a) will not exceed the natural capacity of the soil to treat or remove the contaminant; and* *(b) will not exceed available water storage capacity of the soil; and* *(c) where meeting (a) and (b) is not practicable, the discharge will:* *(i) meet any nutrient limits in Schedule 8 or Sections 6 to 15 of this Plan; and* *(ii) utilise the best practicable option to ensure the size of any contaminant plume is as small as is reasonably practicable; and* *(iia) ensure there is sufficient distance between the point of discharge, any other discharge and drinking-water supplies to allow for the natural decay or attenuation of pathogenic `micro-organisms in the contaminant plume; and* *(iii) not result in the accumulation of pathogens, or a persistent or toxic contaminant that would render the land unsuitable for agriculture, commercial, domestic, cultural or recreational use or water unsuitable as a source of potable water or*	

Relevant objectives and policies	Discussion
for agriculture; and *(iv) not raise groundwater levels so that land drainage is impeded.*	
Policy 4.19 Earthworks, land excavation and deposition of material into land over aquifers *The discharge of contaminants to groundwater from earthworks, excavation, waste collection or disposal sites and contaminated land is avoided or minimised by ensuring that:* *a) activities are sited, designed and managed to avoid the contamination of groundwater;* *b) existing or closed landfills and contaminated land are managed and monitored where appropriate to minimise any contamination of groundwater*	
Gravel extraction	
Policy 4.93 Gravel Extraction *Recognise the value of gravel extraction for construction and maintenance of infrastructure, for economic activity, for flood management purposes and for the re-build of Christchurch.*	
Policy 4.94 Gravel Extraction *Enable the extraction of gravel from land, provided adverse effects on groundwater quality are minimised and remediation is undertaken to minimise any ongoing risk of groundwater contamination.*	

Table 3: Canterbury Air Regional Plan – relevant objectives and policies assessment

Objectives and Policies	Discussion
Objective 5.2 *Ambient air quality provides for the health and wellbeing of the people of Canterbury.*	The general thrust of the objectives within section 5 of the CARP is to ensure that air quality is maintained where it is acceptable, and that it is improved where it is degraded, while also ensuring that any discharges to air maintain the amenity values of the receiving environment (Objective 5.6). Objective 5.2 seeks that ambient air quality provides for the health and wellbeing of the people of Canterbury, with objective 5.7 directing that discharges from new activities are appropriately located. Any offensive and objectionable effects and noxious or dangerous effects on the environment are required to be generally avoided under Objective 5.9. A range of management and mitigation measures will be implemented at the site as outlined in the AEE and draft DMMP (contained within the SMP) to ensure that dust generated from the site and associated quarrying operations is not a nuisance beyond the site boundary. It is considered that the mitigation measures proposed, including the design of the proposal, will ensure the proposal is consistent with the objectives in section 5 of the CARP.
Objective 5.6 *Amenity values of the receiving environment are maintained.*	
Objective 5.7 *Discharges from new activities are appropriately located to take account of adjacent land uses and sensitive areas.*	
Objective 5.9 *Offensive and objectionable effects and noxious or dangerous effects on the environment are generally avoided.*	

Policy 6.1 *Discharges of contaminants into air, either individually or in combination with other discharges, do not cause:* *a) diverse effects on human health and wellbeing; or* *b) adverse effects on the mauri and life supporting capacity of ecosystems, plants or animals; or* *c) significantly diminished visibility; or* *d) significant soiling or corrosion of structures or property* ***Policy 6.8*** *Offensive and objectionable effects are unacceptable and actively managed by plan provisions and the implementation of management plans.* ***Policy 6.9*** *Discharges into air from new activities are appropriately located and adequately separated from sensitive activities, taking into account land use anticipated by a proposed or operative district plan and the sensitivity of the receiving environment.*	Policy 6.1 directs that discharges to air shall not cause adverse effects on human health and wellbeing, diminished visibility, or adverse effects on the mauri/life supporting capacity of ecosystems, plants or animals, or soil of structures and property. As detailed in the AEE and DIA, a range of mitigation and management measures will be implemented at the site to ensure that dust does not cause any of the above adverse effects. Policy 6.8 states that offensive and objectionable effects are unacceptable and these need to be actively managed by plan provisions and the implementation of management plans.Provided that mitigation and monitoring is implemented to control dust, the effects of the proposed discharges to air can be managed to an acceptable level and will not be offensive or objectionable beyond the boundary. Furthermore, a DMMP will be implemented for the expansion. Policy 6.9 requires that discharges into air from new activities are appropriately located and adequately separated from sensitive activities, with consideration being given to land use anticipated by a proposed/operative district plan and the receiving environments' level of sensitivity. The proposed activity already occurs within this rural area, and is an expansion of this activity. Quarrying is identified as a rural activity. Measures proposed for controlling dust are consistent with good industry practice. Additionally, it is proposed not to process within 250 m of the notional boundary of any existing dwelling, and not to extract within 100 m of the same without the written approval of the owners and occupiers of that dwelling. Furthermore, policy 6.13 seeks to minimise the cumulative effects of discharges of contaminants into air by requiring discharges allowed by a resource consent to apply the best practicable option. Subject to implementing the mitigation measures specified in the AEE and DIA, it is considered the activity will operate in accordance with the best practicable

