


Sections 104, 104B and 108, Resource Management Act 1991	
Report recommending whether or not applications for resource consent should be: <ul style="list-style-type: none"> Granted or declined, and if granted, the conditions of the consent. Decision pursuant to section 113 of the Resource Management Act 1991	

Name: Andrew Henderson

Position: Consultant Planner

Resource Consent Number: RC245566, RC245567 and RC245568

APPLICANT:	Winstone Aggregates, a division of Fletcher Concrete and Infrastructure Limited
PROPOSAL:	Land use consent is sought to expand the existing Winstone Wheatsheaf quarry, together with associated extraction of aggregates, rehabilitation of the site, associated vehicle movements and supporting activities including effects mitigation, into an additional area of approximately 4 ha of land known as the Sullivan Block. The consent also requires changes to the conditions of RC145099 and RC215749 to align this consent with rehabilitation, landscaping, and other aspects of the Sullivan Block expansion.
LOCATION:	Address: 50 Selwyn Road, Broadfield
LEGAL DESCRIPTION:	<p>The land parcels which are the subject of this application are legally described as</p> <ul style="list-style-type: none"> ■ Lot 2 Deposited Plan 80577 (the Sullivan Block) (contained within Record of Title CB46B/185) ■ Part Rural Section 6662 and Lot 2-3 Deposited Plan 463714 (616789) ■ Lot 4 Deposited Plan 463714 (616790) ■ Lot 2 Deposited Plan 478287 and Lot 1 Deposited Plan 467327 and Lot 1 Deposited Plan 25795 (664360) ■ Lot 1 Deposited Plan 80577 (CB46B/184) ■ Res 388 Block IV Leeston SD – being a gazetted piece of land understood to be owned by Selwyn District Council.
ZONING:	<p>Partially Operative Selwyn District Plan (Appeals Version – released 27 November 2023)</p> <p>General Rural Zone</p>

	Plains Flood Management Overlay, Liquefaction Damage Unlikely Overlay, Rural Density SCA-RD1 Inner Plains/ Te Urumanuka ki Ana-ri.
STATUS:	Discretionary Activity
HEARING DATE:	Hearing not required
RECOMMENDATION:	That consent be granted subject to conditions

Preamble

1. This report reviews the application for resource consent and addresses the relevant information and issues raised. The recommendation made in this report is not binding on the Commissioners and it should not be assumed that the Hearings Panel will reach the same conclusion having considered all the evidence brought before the hearing by the applicant and submitters.

Qualifications and Experience

2. My name is Andrew Henderson. I am currently employed as a Principal Planner with Jacobs New Zealand Ltd. I have practiced as a planner for the past 30 years, having graduated with a Master of Regional and Resource Planning from the University of Otago in 1994. I am a Full Member of the New Zealand Planning Institute. I have been engaged by the Selwyn District Council to assess and report on this resource consent application.
3. I have over 30 years' experience in the field of planning and resource management and have worked in both local government and private practice during this time. I have been involved in a range of land use and statutory planning projects throughout New Zealand, predominantly in the South Island. I have previously presented evidence at Council and Environment Court Hearings, and I have acted on behalf of applicants, submitters and as a peer reviewer/processing officer for multiple Councils. I have been involved in a number of land use consents for quarrying and gravel extraction, including the extraction of aggregate from a farm adjacent to the Waimea River in Nelson, and with various consents for the Marsden Valley Quarry (previous operated by Downer NZ) in Nelson, and various land based quarrying / mining activities in the Selwyn District, including Roydon Quarry, the Burnham 2020 quarry and the Bathurst Resources mine closure.
4. I have read and agree to comply with the Code of Conduct for Expert Witnesses as contained in the Environment Court Practice Note. I confirm this evidence is within my area of expertise, except where I state I am relying on facts or information provided by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions I have expressed.

Introduction

5. As identified in the application, Winstone is proposing to extend its quarrying operations into an area of approximately 3.5 ha of rural land adjacent to its existing quarry operations at Wheatsheaf. The extraction activities proposed will follow on from quarry activities that have occurred through the most

recent extension of the quarry approved in 2022 which authorised the B and C Block extraction. The main aspects of the activity, as set out in the application, are as follows:

- Extraction activities are proposed to be undertaken in the Sullivan Block in stages, followed by progressive rehabilitation of the extraction areas. Material will be transported by dump trucks, via internal haul roads to the existing Wheatsheaf Quarry processing plant, where processing of the material will take place.
- The application is for progressive excavation from the quarry floor 9 to 10 metres below ground-level, consistent with the same volumes that are currently processed at the existing quarry site.
- All traffic movements between the expansion excavation area and the processing plant on the existing quarry are also below natural ground level in that the proposed haul roads are over areas which have been previously worked-out.
- Winstone has sought to design this proposal in a way which is consistent with the quarrying methods and mitigation measures which have worked well for the operations on site to date. No changes to key aspects of the existing operation, such as rates of processing, hours of operation or traffic movements, are proposed. Many aspects of the proposal design and mitigation measures therefore reflect conditions contained in the resource consents for the existing operations.
- Extraction will not occur in the Sullivan Block until extraction from the existing consented quarry areas is complete. Areas of the previous expansion that will serve as haul roads for this expansion, or which previously served as batters or bunding areas will now be removed and rehabilitated through the Sullivan Block extension.

6. Preparatory works at the site will generally be undertaken in the following manner, as outlined in the AEE:

- Quarry areas will be developed in stages generally working from the west or north generally in a south and/or eastern direction. Prior to quarrying commencing in a stage, topsoil and subsoil overburden material will be removed from each stage of the expansion area.
- Topsoil removal will be undertaken at ground level using an excavator and dump trucks, in combination with a loader.
- Aggregate will be extracted by working from the from the existing quarry areas, enabling quarrying to begin at the level of the existing quarry floor. Once quarrying in one stage of the site is nearing completion, the next stage of topsoil removal will take place, a process that will repeat as the site develops.
- Topsoil and overburden material removed at the first stage of site preparation will be used to form bunds along the external southern and eastern boundaries of the site, requiring up to

10,000 m³ of compacted material. Additional clean reject aggregate, aggregate wash-water silts or aggregate from within the existing quarry will also be used if there is an insufficient volume of material available.

- The new bunds will be approximately 3 m high and grassed following establishment, and site practices have seen these generally completed within a four-week window.
- Any existing bunding, batters and quarry walls on internal boundaries of the site adjoining the Sullivan Block will be removed as necessary enable access to the Sullivan Block from the existing quarry. This will be authorised through variations to the underlying consents.

Extraction, processing and transportation

7. Extraction of the aggregate resource will involve a continuation of the processes that have been used through the existing quarry operations. The description of the methodology below is taken from the AEE:

- *Following site preparation within a stage, extraction of aggregate is undertaken using standard quarrying machinery typically involving a loader which loads dump trucks, although other machinery may be used from time to time to enable the efficient extraction of the aggregate resource. Extraction of the aggregate resource itself will occur by working from the existing quarry areas so quarrying can commence at the level of the existing quarry floor, minimising noise and dust effects.*
- *Aggregate will not be stockpiled within the Sullivan Block but rather will be extracted and loaded by the loader into the truck as it arrives within the expansion. Once loaded, these trucks will exit the expansion area and travel via internal haul roads to the existing processing plant where the material will be processed, stockpiled, and sold.*
- *Quarry operations will move generally in a south and/or east direction as the quarry develops. Considering the retention of material within the setbacks between the excavation area and external site boundaries, and the exclusion of the area which has been identified as contaminated by PDP in the PSI included in Appendix E, and accounting for material within the existing site batters, the total extraction area proposed for this consent application is approximately 3.5 ha of previously unquarried land, which equates to approximately 350,000 to 400,000 bank cubic metres (BCM) of aggregate.*
- *This volume has been determined by assuming an average extraction depth of approximately 9 to 10 m below pre quarry ground level across the site, allowing for approximately 300 to 400 mm of topsoil and overburden to be removed, provision for some batter slopes, and at least a 1 m freeboard to be retained between the quarry pit floor and the highest groundwater level at the site.*

- *Annual production from the quarry is expected to be in the vicinity of 100,000 - 200,000 m3, which is well within the current maximum limits for the quarry of 700,000 tonnes per annum (approximately 350,000 m3) although these volumes will be subject to Winstone's operational requirements and customer demand.*
- *Based on these production rates it is anticipated that the quarry will be worked out within approximately 2 to 3 years with additional time provided as a buffer for extraction works, but primarily to enable the completion of cleanfilling and site rehabilitation. Extraction of aggregate will not exceed 600 tonnes per hour, up to a maximum of 4000 tonnes per day. It is noted that no hazardous substances will be stored within the expansion site, with refuelling of quarry machinery to take place at the main quarry site.*

8. Rehabilitation will occur progressively over the site once areas of extraction (in stages) have been completed. This will be undertaken pursuant to the rehabilitation requirements of the QSRP, appended to the application.
9. In addition to the consent for the expansion not the new area, some changes are required to existing consents for the Wheatsheaf Quarry to enable the expansion of the site. This application seeks changes to SDC consents RC145099 and RC215749 (current applications RC245567 and RC245568 respectively) as it is necessary to remove some existing bunding and planting along the northern and western boundaries to enable quarrying to move into these areas in the future through the removing of existing batters and quarry walls.

