

Response ID ANON-URZ4-5FJ4-E

Submitted to Fast-track approval applications
Submitted on 2024-04-30 17:50:25

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:
KB Contracting and Quarries Limited

2 Contact person

Contact person name:
David Blair

3 What is your job title

Job title:
Director

4 What is your contact email address?

Email:
s 9(2)(a)

5 What is your phone number?

Phone number:
s 9(2)(a)

6 What is your postal address?

Postal address:
s 9(2)(a)

7 Is your address for service different from your postal address?

No

Organisation:

Contact person:

Phone number:

Email address:

Job title:

Please enter your service address:

Section 1: Project location

Site address or location

Add the address or describe the location:

- 455 Old West Coast Road.
- 441 Old West Coast Road.
- 431 Old West Coast Road.
- 405 Old West Coast Road.

Collectively referred to as 'the Site'.

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Do you have a current copy of the relevant Record(s) of Title?

Yes

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Records_of_Title.pdf was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

KB Contracting and Quarries Limited (KBCQ).

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

KBCQ is the owner and therefore there are no legal constraints on undertaking the work required for the project.

Section 2: Project details

What is the project name?

Please write your answer here:

Miners Road Northern Expansion.

What is the project summary?

Please write your answer here:

KBCQ seeks to expand its current extraction activities at 95 Miners Road onto the Site to be able to keep supplying the Canterbury market with high quality aggregate. The land will be progressively rehabilitated, and the processing of aggregate will be undertaken using existing equipment at 95 Miners Road.

What are the project details?

Please write your answer here:

The purpose of the project is to expand an existing quarry operation at 95 Miners Road, Christchurch onto land to the north.

The objectives are:

- to extract to within 1 metre of the highest recorded level of groundwater, whilst ensuring that water quality beneath the Site and in surrounding bores is not reduced.
- to rehabilitate the land so that it can be used for a productive use.
- to extract aggregate to supply the greater Canterbury region with high quality aggregate for civil and commercial developments over the next 25 to 30 years.

The activities will be as follows:

- retain all planting along Old West Coast Road to provide an effective visual screen, with planting being undertaken to fill any gaps. Planting will also be retained along the boundaries with 419 Old West Coast Road and gaps planted as required.
- construct bunding/temporary stockpiles, as required, along site boundaries.
- pipe/redirect a water race that runs through the properties at 455 and 441 Old West Coast Road.
- construct a haul road from the Site to the main quarry. Conveyors may be considered in the future, if economically viable.
- remove overburden (topsoil and subsoils layers) using an excavator and loader.
- undertake extraction, likely commencing where the haul road enters the Site and limit the extent of the open area. The maximum depth of extraction will vary across the Site but will ensure that extractive activities occur 1m above the highest recorded level of groundwater.
- undertake dust suppression activities using chemical suppressants and water.
- ongoing monitoring of groundwater levels and groundwater quality.
- limit the hours of operation to those generally in the Christchurch District Plan.

- backfill with a mix of virgin excavated natural materials, overlain with cleanfill material. Topsoil which has been stored following site preparation will form a final 300mm deep layer, which will be grassed or otherwise vegetated. It is anticipated that if practicable, the final rehabilitated ground level will reflect the existing ground level.
- remove all mobile machinery from the Site on completion of quarrying and rehabilitation activities.
- discharge of water through cleanfill and
- discharge to air from stockpiling and the disposal of cleanfill.

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

The aggregate will likely be extracted in an east to west direction with extraction volumes varying according to demand throughout the 25-30 year life of the quarry.

Extraction can commence as soon as consent has been granted. However, extraction will not occur on the main site or at 144 Chattertons Road at the same time as within the expansion site, but extraction can move between the areas as required.

What are the details of the regime under which approval is being sought?

Please write your answer here:

RMA and potentially the Conservation Act 1987 if lizards are found on the Site - which is considered to have a low likelihood.

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Canterbury Regional Council.
Christchurch City Council.

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

No applications have been made for this, or a similar, project.

Is approval required for the project by someone other than the applicant?

Yes

Please explain your answer here:

The Site is owned by the Applicant, however the water race the runs through 455 and 441 Old West Coast Road is owned by Selwyn District Council and permission will be needed to divert or pipe it.

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

Within 6 months of granting of consent but will not be complete for 25 to 30 years as this is not a construction project.

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

- Canterbury Regional Council.
- Christchurch City Council.
- Te Rūnanga o Ngāi Tahu
- Te Ngai Tuahiriri Rununga.

s 9(2)(a)

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s 9(2)(a)

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

This has not been started yet but will be undertaken over the next 6 months as part of preparing the application.