Objectives and Policies	Discussion
Policy 6.11 *When evaluating resource consent applications recognise locational constraints on activities, when imposing terms and conditions.* ***Policy 6.12*** *Where activities locate appropriately to mitigate adverse effects on air quality a longer consent duration may be available to provide on-going operational certainty.* ***Policy 6.13*** *Minimise the cumulative effects of discharges of contaminants into air by requiring:* *a. permitted discharges to apply good environmental practices; and* *b. discharges allowed by a resource consent to apply the best practicable option.*	option. The AEE concludes that no significant dust nuisance or health effects relative to the applicable air quality standards and guidelines will be generated because of the quarrying operation. Being located adjacent to the existing Screenworks Aylesbury quarry means that existing mitigation measures can be applied to processing of aggregate while open area will be kept to a minimum. The AEE has assessed localised air quality effects in the context or nearby sensitive receptors and found effects to be acceptable subject to implementation of the recommendation mitigation measures. It is considered that the location of the proposal is appropriate (Policy 6.12), being in a rural area in proximity to other quarrying activities and close to the major areas of demand – Selwyn and Christchurch. Based on the above assessment, the proposed activity at the site is consistent with the relevant objectives and policies of the CARP.

Policy 6.22 *Applications for resource consent for discharges of contaminants into air from large scale fuel burning devices and industrial or trade activities shall identify the best practicable option to be adopted to minimise effects.* ***Policy 6.25*** *Applications for resource consent for discharges into air from industrial or trade activities or large scale fuel burning devices classified as discretionary shall address:* *a. where the discharge includes PM10, the mass emission rate of the proposed discharge relative to the total emission rate of all discharges within the Clean Air Zone; and the degree to which the proposed discharge exacerbates cumulative effects within the Clean Air Zone; and* *b. localised effects of the proposed discharge and the location of sensitive receptors; and* *c. available mitigation and emission control options; and* *d. the duration of consent being sought and the practicability for the effects of the discharge to be reduced over time.* ***Policy 6.26*** *When considering applications for resource consent for the discharge of contaminants into air from large scale fuel burning devices or from industrial, trade or commercial activities, the CRC will consider the combined effect of all consented discharges into air occurring on the property.*	Policy 6.22 requires applications for resource consent for discharges of contaminants into air from large scale fuel burning devices and industrial or trade activities shall identify the best practicable option to be adopted to minimise effects. It is considered the proposal represents the best practicable option in the context of the site, with targeted mitigation where appropriate. Policy 6.25 specifically relates to discharges from industrial and trade activities and seeks that those applications for resource consent from such discharges classified as discretionary, shall address localised effects of the proposed discharges and the location of sensitive receptors, the available mitigation and emission control options; and the duration of consent being sought and the practicability for the effects of the discharge to be reduced over time. Aggregate extraction is restricted to areas where resource exists at the necessary quality, and which are suitability sized that a financially viable operation within appropriate environmental controls can be established. Having regard to Policy 6.26 it is considered that the generator discharges either on their own or in combination with vehicle or dust emissions on the property will have a negligible effect on any nearby receptors.