Background

10. This application to the Selwyn District Council is being considered jointly with applications to the Canterbury Regional Council. This report addresses the land use elements of the proposal, and the regional matters are addressed in the section 42A report prepared for the regional consents.

Description of the Existing Environment

11. The application site and surrounding area has been detailed in the AEE, and I accept the applicant's description. Key descriptors of the site and surrounding areas are summarised below:
 - The existing environment at the Wheatsheaf Quarry site includes the environment as it is modified by the operation of the existing Wheatsheaf Quarry and associated authorised activities such as heavy vehicle movements.
 - The existing environment includes the following existing quarry activities which are not proposed to be changed:
 - Processing and stockpiling areas (including crushing plant) are to remain in their present location.
 - Extraction volumes and rates are provided for by existing consent conditions which will not change.

- Hours of operation will be consistent with the existing quarry and consent conditions (i.e. 7am – 6 pm, Monday to Friday, and 7am to 1 pm on Saturday).
- Vehicle generation as authorised by the existing consent will not change.
- Noise conditions applying to the existing quarry will not change.
- Existing bunding that does not require modification through this consent application will remain (with other bunding to be amended).

12. The location of the existing quarry and proposed area for expansion are shown in the figure from the AEE below, with the orange hatching identifying the new area to be quarried.



Activity Status

Partially Operative Selwyn District Plan(Appeals Version – released 27 November 2023)(“the Partially Operative Plan”)

13. The application site is zoned General Rural. The site is also subject to the Plains Flood Management Overlay, Greendale Fault Overlay, Liquefaction Damage Unlikely Overlay and Rural Density SCA-RD2 East Plains/ Te Waihora ki Waimakariri.
14. The Council released the Appeals Version of the Partially Operative Plan on 27 November 2023. All of the provisions under which consent is required are beyond challenge and are therefore operative/treated as operative (pursuant to cl 103 of Schedule 1 and s 86F of the Act).

15. The rules of the Partially Operative Plan that this proposal does not meet are as follows.

RULE	TOPIC	COMPLIANCE	STATUS
GRUZ-R21.1.a(i)	Mineral Extraction	The excavation of aggregate will not be setback 200m from the notional boundaries of lawfully established residential activities.	Discretionary (Rule GRUZ-R21.3)
GRUZ-R21.1.a(ii)	Mineral Extraction	Processing or aggregate recovery activity will not be set back 500m from the notional boundary of lawfully established residential activities.	Discretionary (Rule GRUZ-R21.3)

16. Additionally, resource consent is also required from SDC for a discretionary activity pursuant to section 127 of the RMA to change the conditions of consents RC145099 and RC215749.
17. Overall, I agree with the Applicant's assessment that the proposal overall requires a discretionary land use consent under the Partially Operative Selwyn District Plan.

Operative Selwyn District Plan (2016), Rural Volume ("the Operative Plan")

18. The application site is zoned Inner Plains. The site is not subject to any overlays, controls or designations.
19. The Council released the Appeals Version of the Partially Operative Selwyn District Plan on 27 November 2023. Many provisions are beyond challenge and are operative/treated as operative (pursuant to cl 103 of Schedule 1 and s 86F of the Act), and the corresponding provisions in the Operative Plan are treated as inoperative.
20. All rules that would apply to this proposal are now treated as inoperative and the proposal is a permitted activity under the Operative Plan.

National Environmental Standards

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

21. The NES-CS manages activities which involve the disturbance of land which may be contaminated. This is determined by whether activities listed in the Hazardous Activities and Industries List (HAIL) have or are likely to have occurred on the site.
22. As identified in the application, there is a potential presence of Hazardous Activities and Industries List (HAIL) sites within parts of the existing quarry. A small portion of the site in the southeastern corner has a HAIL activity status of G3 Landfill associated with historical clean filling. However, as no extraction is proposed within areas which have been used for filling on the existing site, consent is not required under the NES:CS as there is no disturbance of the piece of land that is subject to the HAIL classification.

Notification

23. The Application was limited notified on 11 December 2024 and the submission period closed on 31 January 2025. The following parties were served notice of the Application:

58 Selwyn Road	Lot 1 DP DP52445
74 Selwyn Road	Lot 2 DP DP52445
90 Selwyn Road	Lot 3 DP20781
104 Selwyn Road	Lot 2 DP 20781
108 Selwyn Road	Lot 1 DP20781
660 Robinsons Road	Lot 1 DP 24369
663 Robinsons Road	Lot 2 DP 72127
679 Robinsons Road	Lot 1 DP72378
Te Ngāi Tuahuriri Rūnanga and Te Taumutu Rūnanga (via Mahaanui Kurataiao Ltd).	

Submissions

24. A total of 5 submissions opposing the proposal were received within the statutory submission period. All of these have subsequently been withdrawn, resulting in no hearing being required for the Selwyn District Council consents.

Matters to be Considered

25. Section 104(1) of the Resource Management Act 1991 sets out the matters which must be considered by the Commissioners in considering this application for resource consent, and states that:
- (1) *When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—*
- (a) *any actual and potential effects on the environment of allowing the activity; and*
 - (ab) *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; and*
 - (b) *any relevant provisions of—*
 - (i) *a national environmental standard:*
 - (ii) *other regulations:*
 - (iii) *a national policy statement:*
 - (iv) *a New Zealand coastal policy statement:*
 - (v) *a regional policy statement or proposed regional policy statement:*
 - (vi) *a plan or proposed plan; and*
 - (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*
26. Section 104(2) states that when forming an opinion for the purposes of subsection (1) (a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect ('the permitted baseline').

27. All matters listed in s104(1) are subject to Part 2 of the Act which contains its purposes and principles.
28. In addition, Section 104B of the Act relates to the determination of applications for discretionary or non-complying activities. It states that after consideration of an application, a consent authority may grant or refuse the application and if granted, may impose conditions under section 108.

Assessment of Effects on the Environment

Introduction

29. Section 104(1)(a) of the Act requires that the Council have regard to any actual and potential effects on the environment of allowing the activity. 'Effect' is defined in section 3 of the Act as including-
- a) *Any positive or adverse effect; and*
 - b) *Any temporary or permanent effect; and*
 - c) *Any past, present, or future effect; and*
 - d) *Any cumulative effect which arises over time or in combination with other effects—*
regardless of the scale, intensity, duration or frequency of the effect, and also includes –
 - e) *Any potential effect of high probability; and*
 - f) *Any potential effect of low probability which has a high potential impact.*
30. Section 104(2) of the RMA directs that the decision maker may disregard an adverse effect on the environment of an activity if a rule in the District Plan permits an activity with that effect (the permitted baseline). The application of the permitted baseline is discretionary, and case law has established that the permitted baseline test relates to the effects of non-fanciful hypothetical activities which could be carried out as of right under the District Plan, as well as any existing lawfully established activity on the site. The existing environment also includes any activity for which resource consent has been granted.
31. Ordinarily quarrying is a restricted discretionary activity in the General Rural Zone provided all relevant standards are complied with. There is no permitted quarrying activity or other activity of a similar scale that is permitted in the zone that could provide an appropriate baseline against which to consider the effects of the proposal.
32. As a discretionary activity, the Council's assessment is unrestricted and all actual and potential effects of the proposal must be considered. I note that an assessment of the proposal's effects was provided by the section 95 notification report. The following effects assessment will summarise the section 95 notification report and the technical assessments undertaken by Mr Healy (Noise), Ms Strachan (Landscape) and Mr Brown (Soil Productivity).
33. The following effects assessment also employs the effects headings used by the section 95 notification report to assist the reader with cross-referencing to that report.
34. In this regard, I provide an assessment of effects associated with the following:
- Rural Character and Amenity
 - Landscape Character and Values
 - Visual Amenity

- Noise;
- Transportation;
- Ecological values
- Cultural values;
- Contamination
- Soil Productivity
- Cumulative Effects
- Positive Effects.

35. Where relevant, my assessment will also draw upon the applicant's AEE and technical assessments, as well as the reviews of those assessments by the Council's own technical experts and the previous s95 notification report.

Rural Character and Amenity

36. Rural character and amenity effects were addressed in detail in the s95 report, and referred to section 6.2 of the AEE, where the following key characteristics of rural character and amenity were identified as including:

- Quarrying is defined as a primary production activity by the National Planning Standards and the POSDP, a rural activity by the Canterbury Regional Policy Statement (CRPS) and is anticipated within the rural area by the POSDP, subject to appropriate management of effects.
- The surrounding environment includes primary production and other rural activities with a low density of residential dwellings.
- Amenity values associated with an area generally relate to an area's landscape and visual amenity values, the noise environment and air quality values. The POSDP places a focus on the need to avoid, remedy or mitigate adverse effects on amenity values, with the General Rural zone objectives and policies seeking to maintain or enhance rural character and amenity values of rural areas, including through enabling primary production while managing adverse effects of intensive primary production and mineral extractive industries.

37. I agree with these descriptions and generally that the potential effects on amenity values typically associated with quarry operations include dust, noise, visual and landscape, and traffic effects.

