

Planning Unit

Notice of Submission on an Application for Resource Consent

Application Reference:

Resource Management Act 1991 - Form 13

Send or deliver your application to: Selwyn District Council, PO Box 90, Rolleston 7643

For enquiries phone: (03) 347-2868

For enquiries email: planninginfo@selwyn.govt.nz

1. Submitter Details

Name of Submitter(s) (state full name(s)): Allan Peter Marshall Judith Ann Marshall

Physical Address:

Address for Service (if different):

Email:

Telephone (day):

Mobile:

2. Application Details

Application Reference Number (if not stated above): RC 245566 AC 245567 RC 245568

Name of Applicant (state full name): Winstone Wheatsheaf Quarry

Application Site Address: 50 Selwyn Road

Description of Proposed Activity: Quarriying

3. Submission Details

- I / We: ☐ Support all or part of the application
☒ Oppose all or part of the application
☐ Are neutral towards all or part of the application

The specific parts of the application that **my / our** submission relates to are: (give details, continue on a separate sheet)

attached

The reasons for **my / our** submission are:

attached

The decision I / We would like the Council to make is: (give details including, if relevant, the parts of the application you wish to have amended and the general nature of any conditions sought.)

Decline

4. Submission at the Hearing

- ☒ I / We wish to speak in support of my / our submission.
- ☐ I / We do not wish to speak in support of my / our submission.
- ☐ If others make a similar submission I / We will consider presenting a joint case with them at the hearing.
- ☐ Pursuant to section 100A of the Resource Management Act 1991 I / We request that the Council delegate its functions, powers, and duties required to hear and decide the application to one or more hearings commissioners who are not members of the Council. *(Please note that if you make such a request you may be liable to meet or contribute to the costs of the commissioner(s). Requests can also be made separately in writing no later than 5 working days after the close of submissions.)*

5. Signature

(Of submitter(s) or person authorised to sign on behalf of submitter(s))

Signature:.....

Date: 29/1/2025

Signature:.....

Date: 29/1/2025

Note: A signature is not required if you make your submission by electronic means.

6. Privacy Information

The personal information requested in the form is being collected by Selwyn District Council so that we can process your application. This information is required by the Resource Management Act 1991. This information will be held by the Council. You may ask to check and correct any of this personal information if you wish. The personal information collected will not be shared with any departments of the Council not involved in processing your application. However under the Official Information and Meetings Act 1987 this information may be made available on request to parties within and outside the Council.

7. Important Information

1. The Council must receive this submission before the closing date and time for submissions on this application.
2. You must also send a copy of this submission to the applicant as soon as reasonably practicable, at the applicant's address for service.
3. All submitters will be advised of hearing details at least 10 working days before the hearing. If you change your mind about whether you wish to speak at the hearing, please contact the Council by telephone on 347-2868 or by email at planninginfo@selwyn.govt.nz
4. Only those submitters who indicate that they wish to speak at the hearing will be sent a copy of the planning report.

For Office Use Only

Received at the Office on at am / pm

----- Forwarded message -----

From: [REDACTED]
Date: Tue, Dec 24, 2024 at 5:14 PM
Subject: quarry submission 2024 2025
To: [REDACTED]

I am opposed to the proposed quarry extension.

Past experience over the last 25 years, has shown that all previous and current operators have been responsible for many breaches of the consents granted previously, with most of these directly adversely affecting neighbours, including myself.

- Dust control measures not enacted

- Operating machinery out of prescribed hours

- Breaches of noise limit controls

- Offensive material dumped

- Wind indicator being ignored, and occasionally not working.

Unrecorded complaints; over the years I have personally gone to the quarry office, or phoned, to complain of various breaches (dust, noise, hours of operation.) Reading Winstones submission I see no reference to any of these.(they have however all been logged by me...)

Added to this, but admittedly out of the direct control of the applicants;

- Use of engine braking on Selwyn Road

- Use of reversing beepers by visiting trucks

Some of these offences may seem minor in themselves, but when taken in the context of their frequency, duration, and persistency over a period of many years, they present an intolerable challenge, particularly if we are expected to endure possibly another 4 years or more of activity.

I would refer to the Bligh report BPE-2024-R-WA-001, section 6.9.2, page 27, item 6 : "the site has a good compliance history in terms of nuisance dust effects" Also Appendix H of the current application, Air Quality Consulting NZ Ltd, 2.7, page 15: "In total three complaints have been received since 2019 in relation to air discharges." I would strongly dispute these claims. I myself would have exceeded that number of complaints. Just because a complaint has not been made (given most New Zealanders cultural aversion to continuously complaining) does not mean all is compliant.

Also, again referring to Air Quality Consulting report, Section 6, page 27, Aggregate Processing: and section 7.4 page 35 :Our house is c. 350 meters from the crusher plant, and even in moderate winds (7 mtrs/sec or less) we are subject to dust coming over our boundary with the quarry, and some of it reaching the house. I thus disagree with both of those sections. As a result, (and drawing

29/01/2025

from experience) I also strongly disagree with the assumptions in section 9, page 40, particularly "air discharges from the operation of the Sullivan Block are unlikely to result in any adverse effects beyond the Site boundary and the effects are therefore considered to be less than minor." The "sensitive receiver" mentioned being 115 meters from the Sullivan Block is our house. Over the years I have taken various photos and videos of dust crossing the boundary with the quarry. These can be made available.

Referring to Winstone's Wheatsheaf Quarry Draft Dust Management Plan, June 2024, section 4.1, page 5: The photo shown was likely taken some years ago; today it is surrounded by trees, and until I informed the foreman at Winstones earlier this year (2024), appeared to be not operating. The flashing orange light would currently not be visible to most operators in the quarry.