Table 4: Partially Operative Selwyn District Plan – Appeals Version - relevant objectives and policies assessment

Objective and Policy	Discussion
Hazardous Substances	
HAZS-O1 *The benefits associated with activities involving the use, storage, disposal, and transportation of hazardous substances are recognised, while ensuring that risks to the environment and human health are minimised to acceptable levels.* **HAZS-P1** *Enable activities involving the use, storage, disposal, and transportation of hazardous substances while managing the residual risk to people, property, and the environment to acceptable levels.*	Fuel and lubricants to be used for refuelling quarry machinery will be stored on the site. Screenworks has detailed storage and spill management controls and procedures in place for the use of such substances, and the proposal is not considered to result in any adverse effects on soil and groundwater resources as outlined in the AEE and is therefore consistent with HAZS-O1 and HAZS-P1. Excavation will retain an appropriate separation depth to the highest groundwater levels at the site (consistent with the permitted activity rule of the LWRP) which will help eliminate any risk of contamination of the underlying aquifer in the event of a spill. The proposal is therefore consistent with policy HAZS-P1, noting the range of mitigation and management techniques including that machinery will be well maintained to limit the potential for any hydraulic fluid spills, and machine operators and site staff will be trained in spill avoidance techniques. A Spill Management Plan already exists for the site covering contingency measures, including the availability of spill kits in the event of an emergency, and this will be extended to the expansion area. Lastly, any soil contaminated because of a spill will be removed and appropriately disposed of to an authorised off- site facility.
Noise	

Objective and Policy	Discussion
NOISE–O1 *The health and wellbeing of people and communities and their amenity values are protected from adverse noise effects, consistent with the anticipated outcomes for the receiving environment.*	Noise will be managed to a level so that effects are acceptable. It is noted that processing will not take place within 250 m of any existing off-site dwelling, and that operations will only occur between the hours of 0700 and 1800 Monday to Friday and 0700 to 1300 Saturday. No works will occur on Sundays or public holidays and no processing will occur before 0700. As such the proposal will be consistent with the objectives and policies of the Noise Chapter of the POSDP.
NOISE–P1 *Manage noise effects by setting:* *1.Maximum noise limits to reflect the character and amenity of each zone;* *2.Limits on the location, frequency, and duration of specific activities that generate noise;* *3.A vibration standard.*	
Transport	
TRAN-O1 *People and places are connected through safe, efficient, and effective land transport corridors and land transport infrastructure for all transport modes, which are well integrated with land use activities and subdivision development and reduce dependency on private motor vehicles.*	The existing heavy vehicle access to the site will continue to be used and no additional movements are proposed associated with quarrying within the expansion area. The relatively low volume of vehicle movements associated with the existing/proposed quarry operation will be able to comfortably be accommodated by the wider transport network. No access is proposed onto State Highway 73, to avoid the need for vehicles associated with the quarry crossing the railway lines which adjoin the site or access a limited access road.
TRAN-O2 *Land transport corridors and land transport infrastructure are protected from incompatible land use activities and subdivision development.*	
TRAN-P4 *Manage the adverse effects of activities within the General Rural Zone that exceed the maximum number of vehicle movements for each site.*	

Objective and Policy	Discussion
TRAN-P7 *Recognise and protect the function of the District's land transport network and systems by managing land use activities and subdivision development to ensure the safe and efficient movement of people and goods by:* 1. *Avoiding significant adverse effects and minimising other adverse effects from activities on the safe, efficient and effective operation of land transport corridors and land transport infrastructure, particularly where it may reduce safe and efficient traffic flows within the strategic transport network and links with Christchurch City;* 2. *Ensuring land transport corridors and land transport infrastructure can efficiently and effectively provide for the volume and type of transport movements based on the network road classifications; and* 3. *Requiring the design, positioning, and maintenance of accessways, corner splays, vehicle crossings, intersections, footpaths, plantings, and signs to ensure appropriate sightline visibility is provided to road users to support safe and efficient vehicle, pedestrian, and cycle movements.*	The volume of heavy vehicles per day can continue be accommodated on the Selwyn network and is well below the definition of a high traffic generator. In terms of trucks leaving the site, Screenworks staff are trained in how to load road trucks to avoid spillage, and all laden trucks leaving the quarry are visually inspected to reduce the risk of quarry products being spilled on public roads and clean up measures will be implemented if required, as they are now. Vehicles on the site, will be well maintained, thereby minimising noise and exhaust emissions. Overall, it is considered the proposal is consistent with the relevant objectives and policies of the Transport Chapter of the POSDP.
TRAN-P8 *Recognise and protect rail networks and systems by managing land use activities and subdivision development to ensure the safe and efficient movement of people and goods by:* 1. *Managing adverse effects of activities on rail networks and systems, while encouraging land use activities and subdivision development that support the movement of people and goods via rail;* 2. *Managing the location of buildings, structures or trees to ensure they do not impair the visibility of motorists, pedestrians, cyclists, or train drivers within the sightlines of railway lines at road/rail crossings;* 3. *Controlling the design and location of land use activities and subdivision development to reduce the need for pedestrians, cyclists, motorists, or other road users from crossing railway lines; and* 4. *Encouraging the movement of freight via rail as a viable alternative to road transportation.*	