38. In terms of effects on rural character, I note that much of the immediate surrounding land is taken up by the existing quarry operation, and the proposal will expand the quarrying activity onto an adjacent, smaller block of land. Given the larger development surrounding the site, although its use for quarrying activities will alter the character of this additional area, overall, I consider that these effects are significant.

39. Quarrying activity is anticipated in the General Rural zone, albeit subject to performance with the specified standards. The proposal does not satisfy the requirements that excavation be more than 200m from the notional boundary of a residential activity or that processing be at least 500m from the

notional boundary of a residential activity. The effects of the breaches of these standards have been addressed in the expert assessments prepared for the Council.

40. In brief, the assessment of noise effects undertaken by Mr Healy has not raised any issues and agrees with the applicant's assessment that considers that the proposal will comply with the relevant noise rules. On that basis, I conclude that the effects of the processing of aggregate within 500m of a notional boundary are less than minor.
41. Although from a noise perspective the proposal will not give rise to adverse effects, I identified in the s95 report that there would be minor effects on rural character and amenity potentially experienced by the properties adjacent to or in the immediate vicinity of the site. These properties are concentrated around Selwyn Road and Robinsons Road, as properties further to the rest of the site are separated by land owned by the applicant and are a sufficient distance from the site. Submissions received from these properties identified that these matters were of concern to them.
42. Having reviewed the submissions and the further assessments undertaken by Mr Healy and Ms Strachan, overall, I conclude that the adverse effects on these parties will not be significant. This is largely due to the fact that the activities will comply with the noise limits in the District Plan, and that with appropriate screening, effects will be managed on site. While activity at the site may be heard in the surrounding environment, both noise experts have determined that the permitted noise limits will not be breached, and I therefore conclude that the rural amenity expectations established through the noise limits will not be adversely affected.

Effects on landscape character and values

43. I agree with the Applicant that the expansion site is not within an outstanding natural landscape area or any areas of historical, spiritual or cultural significance.
44. The proposed quarry expansion will result in modifications to the topography of the site below natural ground level, and overall, I agree with the applicant that the operation and implementation of the proposed quarry expansion is unlikely to disrupt the perception of the natural features, landcover and land uses which consolidates to create the existing landscape character. This is largely because any modifications will be concealed given the flat terrain of the surrounding area and through the use of the bunds surrounding the quarry area.
45. Owing to the location next to existing quarry operations, and the relatively small size of the expansion area, I agree with the applicant that the proposed expansion will not adversely affect the sensory qualities or existing rural landscape character of the wider receiving environment or compromise any sensitive views from a landscape perspective.
46. The quarry expansion will not adversely affect any existing vegetation patterns except for removing existing internal shelterbelts along the western and northern boundary of the expansion area.
47. The applicant's landscape and visual assessment considered that overall, effects on landscape character would be less than minor. The landscape peer review undertaken by Ms Strachan for the

Council largely concurs with this assessment, agreeing that once the proposed bunding and planting mitigations are in place, the effects on landscape character and values will be less than minor in the long term. I note that while Ms Strachan originally considered that there were deficiencies in the applicant's landscape assessment methodology, overall, her assessment essentially reaches the same conclusion as to the extent of the effects.

48. I rely on these assessments, and conclude that overall, adverse effects on landscape and character values are not significant and can be appropriately managed through conditions of consent.

Effects on visual amenity

49. Given the scale and location of the proposed quarry expansion, the views for road users will be limited to sections along Selwyn and Robinsons roads. At these points, views will be partial and are limited to the proposed earth bunding and screened by existing and proposed vegetation (which will slightly alter views) with no significant disruptions expected, resulting in less than minor visual effects.
50. As I stated in the section 95 assessment, I agree that the proposed quarry expansion is anticipated to have minor direct impacts on surrounding residents, and I agree with the applicant's summary that

Existing screening measures, such as dense vegetation, including shelterbelts, and fencing, already provide visual mitigation. The introduction of extended earth bunding (3m high) may partially alter some views, but the overall effect is expected to be low and temporary until the bund is removed. Additionally, Winstone proposes to maintain and enhance vegetation on adjoining boundaries if the neighbours wish and will plant a row of native trees along the Sullivan Block boundary adjacent to properties on Selwyn Road

51. The visual effects assessment undertaken by the applicant has been reviewed for the SDC by Ms Strachan, and as noted above, ultimately Ms Strachan's view was that the conclusions reached were appropriate. I rely upon Ms Strachan's advice and conclude that overall, effects on visual amenity will not be significant. The proposal is a small extension to an established facility, and the changes on the expansion site will be appropriately managed by conditions of consent.

Noise effects

52. Noise generation will originate from the operation of quarry machinery (during site preparation, extraction, and rehabilitation activities), operation of the processing plant, and heavy vehicle movements as well as other activities occurring on the quarry site.
53. An assessment of the potential noise effects associated with the proposed quarry expansion was undertaken by Marshall Day Acoustics (MDA) and appended to the application.
54. The MDA assessment considered that:

- noise from excavation, aggregate extraction, clean filling and rehabilitation activities in the quarry expansion area will comply with the District Plan noise levels at the notional boundary of any nearby dwelling.
- Cumulative noise from the expansion activity, plus other plant within the main quarry will not exceed 50 dB LAeq (complying with the POSDP and existing consent condition noise limits).
- Noise levels arising from construction (initial topsoil removal and establishment of the boundary earth bunds) were also modelled to comply with the construction noise limits in NZS 6803:1999.
- Subject to the establishment of the mitigation measures proposed, noise effects from the proposed activity, including any arising from construction noise (such as bund building), will be acceptable in the context of the local environment, and will be consistent with current operations.

55. The MDA report was peer reviewed for the Council by Mr Healy. Powell Fenwick Ltd, who confirmed that the modelled scenarios accurately reflected the worst case operation and the typical equipment expected in the proposed quarry expansion, and noted that the existing consent limits are equivalent to or more restrictive than the PODP rules, and overall considered that provided the existing noise related conditions applying to the operation of the quarry are carried over to the expansion, there will be no adverse noise effects.

56. Subsequent to the receipt of submissions, Mr Healy has undertaken further consideration of the actual and potential noise effects. His assessment confirms his earlier assessment, noting that:

- The modelled scenarios will accurately reflect the worst-case operation, and the typical equipment, expected in the proposed quarry expansion, provided that the noise related conditions currently relating to the operation of the quarry continue to be adopted for the expansion.
- When considering the total cumulative noise levels predicted, the contribution from activities undertaken in the Sullivan Block is typically minor compared to the overall noise level. Highest time-average noise levels presented are also a minimum of 5 dB within the existing consent limits and the relevant District Plan noise limits. Based off this I agree that the activity would be largely consistent with existing operations and consider the average noise level would be acceptable.
- Maximum noise levels (LAFmax) were stated to be 23 dB above the average noise level during an attended noise survey. This was reported to be the result of one event with other short spikes in noise level approximately 7 – 17 dB above the average noise level. Using this as an indication he expects that the LAFmax levels would be likely to be less than 70 dB LAmx at the closest properties when they do occur, which he considers acceptable.

57. Mr Healy has recommended, given the scale of the quarry and presence of surrounding houses, that a register of complaints be maintained as matter of best practice, as this would help with identifying repeating impulsive events which may result in higher maximum noise levels and may be avoidable. I consider that this is appropriate.
58. Mr Healy also noted that noise during the night-time period is not assessed. However, any night activities would only be limited loading and trucking of material within the quarry pit only. Mr Healy considered that on this basis no further assessment would be required.
59. Overall, Mr Healy has reviewed the applicant's assessment of the actual and potential noise effects associated with the expansion of the quarry into the new block. I note that both the noise expert for the Applicant and Mr Healy for the Council have determined that noise generated will comply with the permitted levels for noise within the zone. I rely on this advice and conclude overall that there will not be any significant adverse noise effects associated with the expansion of the quarry into the new block.

Transportation effects

60. Transportation effects can arise through vehicle movements and design and use of access, parking and loading, and the Application identified that adverse effects of heavy vehicle movements such as noise, vibration, and spillage of material on roads can be a source of nuisance to nearby residents.
61. The Transportation effects were addressed in the section 95 assessment. Nothing has arisen during the submission process that has altered the view I presented in that report in relation to transportation, and I repeat the assessment below for ease of reference.
62. The applicant's assessment identified that:
- vehicles on the site will be well maintained and will minimise noise and exhaust emissions. The applicant's internal training procedures are robust, and staff are trained and experienced in how to load road truck and trailers to avoid spillage.
 - All laden heavy vehicles 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.
 - Heavy Vehicles will continue to use the existing established site access onto Selwyn Road which is appropriately designed for heavy vehicle access and has been used successfully over the life of the quarry. No heavy vehicle will enter or exit the site through the Robinsons Road access point.
 - Vehicle movements associated with the quarry expansion do not constitute a high trip generator. Vehicle movements associated with the quarry expansion will not increase in their intensity from what presently occurs, including the limits authorised under the RC145099. Continuation of these vehicle movements will have no change in effects to what currently exists and for which any effects have been appropriately mitigated by the existing well-

constructed heavy vehicle access. Heavy vehicle movements can be accommodated by the arterial road that the vehicles use for access.

- There is sufficient space on site for carparking, and ample metalled areas to accommodate additional car parking demands as needed. The parking and circulation aisles are of sufficient dimensions to enable all vehicles to manoeuvre internally and to enter and exit the quarry in a forward manner.