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Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

None are required.

Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

The Ngāi Tahu Claims Settlement Act 1998 applies to this geographical location.

There are no statutory acknowledgement areas in Christchurch and there are no relevant principles and provisions that apply to the subject site.

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

Yes

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

Upload your assessment if necessary:
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Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

The project is very similar to an expansion at 144 Chattertons Road for which an application has recently been prepared and lodged with CCC and CRC (Consents granted by CRC on 23rd April and still pending from CCC). 144 Chatterton's Road is located to the west of, and adjoins, the existing quarry at 95 Miners Road.

Based on these applications, the following known adverse effects are likely (pending detailed assessment to be carried out over the next 6-8 months):

o Effects on soils. Topsoil will temporarily and progressively be removed from the Site; however, it is

intended that the Site will be rehabilitated, and the original topsoil placed as the final layer over the proposed cleanfill. This will enable the Site to be used for a range of future uses. The soil will be carefully stockpiled to retain its structure and ability to support vegetation.

o Effects on landscape/rural character. The proposed quarry expansion will likely generate low (less than minor) adverse effects on the landscape character, that will gradually reduce once the Site is progressively rehabilitated. The Proposal, once vegetation is established, will not appear out of character with the surrounding area.

o Effects on visual amenity. Visual effects from public roads and on private dwellings will be managed through existing and proposed planting, and potentially the construction of temporary overburden and soil storage bunds.

o Effects resulting from construction noise. Construction activities such as will be undertaken over a short period of time and will only occur during daytime hours (0730 and 1800 hrs on weekdays and 0730-1300 hrs on Saturdays).

o Effects resulting from operational noise. The limits in the Christchurch District Plan are likely to be met, except at adjoining property boundaries. This will be managed through a Noise Management Plan and consultation with landowners/occupiers.

o Effects on the terrestrial ecology. This will likely be dominated by exotic species, being shelterbelts and pasture, none of which are protected under the relevant planning documents. Due to the modified nature of the environment at the Site, resulting from many years of farming and residential activity, the Applicant suspects, but needs to confirm, that any terrestrial ecology values are likely to be low.

o Effects on freshwater ecology. There is a water race that runs through part of the Site and an assessment will need to be made regarding any freshwater ecological values. A highly experienced freshwater ecologist has been engaged as part of the project team.

o Effects on air quality. Discharges of dust to air and potential effects will be assessed in a manner consistent with the Ministry for the Environment (MfE) 'Good Practice Guide for Assessing and Managing Dust' (2016). Adverse effects have the most potential to occur during the drier months of October to April, with a lower risk of occurrence in the wetter months of May to September. The type of the dust generated is unlikely to be offensive but could result in nuisance effects if adequate mitigation measures are not in place. These are likely to include limiting extraction activities to certain times of the year in proximity to boundaries adjoining residential properties, not extracting on other adjoining KB sites at the same time, weather and dust monitoring and the use of water and chemical dust suppressants.

o Effects on water quality. Effects on the quality of groundwater will be managed by ensuring that excavations will not exceed a depth of 1 metre above the highest recorded groundwater level (HRGL) so that groundwater is not intercepted. Machinery will be well maintained to limit the potential for any hydraulic fluid spills and machinery operators and site staff will be trained in spill avoidance techniques.

No hazardous substances will be stored within the Site and a Spill MP will be prepared.

Cleanfilling will be undertaken in accordance with the MfE Guidelines 2002 (as required by the Canterbury Land and Water Plan) and a Cleanfill Management Plan. As such, cleanfill will meet the relevant background levels for identified contaminants to minimise any risk to groundwater.

Rainfall will fall into the quarry pit, but it will not have any adverse effects as this will simply infiltrate to the groundwater system as it currently does (albeit faster than pre-quarrying due to the decreased depth of the vadose zone).

o Effects on cultural values. There are no known waahi tapu sites or other sites of significance on the Site. Furthermore, it is currently understood (but yet to be confirmed) that there will be no disturbance of significant indigenous flora and fauna, and there are no identified areas of ecological significance on the Site.

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Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

National Policy Statement for Freshwater Management (NPS-FM)

The NPS-FM sets out objectives and policies to ensure that natural and physical resources are managed in a way to prioritise first the health and wellbeing of water bodies and freshwater ecosystems, second the health needs of people, and third the ability of people and communities to provide for their social, economic, and cultural wellbeing. Freshwater is to be managed in a way that gives effect to Te Mana o te Wai.