Included in conditions for the granting of the 2022 consent, an assurance of an additional 300 meters of sealed haul road was to be constructed. (Section 42a, Officers Report, Feb 2022, CRC) sections 56 p15, 250 p.44, 252 p.45) According to Table 5, section 6, Appendix H, Air Quality Assessment, there is currently only the original 100 meters of seal. This surely shows a blatant disregard for the surrounding properties, and perhaps indicates that whilst assurances are given in various reports making up the application, history would show many are disregarded. Thus I would submit that historical performance weighs heavily on any decision the decision maker arrives at.

However, I realize the above issues have been raised by submitters opposing an application in previous applications, and have always been summarily dismissed by commissioners, over many years and at least 5 consent applications, (establishing "resource creep").

I will return to that later.

Of a material concern to me, and one I believe a commission must consider, is loss of income to ourselves should the consent be granted. I own the property and live on it. In a separate 4 bedroom house resides a tenant, being the 3rd closest house to the proposed area according to Winstones maps, and quoted as First Receptor in the Air Quality Consulting Ltd report. The current occupier of this house has informed me that they will not remain if the consent is granted. They have endured the existing quarry, but willingly remained in the house for the previous 3 1/2 years, however cannot see a tolerable lifestyle if the quarry moves any closer to them. I am a superannuitant, who has the income from this house as a supplement to my superannuation. Such a loss would be of material detriment to me. I consider it obvious that any prospective tenant would be dissuaded from moving into the property, certainly without a substantial reduction of rent. This may be difficult to prove and is thus subjective, but is an indisputable fact of supply and demand economics, and human nature - thus a direct effect on my income. It could also mean one less house available for a family. If the quarry remains under its current consent, my income should not be affected. (Please note, I have made no claim as to the lowering of my capital value - I fully understand this has no bearing in this hearing)

Returning to the issue's I listed at the start; according to Lisa Kamali's report 42A Officers Report dated Feb 2022, section 408, referring to various previous non-compliance on various issues relating to resident's submissions on the 2022 application, she was "unable to consider these concerns, as they related to the past, and anything she must consider, has to only relate to proposed activities in the current application". Fair enough. No doubt, by that standing, the same would apply in this current application. So, my question would be, why have a hearing at all? Perhaps it should be obvious to us all that 500 odd pages of submission, all peer reviewed and ticked off, needs no further costly and time consuming scrutiny. And history, here and elsewhere would seem to bear this out, considering very few consent applications in Canterbury are declined. My opinion would be that past performance should count enormously when considering a further application. Perhaps even to consider if this "experiment" of having a quarry adjacent a large number of residences has been well tested over the last 25 years, and been shown to fail.

Regarding the necessity of having a quarry in the area: Since Selwyn Quarries commenced

operations, at least two more large quarries have opened nearby. By Winstones own admission (Bligh Report July 2014, Section 4.4, p.12) and (Section 6.0, p.27, Appendix H) showing production expected to be c. 100,000 to 200,000 cubic meters p.a. due to lowering demand for product in Canterbury. This negates the claim that the quarry extension is essential for the region. It should be noted that the 2022 application weighed heavily on the regions need for product. And so it was granted. As this is no longer the case, the application need not be granted on those grounds.

There is one more matter causing me confusion; In Appendix J, the MarshallDay report, section 2.2, page 7, mention is made of the Processing Plant hours, being "Processing only 8am-6pm weekdays; 8am -1pm Saturdays". These differ to those proposed in the Wheatsheaf Quarry Site Rehabilitation Plan, June 2024, section 10.5, page 10.; which states : "no processing of gravel will occur on site before 0700 hours or after 1800 hours..." The start time for the crusher is 8 am in one document, and 7am in the other. This is hugely important. An agreement was reached many years ago (and written into consents) with the then quarry owners to start the crusher at 8am. (at 7am people are still asleep, and there is very little masking background noise) There has been in all previous applications, and this one, an assurance that existing hours and practises will continue unchanged - there are way too many references to this to be listed. Interestingly, Winstone's have ignored any reference to an 8 am start since 2022, and no doubt will continue to do so. This is concerning at several levels. Firstly it shows another blatant disregard to their consent conditions, but worse than that, we have a situation that if allowed to continue actually makes conditions under the new regime worse than ever before! I have approached Winstones about what I consider to be a breach, but have been unable to secure an assurance they will go back to an 8 am start. I realize these are large and varied documents, items may be easily missed by quarry managers, but blatant disregard for hard fought concessions is disturbing. Starting the crusher at 7am on a Saturday morning is both unreasonable and frankly tortuous to those having worked all week and can reasonably expect some peace and quiet until at LEAST 8 o'clock! (This needs sorting regardless of the hearing outcome)

In closing, in 2009 when SDC themselves considered extending the quarry, it was to be limited to 20,000 cubic meters p.a., out of a 4 hectare block. This was agreed to by all affected neighbours, including myself, at the time. With each extension (resource creep) in extraction volume, land expansion and crushing occasions, it has become a major source of the above listed issues, and IMPORTANTLY is now continuing round in a full circle, literally. Perhaps this quarry has gone far enough in terms of reach, land, production, and neighbourly tolerance.

Probably not relevant, but I believe in the community there is a general wariness to these ongoing applications and their inevitable granting, thus opposition may be more muted than is truly felt, but that should not lessen the collective concern shared (by my reading of the community) nor the effects granting this application will have.

I request this Application be declined.

Thankyou for receiving my submission. Allan and Judy Marshall