63. Overall, the Applicant's assessment considered that the transportation effects would be negligible, and that the effects associated with the proposed activity on the transportation network would be indiscernible from the current vehicle movements from the site.

64. The transportation aspects of the proposal were considered by Mr Walter Smith, the Council's Development Engineer, who confirmed that no matters of concern had been identified. I therefore rely upon the applicant's transport assessment, and the comments of Mr Smooth, and consider that any transport related effects associated with the expansion of the quarry activity into the subject site will be less than minor.

Ecological Effects

65. The application notes that the terrestrial vegetation on the site predominantly consists of exotic species, being shelter belts and pasture, none of which are protected under the relevant planning documents. I agree with this assessment, and overall, I agree with the application that therefore, any effects on terrestrial ecology values from quarrying within the extension area will be negligible.

Cultural Effects

66. The application has been reviewed by Mahaanui on-behalf of Te Ngāi Tūāhuriri Rūnanga and Te Taumutu Rūnanga. Mahaanui have provided a Cultural Advice Report (CAR) that is based on consultation with Kaitiaki representatives and informed by the Mahaanui Iwi Management Plan 2013 (the IMP). The CAR details that the following cultural matters were considered:

- Ranginui – discharges to air;
- Wai Māori – impacts on water;
- Papatūānuku – soils, earthworks, contaminated land and mining;
- Tāne Mahuta - indigenous biodiversity; and
- Ngā Tūtohu Whenua - wāhi tapu or wāhi taonga.

67. Mahaanui advise that provided the requested consent conditions are provided for, the Rūnanga would not consider themselves to be an adversely affected party, the requested conditions being:

1. The quarrying land use consent must not exceed 15 years in duration as a temporary activity.

2. The water permit must expire on or before 31 January 2035.
 3. A minimum separation of at least one metre between the highest groundwater level and the bottom of the quarry floor must be maintained.
 4. All fill used on site must be class 5 cleanfill.
 5. An accidental discovery protocol for contaminated soils must be implemented on site.
 - a. Contaminated materials must not be re-used on site.
 - b. Contaminated materials must be removed from the site and disposed of at an appropriate facility.
 6. Indigenous planting is required to mitigate the impacts of quarrying, enhance the cultural landscape, increase indigenous habitat, filter sediment and sequester carbon.
 - a. All permanent bunds on site must be vegetated with indigenous species.
 7. The site must be rehabilitated and naturalised with indigenous species upon completion, and landscaping for the quarry rehabilitation must use exclusively indigenous species to establish a natural cultural landscape.
 8. An Accidental Discovery Protocol (ADP) must be in place during all earthworks and extraction activities to deal with archaeological finds and protect the interests of mana whenua. This condition does not constitute a response under the Heritage New Zealand Pouhere Taonga Act (HNZPT 2014).
 9. Dust produced from all quarrying activities must not cause nuisance outside of the property boundary. If anyone outside of the property boundary becomes adversely effected by dust produced, then all work must cease immediately until appropriate mitigation methods are implemented.
 10. A stringent erosion and sediment control plan must be adhered to during all earthworks. This plan must be inspected and maintained in accordance with Environment Canterbury's Erosion and Sediment Control Toolbox.
 - a. All contractors working on site must be made aware of these measures and strictly adhere to them.
 - b. Where measures prove to be inadequate, work must cease until appropriate and effective measures are in place.
68. The Applicant has advised that in general they support the conditions requested by the Rūnanga, but note that that:
- Conditions 1 and 4 are inconsistent with what consent is sought for;
 - Condition 7 is contrary to what can be provided for as a permitted activity; and
 - Condition 10 is not relevant in the current context.
69. The Applicant has generally agreed with the conditions requested by mana whenua, but is not in total agreement with some, and these directly relate to cultural effects identified in the CAR. For this reason, mana whenua were included in the parties that were served notice of the Application. However, no

submission was received, and the conditions that are appended to this report have subsequently been agreed to by the Applicant.

Contamination Effects

70. As identified earlier, no excavation activity is to be undertaken on the part of the site that has been identified as a HAIL site, and the NES:CS is therefore not relevant.

Soil Productivity

71. The area to be quarried has a land use capability classification of LUC3, which is considered highly productive land in the context of the National Policy Statement for Highly Productive land (NPS-HPL). Accordingly, the application included an Agricultural Productivity Assessment (APA) by Agri Intel to assess the current and potential productive capability of the land, considering relevant NPS-HPL factors from a productivity perspective, in accordance with clause 3.10 of the NPS-HPL.
72. Clause 3.10 of the NPS-HPL sets out exemptions for highly productive land subject to permanent or long-term constraints, allowing highly productive land to be subdivided, used, or developed for activities not otherwise enabled under clauses 3.7, 3.8, or 3.9.
73. The applicant's APA outlines that the three tests of Clause 3.10(1) on the NPS-HPL are satisfied by this proposal and confirms that in accordance with Clause 3.10(1)(a) there are permanent or long-term constraints on the land that means the use of the highly productive land for land-based primary production is not able to be economically viable for at least 30 years.
74. Rural Consulting Limited was engaged by Selwyn District Council (SDC) to undertake a peer review of the Applicant's agricultural productivity assessment. This review confirmed that overall, the Agricultural Productivity Assessment provides a

“well-structured and largely convincing argument that the site is subject to permanent or long-term constraints that preclude economically viable land-based primary production. In my professional opinion the assessment demonstrates that the consent application RC245566 meets the requirements of Clause 3.10(a) of the NPS-HPL”.

75. I therefore conclude that there will be less than minor effects on soil productivity.

Cumulative effects

76. I agree with the applicant that the proposed extraction rates and vehicle movements will not increase beyond those that presently exist, and accordingly the scale and intensity of the quarry will generally remain the same throughout its life despite progressing through the expansion area. I therefore agree that the various mitigation measures proposed will ensure that any cumulative effects of the proposal will not be significant.

Positive Effects

77. The Applicant has provided an assessment of the potential positive effects associated with the proposal, including:
- The proposal will contribute to the ongoing needs of the region for various construction projects.
 - Several quarry sites around the greater Christchurch and Selwyn areas are nearing completion. Providing for the ongoing supply of aggregates near the areas of demand reduces economic, environmental, and social costs that would be increased should new quarries have to be established at greater distances from where they are required.
 - Furthermore, the proposed expansion area is a continuation of an established quarry site and can utilise existing quarry infrastructure for processing of the aggregates extracted from the site. By enabling the quarry to continue to develop, the life of the site and the millions of dollars invested in terms of the infrastructure and effects mitigation measures at that site, can continue to be utilised for an extended period.
 - the proposed activity will generate direct employment for Winstone's on-site staff and indirect employment for numerous other workers within the construction and roading industries including truck drivers, administrative staff, and contractors.
78. I consider this to be a reasonable identification of the potential positive effects that will accrue from the proposal.

Summary of effects

79. Overall, having considered the matters raised in the submissions, the Application and the expert assessments, I conclude that there will be no significant adverse effects arising from the expansion of the Wheatsheaf Quarry into the adjoining Sullivan block.

Statutory Assessment

80. Section 104 of the Act requires that to the provisions of an Operative and Proposed District Plan be considered in the consideration. In this case, the Operative Selwyn District Plan and Partially Operative District Plans are relevant to the proposal.
81. All of the relevant rules in the Partially Operative District Plan are beyond challenge, the Objectives and Policies behind those rules should be afforded the most weight, with little weight being placed in the objectives and policies of the Operative Selwyn District Plan.
82. I have set out the relevant Objectives and Policies of the Operative and Partially Operative District Plans below.

Operative District Plan

83. The objectives and policies of the Selwyn District Plan that I consider relevant are set out in the following table. In reviewing these provisions, I have also considered the applicant's assessment of these matters, and I have stated where I agree with the applicant's assessment.

Objectives and Policies	Comment
B1 Natural Resources	
B1.1 Land and Soil Objectives	I consider that the proposal is consistent with Objectives B1.1.1 and B1.1.2. No contaminated land is being affected by the proposed works, and the proposal will not adversely affect the productivity of the soils, as discussed in the Productivity assessment and Council peer review. The eventual rehabilitation of the site will ensure the proposal is consistent with Policy B1.17.
Objective B1.1.1 <i>Adverse effects of activities on the District's land and soil resources are avoided, remedied or mitigated.</i>	
Objective B1.1.2 <i>People and their property are not affected by contaminated soil or unstable land and any adverse effects on the environment are avoided, remedied or mitigated.</i>	
Land and Soil Policies – Soil Damage	
Policy B1.1.7 <i>Avoid removing large quantities of topsoil from sites unless:</i> <ul style="list-style-type: none"><i>The site will be covered in hardstanding; or</i><i>The topsoil will be replaced and the site replanted, when the activity ceases.</i>	
B1.3 Water Objectives	I agree with the Applicant's assessment that the range of mitigation measures incorporated into the proposal will ensure any potential effects on ground and surface water resources are avoided, remedied, or mitigated, and that the proposal is consistent with these provisions. Excavation depth will be managed by consents from Environment Canterbury and overall I consider that groundwater will be appropriately protected.
Objective B1.3.1 <i>Contamination of ground water or surface water is avoided and/or mitigated, and water quality improved in degraded waterbodies through changes in land management practices and controls on land uses likely to cause waterbody contamination.</i>	
B1.3 Water Policies – Ground and Surface Water	
Policy B1.3.4 <i>Manage land to protect water resources and avoid, remedy, or mitigate adverse effects on surface water quality and quantity, and aquatic habitat from activities and development, including:</i>	