Objective and Policy	Discussion
TRAN-P9 *Manage the design and layout of on-site parking areas and loading facilities to maintain the safe and efficient operation of land transport corridors and land transport infrastructure.*	
TRAN-P11 *Manage vehicle access, vehicle crossings and manoeuvring areas to maintain the safe and efficient operation of land transport corridors and land transport infrastructure by:* *1. Requiring all sites to have access to a road and to ensure that this access is constructed to the appropriate formation standards and is compatible with the network road classification;* *2. Avoiding the need to reverse vehicles onto the strategic transport network;* *3. Avoiding the establishment of new accessways and vehicle crossings to roads that require access across a rail line; and* *4. Minimising the need to reverse onto Collector Roads through the provision of appropriate on-site manoeuvring areas.*	
General Rural Zone	
GRUZ-O1 *Subdivision, use, and development in rural areas that:* *1. supports, maintains, or enhances the function and form, character, and amenity value of rural areas;* *2. prioritises primary production, over other activities to recognise its importance to the economy and wellbeing of the district;* *3. allows primary production, those activities that directly support primary production and have a functional or operational need to locate with the General Rural Zone and important infrastructure, to operate without being compromised by incompatible sensitive activities and reverse sensitivity effects;* *4. retains a contrast in character to urban areas; and* *5. protects highly productive land.*	The proposed quarry expansion is a rural activity with a functional need to locate where the resource exists and adjoins the existing Screenworks Aylesbury Quarry. The AEE concludes that the adverse effects of the proposal on the environment will be less than minor, and as such it is considered that the activity will maintain the function, character and amenity values of the rural environment in this location achieving consistency with objective GRUZ-O1 and GRUZ-P1. The quarry constitutes primary production and is not located on highly productive land.

Objective and Policy	Discussion
GRUZ-P1 *Maintain or enhance rural character and amenity values of rural areas by:* 1. *retaining a low overall building density;* 2. *enabling primary production while managing adverse effects of intensive primary production, and mineral extractive industries;* 3. *managing the density and location of residential development;* 4. *retaining a clear delineation and contrast between the district's rural areas and urban areas; and* 5. *recognising that primary production activities can produce noise, dust, odour and traffic that may be noticeable to residents and visitors to the General Rural Zone.*	Policies GRUZ-P1, P4 and P8 seek to enable productive rural and quarrying activities within the General Rural zone where effects are appropriately managed and provides for aggregate processing where effects are appropriately managed to maintain amenity values and internalising adverse effects as far as practicable. It is considered this proposal will achieve these outcomes. In terms of quarry site rehabilitation, policy GRUZ-P9 seeks to ensure quarry sites are progressively rehabilitated to enable subsequent use of the land for another permitted or consented activity while mitigating erosion and subsidence risks. The quarry will be rehabilitated to enable future productive use to occur on the site. Overall, the proposal represents the ongoing efficient use of an aggregate resource, while managing the adverse effects of the activity to an acceptable level, and will ensure that the site will be appropriately rehabilitated. It will also enable the ongoing use of the existing site infrastructure on the Screenworks existing quarry site.
GRUZ-P4 *Provide for the economic development potential of the rural area by enabling a range of activities that:* 1. *have a direct relationship with, or are dependent on, primary production;* 2. *have a functional need, or operational need to locate in the rural area;* 3. *represent an efficient use of natural and physical resources; and* 4. *maintain or enhance the character and amenity values of the surrounding area.*	

Objective and Policy	Discussion
GRUZ-P8 *Enable mineral extraction in the General Rural Zone to meet the District's and region's supply needs, including by recognising the need for mineral extraction to locate where the mineral resource exists, while:* 1. *managing the spatial extent and effects of mineral extraction activities in order to maintain the amenity values of sensitive activities and residential activities; and* 2. *internalising adverse environmental effects as far as practicable, including by using industry best practice and management plans; and* 3. *avoiding mineral extraction on highly productive land unless there is a functional or operational need to locate it on that land and the mineral extraction provides either:* a. *a significant national public benefit; or* b. *in the case of aggregate extraction, a significant national or regional public benefit.*	
GRUZ-P9 *Ensure that mineral extraction sites are progressively rehabilitated to:* 1. *mitigate erosion and subsidence risks; and* 2. *reinstate the land so that it is suitable for an alternative permitted or consented activity.*	

BLIGH