Objectives and Policies	Comment
<ul style="list-style-type: none"> • <i>Activities locating close to waterbodies; or</i> • <i>Activities which may result in surface run-off of contaminants, or leaching of contaminants into groundwater.</i> 	
B2 Physical Resources LURP	
B2.1 Transport Networks – Objectives	<p>The proposal will result in a continuation of the present levels of traffic enabled by the existing Wheatsheaf Quarry. No new infrastructure, roads or accessways are proposed. No transportation related issues have been raised by the Council's Development Engineer and overall, I consider the proposal is consistent with the relevant transportation related provisions.</p>
<p>Objective B2.1.1</p> <p><i>An integrated approach to land use and transport planning to ensure the safe and efficient operation of the District's roads, pathways, railway lines and airfields is not compromised by adverse effects from activities on surrounding land or by residential growth.</i></p>	
<p>Objective B2.1.2</p> <p><i>An integrated approach to land use and transport planning to manage and minimise adverse effects of transport networks on adjoining land uses, and to avoid "reverse sensitivity" effects on the operation of transport networks.</i></p>	
<p>B2.1 Transport Network Policies – Roads and Pathways</p>	
<p>Policy B2.1.3</p> <p><i>Recognise and protect the primary function of roads classified as State Highways or Arterial Roads in Appendix 9, to ensure the safe and efficient flow of through traffic en route to its destination.</i></p>	
<p>Policy B2.1.4(b)</p> <p><i>Avoid or mitigate adverse effects on the safe flow of traffic along State Highways and Arterial Roads from new property access or new/expanded activities which generate a high level of traffic movements.</i></p>	

Objectives and Policies	Comment
<p>Policy B2.1.11</p> <p><i>Ensure roads are designed, constructed, maintained and upgraded to an appropriate standard to carry the volume and types of traffic safely and efficiently.</i></p>	
B3 Health Safety Values	
B3.2 Hazardous substances – Objectives	The Objectives and Policies relating to hazardous substances are satisfied. No consents are required under the District Plan in relation to the storage of any hazardous material.
<p>Objective B3.2.1</p> <p><i>To ensure that adequate measures are taken to avoid, remedy or mitigate any adverse effects to human health, to the amenity of townships, the rural environment and to the natural environment arising from the manufacture, storage, transport on water bodies and disposal of hazardous substances.</i></p>	
B3.4 Quality of the Environment - Objectives	<p>The proposal is consistent with objective B3.4.1 and Policy B3.4.1 which seek to enable a variety of activities in the rural area, while maintaining rural character and managing effects of activities on nearby sensitive receivers. The noise assessment prepared by Mr Healy agrees with the Applicant's assessment that there will be no significant noise effects from the proposed expansion.</p> <p>Measures proposed through the application and the conditions of consent to manage adverse effects generally include development of earth bunding and retention of existing shelterbelts around the site, establishment of new vegetative screening along the site boundaries prior to the quarrying commencing, and progressive site rehabilitation (including the deposition of cleanfill</p>
<p>Objective B3.4.1</p> <p><i>The District's rural area is a pleasant place to live and work in.</i></p>	
<p>Objective B3.4.2</p> <p><i>A variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects.</i></p>	
B3.4 Quality of the Environment - Policies	
<p>Policy B3.4.1 Rural Character</p> <p><i>Recognise the Rural zone as an area where a variety of activities occur and maintain environmental standards that allows for primary production and other business activities to operate.</i></p>	

Objectives and Policies	Comment
<p>Policy B3.4.3 Rural Character</p> <p><i>Avoid, remedy or mitigate significant adverse effects of activities on the amenity values of the rural area.</i></p>	<p>and spreading of topsoil) upon completion of quarried areas.</p> <p>Having regard to Ms Strachan's review of the Applicant's LVA, and in particular her acceptance of the conclusion, I agree overall that the visual effects of the quarry can be appropriately screened and mitigated, and that the quality of the environment will be maintained over the life of the quarry and beyond.</p> <p>Having regard to policy B3.4.13, any noise effects generated by the on-site activities will be acceptable. The proposed management measures are provided for in the proposed conditions. I agree that these plans will allow effects on the surrounding environment to continue to be addressed over the life of the quarry</p>
<p>Policy B3.4.13 Noise and Vibration</p> <p><i>Recognise temporary noise associated with short-term, seasonal activities as part of the rural environment, but ensure continuous or regular noise is at a level which does not disturb people indoors on adjoining properties.</i></p>	
<p>Policy B3.4.16 Dust</p> <p><i>Mitigate nuisance effects on adjoining dwellings caused by dust from earthworks, or stockpiled material.</i></p>	

Summary – Operative District Plan Objectives and Policies

84. Overall, I consider the proposal to be consistent with the relevant provisions of the Operative Selwyn District Plan

Partially Operative Selwyn District Plan

85. The Applicant's Appendix M provides a detailed assessment of the Objectives and Policies of the Partially Operative District Plan. I agree with their assessment, and I have therefore not undertaken a detailed assessment of each provision, and comment instead on the relevant matters identified in the assessment of effects.

District identity

86. Objective SD-01 seeks to ensure that development appropriately provides for the character of communities, is accessible and safe, and enhances outcomes for the District, including environmental, economic, social and cultural. Objective SD-02 provides for the use of land, but also seeks that existing activities are protected from incompatible activities.
87. As identified in the assessment of effects, the effects of the proposal have been addressed, and the proposal is considered to have positive economic impacts. Environmental effects have been addressed, and I consider that the proposal is aligned with these provisions.
88. Objective SD-06 requires highly productive land to be retained for rural production purposes. The site is located on Class 3 land and the soils are therefore considered to be highly productive. The effects

of the proposal have been addressed in the Applicant's Productivity Assessment, which has been peer reviewed for the Council. Both experts agree that the proposal will have less than minor effects on soil productivity and I therefore conclude that the proposal is consistent with this provision.

Transport

89. Transport Objective TRAN-01 seeks that 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.
90. Policy TRAN-P7 is directly relevant, seeking to recognise and protect the function of the District's land transport network and systems by managing the safe and efficient movement of people and goods by
- (i) 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,
 - (i) ensuring 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
 - (iii) 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.
91. No transportation effects have been identified as a result of the proposed addition of the Sullivan Block to the quarrying activity and overall, I conclude that the proposal is not inconsistent with the relevant transportation provisions.

Contaminated land

92. Objective CL-01 and Policy CL-P1 seek to ensure that human health and the environment are protected from adverse effects on the use of contaminated land and require any proposal for development to apply a best practise approach to investigate risks and remediate the contamination or manage activities on contaminated land to protect people and their environment. The proposal does not affect the part of the land that is identified as a HAIL site and the proposal is therefore consistent with these provisions.

Ecosystems and indigenous Biodiversity

93. Objectives ECO-01 and ECO-02 seek to manage indigenous biodiversity within the district through the exercise of kaitiakitanga and stewardship and recognise and provide for the relationship of Ngāi Tahu whānui, and their customs and traditions, with indigenous biodiversity. The related policies direct that the planting of pest tree and plant species listed in ECO-SCHI Potential Plant Species, or the

Canterbury Regional Pest Management Plan are avoided and that indigenous vegetation cover in extensive dryland pastoral systems are maintained.

94. No ecological concerns were raised during the assessment of the application. The site is predominantly covered in grasses, and overall, I conclude that the proposal is consistent with the relevant provisions.

Earthworks

95. Objective EW-01 and Policies EW-P3 and EW-P4 seek to manage potential adverse effects resulting from earthworks to limit erosion, inundation, or siltation so that it does not impede the functioning of natural biological and physical processes, and to minimise any adverse visual effects, loss of privacy, dust nuisance, or shading adverse effects during or on completion of the earthworks.
96. I consider that the proposal is consistent with these provisions. The earthworks will be contained within the site and there will be no siltation, erosion or inundation arising from the quarrying activity that will give rise to any adverse effects on natural processes. The site is to be screened from view by reliance upon setbacks, bunding and vegetation, as well as locating plant within the quarry pit. I do not consider there will be significant adverse visual, dust or shading effects arising from the proposal, and I consider the proposal to be consistent with these provisions.

Noise

97. The Noise assessment undertaken by Dr Trevathan on behalf of the SDC has confirmed that noise from onsite activities will not give rise to adverse effects beyond the site. In this respect I consider that the proposal is consistent with the relevant Noise provisions, being Objective NOISE-01 and Policies NOISE-P1 and NOISE-P8, which require the protection of the welfare of people and communities, and their amenity values, from adverse noise effects, and that noise effects be managed through the setting of appropriate limits.

Mineral Extraction and Clean filling

98. The provisions relating to mineral extraction are found in the General Rural Zone section of the Plan.
99. Policy GRUZ-P1 seeks the maintenance of rural character and amenity by managing adverse effects of mineral and extractive industries, recognising that primary production activities can produce effects such as noise and traffic that may be noticeable to residents and visitors to the General Rural Zone.
100. Policy GRUZ-P4 seeks to provide for the economic development potential of the rural area, by enabling a range of activities that have a direct relationship with primary production. The definition of Primary Production in the Partially Operative Plan includes quarrying activities. It also provides for activities that have a functional or operational need to be located in a rural area, are an efficient use of natural and physical resources, and maintain or enhance the character and amenity values of the surrounding area.
101. Policy GRUZ-P8 enables mineral extraction in the General Rural Zone while managing the extent and effects of mineral extraction activities in order to maintain the amenity values of sensitive activities and

residential activities; internalising adverse environmental effects as far as practicable, including by using industry best practice and management plans; and avoiding mineral extraction on highly productive land. The site is not identified as GRUZ highly productive land.

102. The noise experts are agreed that noise generated by on-site activities will not give rise to adverse effects beyond the site. Similarly, provided the landscaping and mitigation measures are successfully implemented and maintained, including the existing shelterbelt around the Site, the proposed additional planting and the bunding that is proposed will assist in screening potential views of the proposal from adjoining private properties and public roads.
103. Policy GRUZ-P9 requires the rehabilitation of mineral extraction sites, so that they can be used for permitted or consented activities that have an economic, environmental, social, or cultural benefit. The Policy requires that the final landform must maintain or enhance the amenity values in the surrounding area. The application addresses rehabilitation issues through the proposed Rehabilitation Management Plan. The landscape peer review considers the rehabilitation plan is an appropriate mechanism, and that proposed in this application is consistent with the requirement for the earlier stages of the site. Given that the experts for the Council and the applicant agree on the relevant effects, I conclude that the proposal is consistent with the provisions relating to mineral extraction and processing.

Summary

104. I consider that the application is consistent with the provisions of the Operative and Partially Operative District Plans.

Canterbury Regional Policy Statement

105. The Canterbury Regional Policy Statement ('CRPS') sets out the resource management issues for the Canterbury region and the objectives, policies, and methods to achieve integrated management of natural and physical resources. The CRPS became operative on 15 January 2013.
106. The Applicant has undertaken an assessment of the relevant provisions of the CRPS. Overall, I agree with the Applicant's assessment, noting that the SDC's experts have come to the view that the actual and potential effects of the proposed quarry are minor and can be managed by conditions of consent. I note the Applicant has agreed with the conditions attached to this report.

Other Matters

107. In accordance with section 104(1)(c) of the RMA, the following other strategies and plans are also relevant to the application for approvals for the proposed site. Those relevant are set out below.

Mahaanui Iwi Management Plan 2013

108. The Mahaanui Iwi Management Plan (IMP) is the principal mana whenua planning document prepared and mandated by the six Papatipu Rūnanga holding mana whenua over the area within the Hurunui

River to the north, the Hakatere/Ashburton River to the South, and inland to the Southern Alps. The subject site falls within this area.

109. The IMP provides a statement of Ngāi Tahu objectives, issues and policies for natural resource and environmental management in the takiwā (area). Policies of particular relevance to the land use proposal are contained in Part 5.4, Papatūānuku, which contains objectives and policies relating to land and soil resources.
110. There are no known heritage structures, wāhi tapu sites or other sites of significance on the proposed quarry site and the relevant provisions of the IMP are therefore not affected by the proposal.
111. I note that the Cultural Advice Report provided by Mahaanui Kurataiao Ltd has traversed the relevant provisions of the Iwi Management Plan in depth and has provided a set of proposed conditions that are intended to address the matters of significance to mana when in relation to the application, based upon the outcomes sought in the provisions of the Plan. I understand that the applicant is generally content with these conditions where they relate to the matters for which consent is required, and I therefore consider that the proposal is consistent with the relevant provisions of the Iwi Management Plan.

Part 2 Resource Management Act 1991

112. The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources, while enabling people and communities to provide for their well-being, while sustaining resources and addressing any adverse effects.
113. 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.
114. The District Plan is considered to be the mechanism by which the purpose and principles of the Act are given effect to in the Selwyn District. It was competently prepared through an independent hearing and decision-making process in a manner that appropriately reflects the provisions of sections 5-8 of the Act.
115. I consider the proposal is consistent with Part 2 of the RMA and accords with the relevant matters in sections 5 to 8 of the Act and would otherwise achieve the purpose and principles of the Resource Management Act 1991.

Summary of Statutory Assessment

116. This report has assessed the proposal to extend the Wheatsheaf Quarry into the adjoining block known as the Sullivan Block.
117. My assessment in this report is that the adverse effects are minor, and that the proposal is consistent with the provisions of the relevant planning instruments.

Development Contributions

118. No Development Contributions have been identified at this stage by the Council.

Draft Conditions

119. I have appended a set of conditions for the proposed expansion, and have also appended the proposed conditions sets for RC245568 (being a variation to RC145099) and RC245667 (being a variation to RC 215749). The latter two sets provide the necessary alterations to the underlying consents to facilitate the works needed to allow the expansion to occur from the existing quarry area.


Recommendation

Resource consents RC245566, RC245567 and RC245568 be **granted** pursuant to sections 104, 104B, 108, 108A and 127 of the Resource Management Act 1991 subject to the conditions appended to this report.

Reported and recommended by  Andrew Henderson, Consultant Planner	Date: 30 June 2025
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Decision

120. For the reasons set out in the report above, I adopt the recommendation under delegated authority. Resource consents RC245566, RC245567 and RC245568 are **granted** pursuant to sections 104, 104B, 108, 108A and 127 of the Resource Management Act 1991 subject to the conditions appended to this decision.

 Commissioner Graham Taylor	Date: 5 August 2025
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Resource Consent RC245566 – Land use consent for the extension to an existing quarry and backfilling operation at 50 Selwyn Road.

Applicant: Winstone Aggregates, a division of Fletcher Concrete and Infrastructure Limited

Consent Duration: Unlimited

General conditions	
1.	<p>That the activities shall proceed in general accordance with the information submitted with the application on 8 July 2024, and further information submitted on 18 October 2024 and 12 November 2024, and the attached stamped Approved plans entitled:</p> <ul style="list-style-type: none">■ DCM Urban Wheatsheaf Quarry Extension Page 12 <i>Existing and Proposing Screening</i> and Page 13 Proposed Bund Treatment, dated 16 October 2024 reference 2024_022 Winstone Wheatsheaf Quarry LVIA Figures Revision D.
Lapse date	
2.	<p>If this consent is not given effect to before 30 July 2030 it shall lapse in accordance with section 125 of the Resource Management Act 1991 (the Act) unless the Selwyn District Council (Council) has granted an extension pursuant to section 125(1A)(b) of the Act.</p>
Pre-commencement	
3.	<p>Before exercising this resource consent the consent holder shall appoint a representative(s) who will be the Council's main contact person(s) for this consent and advise Council of that person's name and contact details.</p> <p>Advice Note:</p> <p><i>Should that person change during the implementation of this resource consent, the consent holder shall inform the Council and shall also give written notice of the new person's name and how they can be contacted as soon as practicable.</i></p>
4.	<p>At least 10 working days before starting the physical works authorised by this consent, the consent holder must arrange and conduct a pre-construction site meeting with the SDC Compliance Manager. The following must be covered at the meeting:</p> <ul style="list-style-type: none">a) Scheduling and staging of the works, including the proposed start date;b) Responsibilities of all relevant parties;c) Contact details for all relevant parties;d) Expectations regarding communication between all relevant parties;e) Site inspections; andf) Confirmation that all relevant parties have copies of the contents of these consent documents and all associated management plans.
Quarry Site Rehabilitation Plan	
5.	<p>The consent holder shall submit a Quarry Site Rehabilitation Plan (QSRP) to the Council for certification within 6 months of the commencement of this resource consent. The QSRP shall be generally consistent with the QSRP included within the Draft Quarry Management Plan contained in Appendix I of the resource consent application. Changes may be implemented to give effect to the conditions of this resource consent and to reflect information submitted through the resource consent process.</p> <p>The QSRP shall include, but need not be limited to, the following:</p> <ul style="list-style-type: none">a) Details of the staging of progressive rehabilitation;b) Re-spreading and contouring of overburden and stored (stockpile or bund) or imported

	topsoil materials within the base of the quarry floor; c) Stabilisation of quarry faces; d) Grassing of completed and restored extraction areas to create a free draining and stable landform suitable for pastoral farming; e) Weed control; and f) Details for monitoring and maintenance of rehabilitated areas.
6.	Subject to Conditions 7 and 8, rehabilitation works shall not commence until the consent holder has received written certification from the Council that the QSRP complies with Condition 5. All rehabilitation works shall be undertaken in accordance with the certified QSRP.
7.	If the consent holder has not received a response from the Council within 20 working days of submitting the QSRP under Condition 5, the QSRP is deemed to be certified. If the Council's response is the QSRP cannot be certified, the consent holder will be contacted in writing with details of reasons for that position and recommend changes to the QSRP. The consent holder will need to resubmit an amended QSRP for certification.
8.	The QSRP may be updated by the consent holder and the updated QSRP shall be submitted to the Council for certification. The certification process for any updates to the QSRP shall follow the process outlined in conditions 5 to 7.
Landscape and Visual Amenity Bunding	
9.	Prior to aggregate extraction commencing, the bunding as shown on the Landscape Mitigation Plans referenced in Condition 1 shall be constructed and shall comprise 3 metre high temporary grass bunds formed from topsoil and overburden.
10.	As soon as practicable following construction of the bunds, the bunds are to be sown with grass or hydro seeded.
11.	The bunds shall be watered when required to suppress potential dust, until a grass cover has been established. Once the grass has been established, an 80 percent grass cover is to be maintained on earth bunds at all times during quarrying operations.
12.	The grassed bunds must be mown regularly or grazed to give a tidy appearance.
Landscape and Visual Amenity Planting	
13.	All planting along the eastern site boundary shall be undertaken in accordance with the Landscape Mitigation Plans referenced in Condition 1 and shall occur prior to any site preparation works or extraction of aggregate commencing on the site, except for works associated with bund formation in accordance with Condition 9.
14.	All planting shall be maintained for the duration of consent and any dead, diseased, stolen, vandalised or dying vegetation shall be replaced with the same species within the following planting season. Advice note: <i>Maintenance may include weeding, spraying, staking, watering, fertilising, trimming, weed release of plants, pest removal and replacement.</i>
15.	All planting shall be watered throughout their establishment period and after that during prolonged dry periods as and when required to ensure plants continue to establish. For the purpose of this consent, the establishment period is 24 months following the completion of the planting.
Site operations	
16.	The volume of aggregate material extracted shall not exceed 700,000 tonnes per annum.
17.	The daily volume of aggregate material extracted shall not exceed 4,000 tonnes per day.

18.	Vehicle and heavy machinery speeds within the site shall not exceed 20 km/h.
19.	The quarrying, extraction and rehabilitation activities shall only occur between 0700 to 1800 hours, Monday to Friday, and 0700 to 1300 hours on Saturdays. No activities other than dust suppression shall take place on Sundays or public holidays.
20.	<p>Other than construction activities as defined separately under Condition 21, noise from quarrying activities on-site shall not exceed the following limits, measured at the notional boundary of any other site not owned by the consent holder:</p> <ul style="list-style-type: none"> - Daytime (0700 to 2200 hours) - 55 dB LAeq and 85 dB LAFmax - Night-time (2200 hours to 0700 hours) - 45 dB LAeq and 70 dB LAFmax <p>Advice notes:</p> <p><i>Notional boundary means a line 20 metres from any side of a residential unit or other building used for a noise sensitive activity, or the legal boundary where this is closer to such a building.</i></p> <p><i>Quarrying activities is defined in the POSDP and under the national planning standards, and means</i></p> <p><i>“the extraction, processing (including crushing, screening, washing, and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock, sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry”.</i></p>
21.	<p>Construction activities shall be managed in accordance with the requirements of NZS6803:1999 Acoustics - Construction Noise and any noise generated shall comply with the limits given in Table 2 of that standard for typical duration activities.</p> <p>Advice note: <i>For the purposes of this condition, "construction activities" means site establishment, the construction, rehabilitation and removal of earth bunds, overburden removal and the creation of any access roads into the extended quarry area.</i></p>
22.	Any equipment permanently based at the quarry site shall not be fitted with or use tonal reversing beepers.
23.	Quarry machinery is to be well maintained and operated so that identifiable tonal or impulsive noises such as notable squeaking or metal banging (such as from tailgates when dumping rubble) are minimised as far as practicable.
24.	<p>No stockpiling of aggregate and soil stockpiles shall occur within the Sullivan Block.</p> <p>Advice Note: <i>Processing occurs within the existing quarry.</i></p>
25.	The quarrying activity must not cause suspended or deposited particulate matter, which has a noxious, dangerous, offensive or objectionable effect, beyond the external boundaries of the site.
26.	The consent holder must undertake all practicable measures to ensure compliance with Condition 25 of this consent through implementing the dust control measures set out in the certified Dust Management Plan (DMP) required by CRC250170 (or any subsequent replacement consent).
27.	A copy of the DMP, and any updates to this document, shall be provided to the SDC Compliance Manager within 10 working days of these being certified by the Canterbury Regional Council in accordance with CRC250170 (or any subsequent replacement consent).
	Complaints Register
28.	A record of any complaints relating to quarrying operations shall be maintained, supplied to the Selwyn District Council on request, and shall include:

	<ul style="list-style-type: none"> a) Location where the event was detected by the complainant. b) The location of the complainant when the event / incident was detected (if possible specify the nature of the incident e.g. noise, dust). c) Date and time when the event was detected. d) A description of the wind speed and wind direction when the event was detected by the complainant. e) The most likely cause of the event detected. f) Any corrective action undertaken by the consent holder to avoid, remedy or mitigate the event detected by the complainant; and g) Any other relevant information.
	Accidental Discovery Protocol
29.	<p>Immediately following the discovery of material suspected to be a taonga, kōiwi or Māori archaeological site, the following steps must be taken:</p> <p>All work in the vicinity of the discovery must cease and the SDC Manager advised;</p> <ul style="list-style-type: none"> a) Immediate steps must be taken to secure the site to ensure the archaeological material is not further disturbed; b) The consent holder must notify the Kaitiaki Rūnanga and the Area Archaeologist Heritage New Zealand Pouhere Taonga (in the case of kōiwi (human remains) the New Zealand Police must also be notified). <p>Advice Note:</p> <p><i>The Kaitiaki Rūnanga and HNZPT will jointly appoint a qualified archaeologist to confirm the nature of the accidentally discovered material.</i></p> <ul style="list-style-type: none"> c) If the material is confirmed as being archaeological, the consent holder must ensure that an archaeological assessment is carried out by a qualified archaeologist, and if required by legislation, an archaeological authority is obtained from HNZPT before work resumes (as per the Heritage New Zealand Pouhere Taonga Act 2014). d) The consent holder must consult the Kaitiaki Rūnanga on any matters of tikanga (protocol) that are required in relation to the discovery and prior to the commencement of any investigation. e) If kōiwi (human remains) are uncovered, in addition to the steps above, the area must be treated with utmost discretion and respect, and the kōiwi dealt with according to both law and tikanga, as guided by the Kaitiaki Rūnanga. f) Works in the site area must not recommence until authorised by the Kaitiaki Rūnanga, the Heritage New Zealand Pouhere Taonga in the event that an archaeological authority is required (and the NZ Police in the case of kōiwi) to ensure that all statutory and cultural requirements have been met. g) The consent holder must notify Council prior to the recommencement of work, and copies of all relevant authorisations must be provided to the Council. <p>Advice Notes:</p> <p><i>It is expected that all parties will work towards work recommencing in the shortest possible time frame while ensuring that any archaeological sites discovered are protected until as much information as practicable is gained and a decision regarding their appropriate management is made, including obtaining an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 if necessary. Appropriate management may include recording or removal of archaeological material.</i></p> <p><i>Although bound to uphold the requirements of the Protected Objects Act 1975, the consent holder recognises the relationship between Ngāi Tahu whānui, including its Kaitiaki Rūnanga, and any taonga (Māori artefacts) that may be discovered.</i></p>
	Administration
30.	<p>Within ten working days of each anniversary of the date of this decision the Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the</p>

	<p>following purposes:</p> <ul style="list-style-type: none">a) To deal with any adverse effects on the environment that may arise from the exercise of the consent which were not foreseen at the time the application was considered and which it is appropriate to deal with at a later stage.b) To deal with any adverse effects on the environment which may arise from the exercise of the consent and which could not be properly assessed at the time the application was considered.c) To avoid, remedy and mitigate any adverse effects on the environment which may arise from the exercise of the consent and which have been caused by a change in circumstances or which may be more appropriately addressed as a result of a change in circumstances, such that the conditions of this resource consent are no longer appropriate in terms of the purpose of the Resource Management Act 1991.
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Change of conditions (RC245568)

Resource consent 145099

1. That the proposed activities shall proceed generally in accordance with the information and plans submitted with the application, except where otherwise stated in the conditions of this consent, or otherwise amended by RC245568, including:
 - (a) the Wheatsheaf Quarry Site Plan prepared by Planz Consultants (January 2014), except that the mobile crushing restriction referred to on the site plan as applying from December 2013 shall apply from March 2014 onwards (refer condition 14);
 - (b) the Quarry Management Plan required to be submitted under condition 3.
2. The annual volume of aggregate material extracted from the Quarry shall not exceed 700,000 tonnes. The daily volume of aggregate material extracted from the Quarry shall not exceed 4,000 tonnes.

Quarry Management Plan

3. A quarry management plan shall be submitted to the Selwyn District Council District Planner within 1 month of the date of this consent for certification that it documents, as a minimum:
 - (a) Relevant site operations and procedures;
 - (b) Environmental effects, including (but not limited to) noise, dust, traffic and visual effects;
 - (c) Consent conditions and any other mitigation measures to be employed to minimise environmental effects and/or adhere to best practice and including any measures necessary to ensure compliance with the conditions of this consent;
 - (d) Relevant monitoring requirements; and
 - (e) Relevant site rehabilitation requirements.
4. The Quarry Management Plan may be amended and submitted to the Council for certification during the period of this consent as appropriate to improve management and contingency procedures. The Plan and any revisions shall include the best practicable options for achieving compliance with the conditions of this consent.
5. Where there is any conflict between the Quarry Management Plan and these consent conditions, these consent conditions shall prevail.

Hours of operation and noise

6. Truck movements on site shall only occur between 0600 to 1800 hours Monday to Friday and 0700 to 1300 hours on Saturdays (excluding public holidays).
7. A maximum of 20 truck movements shall occur on-site before 0700 hours on Monday to Friday (and excluding any public holidays).
8. The quarry shall be closed to the public prior to 0700 hours and after 1800 hours.
9. Vehicle and heavy machinery speeds within the site shall not exceed 20 km/h.
10. No more than two loaders shall operate on site simultaneously before 0700 hours.

11. Loader(s) shall not operate within 80m of the south western boundary of the site adjoining the Marshall property (Lot 1 DP 52445) prior to 0730 hours.
12. The internal road to the clean-fill area located immediately north-east of the site entrance shall not be used by heavy vehicles/equipment prior to 0700 hours.
13. The mobile crushing and screening plant(s) shall only operate between 0800 to 1800 hours Monday to Friday and 0800 to 1300 hours on Saturdays (excluding public holidays).
14. The operation of mobile crushing plant(s) shall be restricted to areas north of a line drawn from the Marshall/Garters (Lot 1 DP 52445/Lot 4 DP 463714) boundary to the Legg/Smith/Garters (Lot 1 DP 463714/Lot 1 DP 76885/Lot 2 DP 467327) boundary from March 2014 onwards as shown on the Site Plan referred to in condition 1a.
15. The operation of mobile screening of topsoil shall be restricted to areas north of a line drawn 200m further north of the line referred to in condition 14, as shown on the Site Plan referred to in condition 1(a).
16. Loading and crushing activities are to be located and operated within the quarry pit approximately 8m below natural ground level at all times.
17. That other than construction activities as defined separately under condition 18, noise from all activities on site including any mobile machinery and vehicles shall not exceed the following limits, measured at the notional boundary of any other site not owned by the consent holder or where affected parties approval has not been obtained:

Daytime (0700 to 2200 hours) hours - 55 dB LAeq and 85 dB LAFmax

Nighttime (2200 hours to 0700 hours) - 45 dB LAeq and 70 dB LAFmax

A plan indicating those properties for which affected party approval has been obtained is attached to this decision as Appendix 1.

18. Construction activities shall be managed in accordance with the requirements of NZS6803:1999 Acoustics - Construction Noise and any noise generated shall comply with the limits given in Table 2 of that standard for typical duration activities.

For the purposes of this condition, "construction activities" means site establishment, the construction, rehabilitation and removal of earth bunds, overburden removal and the creation of any access roads for the extended quarry area. Once the extended quarry area is established overburden removal and construction of earth bunds shall continue to be construction activities but may be undertaken for periods not exceeding 3 weeks at any time.

19. Any equipment permanently based at the quarry site is not fitted with tonal reversing beepers, or any such beepers are deactivated such that they cannot be heard.

Visual

20. Within 2 months of commencing operations in any part of the quarry that is not yet bunded, fenced or landscaped at the site boundary, the consent holder shall construct either an earth bund, fencing or landscaping (or combination thereof) at the boundary of the expanded quarry area to a minimum height of 2.0m and as generally indicated on the Site Plan referred to in Condition 1a.
21. The height of aggregate stockpiles shall not exceed the height of the earth bund, fencing

or landscaping required by condition 20.

22. The height of soil stockpiles shall be no higher than either the combined height of the adjacent bund/planting or 5m above natural ground level, whichever is the lesser.
23. The vegetation cover on the existing earth bund along the site's Selwyn Road frontage (as detailed in the landscape plan submitted with the resource consent ref no. 105049) shall be maintained and any dead or diseased plants shall be replaced with similar species in the next available planting season (May to August).

Dust

24. The consent holder shall ensure on a continuing basis that dust generated from the site is not offensive or objectionable beyond the site boundary, including:
 - a) Avoiding extraction and materials handling, as necessary, when conditions are dry and windy;
 - b) Applying water to unconsolidated surfaces and stockpiles, as necessary, to minimise dust emissions during dry and windy conditions;
 - c) Minimising exposed areas within the quarry;
 - d) Maintaining a cover of metal on unsealed haul roads to reduce dust caused by truck movements;
 - e) Ensuring that crushing material is sufficiently damp to ensure minimal dust discharge;
 - f) Using fitted water sprays, as required, to dampen aggregate material at the crusher;
 - g) Checking trucks for load security before they leave the site;
 - h) Sealing the main entranceway and access haul road to the quarry along with regular sweeping to prevent accumulation of loose materials and to minimise dust generated by vehicle traffic; and
 - i) Limiting vehicle speeds on site to not more than 20 km/hr.
25. Crushing, screening, stripping operations and cleanfill deposition from natural ground level that occurs within 200 metres of the downwind site boundary shall cease when wind speeds exceed 10m/sec (or 36km/hour). For the purposes of monitoring this condition the consent holder shall install an anemometer on-site.
26. Notwithstanding Condition 25, site activities shall cease when those activities cause visible dust beyond the consent holder's property;
27. The consent holder shall maintain a complaint register that includes the prevailing weather conditions (including wind speed), nature of complaint and actions undertaken to remedy any dust discharge. This shall be supplied to the Selwyn District Council on request.

Traffic

28. That by 31 May 2014, the site access shall be upgraded to incorporate a right turn bay and associated seal widening into the site from Selwyn Road, as per Austroads Part 4a section 7.5.2 (rural channelised T-junction), with a storage length of not less than 25m. The improvement shall also include an extension to the northbound acceleration lane at

least 3.5m wide with a 0.5m sealed shoulder exiting the quarry, for a length of approximately 80m (including taper).

29. Prior to construction of the upgrade detailed in Condition 28, detailed engineering plans shall be submitted to Selwyn District Council for certification that the Selwyn Road engineering works are in accordance with Condition 28, Austroads Standards and the Selwyn District Council Engineering Code of Practice. Where there is any conflict between these requirements, the requirements of Condition 28 will prevail.
30. The upgrade and Selwyn Road engineering works are to be constructed in accordance with the approved engineering plans and works shall not commence until engineering approval of the complying documents has been provided to the consent holder in writing by the District Council.
31. That by 31st May 2014, the consent holder shall install an intersection Flag Light at the vehicle entrance to the quarry on Selwyn Road, in accordance with the Selwyn District Council Engineering Code of Practice.

Rehabilitation

32. Within 6 months of the completion of quarrying activities and on a progressive basis, the consent holder shall commence rehabilitation of quarried land with (as a minimum) topsoil and grass. Such rehabilitation work shall be completed as soon as practicable having regard to ongoing quarrying activities.

Transpower

33. The consent holder shall ensure that the discharge of dust and/or particulate matter from the gravel extraction and/or wider activities within the site do not create any dust hazard or nuisance to transmission lines.
34. The consent holder shall adhere to the Operation Management Plan as approved under the previously authorized resource consent 115027.
35. All buildings and structures must be set back a horizontal distance of at least 12 metres from the centre line of each transmission line, and must also be located no closer than 12 metres from the closest visible edge of any transmission line support structure foundation.

(Note: Refer to section 2.4 of the NZ Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)).

36. In the case of any transmission line tower (pylon), the consent holder must not excavate or otherwise interfere with any land:
 - (a) At a depth of greater than 300mm within 6 metres of the outer edge of the visible foundation of the transmission line tower (pylon); or
 - (b) At a depth greater than 3 metres, between 6 metres and 12 metres of the outer edge of the visible foundation of the transmission line tower (pylon); or
 - (c) In such a way as to create an unstable batter, which for the purposes of this condition is defined as being one steeper than 1v:2horz or 26 degrees.

(Note: Refer to section 2.2.3 of the NZ Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)).

37. No material is to be deposited (either permanently or temporarily) under or near the

transmission lines which would reduce the distance between the ground and the transmission line conductors to less than 6.5 metres.

(Note: Refer to section 4.3 of the NZ Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)).

38. All buildings and structures must be located, and all site activities must be undertaken, so as existing vehicle access to the existing transmission line support structures within the site is not precluded.

39. Fences of conductive materials must not be attached to any transmission line support structure.

(Note: Refer to section 2.3.1 of the NZ Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)).

40. All machinery and mobile plant must maintain a minimum clearance distance of 4 metres from the transmission line conductors at all times.

Note: Refer to section 5.2.1 of the NZ Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

41. Mobile processing plant for aggregate crushing or screening must not be located closer than 75 metres from the centre line of the Islington - Springston A transmission line.

42. All newly planted trees or vegetation (exceeding maximum height of two metres and over at full maturity) must:

- (a) Be set back by a horizontal distance of at least 12 metres from the centre line of each transmission line; and
- (b) When fully-grown, not be able to fall within 5 metres of any part of the transmission lines.
- (c) All trees and vegetation planted within the application site must comply with the Electricity (Hazards from Trees) Regulations 2003 when planted.

Review of Conditions

43. That pursuant to section 128 of the Act the consent authority may, at any time during the first year of operation of the quarry under this consent and thereafter within 10 working days of each anniversary of this consent, review the conditions of this consent to deal with any adverse effect on the environment which may arise from the exercise of the consent.