Surface water has the potential to be impacted by gravel extraction where the waterbody is near the site, or the groundwater is hydraulically connected. In this instance, the nearest waterbody to the site is the Waimakariri River located 5.5km away and direct connection is not likely given groundwater gradient is falling away from the river. Therefore, proposed quarrying activities will not adversely affect any habitats of indigenous freshwater species, trout and salmon.

No additional water will be taken for the proposed expansion. Water will be supplied for aggregate washing, dust suppression, irrigation and other ancillary activities under current consent CRC981349.1. This will not exacerbate any over-allocation in this groundwater zone. The use of water for dust suppression will also assist in maintaining existing rural amenity.

Discharges of containments into or onto land where they may enter groundwater will be managed. A 1 metre separation distance between the quarry pit floor and expected HRGL will provide a degree of protection for groundwater resources, although, the act of quarrying has very little potential to contaminate groundwater and best management practices will be conducted.

No hazardous substances will be stored on the expansion site. The discharge of rainfall through the quarry floor will only contain sediment and additional monitoring wells will be installed on the expansion site to ensure groundwater is not being contaminated as a result of the quarry operations.

Implementation of a Cleanfill Management Plan will ensure that the Proposal does not result in contaminants leaching into groundwater, such that its quality is degraded.

In conclusion, the use, protection and treatment of water will be consistent with the objectives and policies of the NPS-FM. The proposal will give effect to Te Mana o te Wai to enable people and communities to provide for their social, economic, and cultural well-being, now and in the future. However, it will also enable the discharge of water, which is necessary to operate an aggregate quarry that will provide aggregate for road and construction activities that are vital to the economy of Christchurch.

The National Environmental Standard for Assessing and Managing Contaminants in Soil (NES-CS)

An analysis of aerial photographs and researching the Listed Land Use Register shows that 431 Old West Coast Road is listed because of 'persistent pesticide bulk storage and/or use'. Further investigation will be required to determine the nature and extent of any contamination with remediation being carried out as required.

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Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

The time taken to process applications to both Christchurch City Council and Canterbury Regional Council for a small expansion (5 hectare site) has been somewhat longer than anticipated. The applications were lodged in June 2022 and consents are yet to be issued. The Applicant received two s92 requests for further information from CCC and there has been some overlap between the matters being considered by each council. It would have been preferable to have one planner processing both applications.

It has taken over 2 months to agree conditions with both councils, with some overlap also occurring between the two sets of conditions, which has taken time to resolve.

All of the above has resulted in significant costs to the Applicant in terms of responding to both councils' requests and reviewing several sets of conditions.

It is hoped that the fast-track process will enable a more holistic consideration of the project and greater timeliness in processing the applications.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

This is a fairly straightforward application that is unlikely to adversely impact on the efficient operation of the fast-track process.

Has the project been identified as a priority project in a:

Not Answered

Please explain your answer here:

No.

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

Whilst quarries do not directly deliver regionally or nationally significant infrastructure, they are an essential component of delivering it. Without aggregate, it is not possible to construct roads, housing developments, landfills and even construct hazard mitigation.

For example, KB's quarries at Mcleans Island and Miners Road have been part of the rehabilitation of Burwood landfill, and many housing developments as Christchurch has recovered from the earthquake sequence in 2010 to 2012. The Miners Road quarry will also contribute to the construction of the Woodend bypass.

Will the project:

increase the supply of housing, address housing needs

Please explain your answer here:

It will as aggregate is required in the making of concrete and to construct roads. No aggregate, no housing and no roads.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

The quarry itself will not deliver significant economic benefits if only the economic return from the aggregate and the number of people employed is considered. It is the supply of aggregate for the physical infrastructure on which the economy depends, where it delivers significant economic benefits.

Quarrying is a regionally significant industry. Without ready access to affordable aggregate, infrastructure costs would rise, and its affordability would decrease. This would directly impact on the construction and maintenance of infrastructure such as roads and sewerage systems, with consequent adverse impacts on the region's industries that rely on that infrastructure. As such, aggregate resources need to be located close to demand, as it is expensive to transport (costs double every 60 km).

Will the project support primary industries, including aquaculture?

Yes

Please explain your answer here:

The extraction of aggregate/quarrying is generally considered to be a primary industry.

Will the project support development of natural resources, including minerals and petroleum?

Yes

Please explain your answer here:

It will enable the extraction of aggregate as discussed above.

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

The aggregate extracted could be used to support climate mitigation projects but also the location of the quarry expansion will reduce transport costs compared to a quarry located at a greater distance from Christchurch.

Will the project support adaptation, resilience, and recovery from natural hazards?

Yes

Please explain your answer here:

Aggregate has and will continue to be supplied to CCC for coastal protection and erosion works adjacent to the Avon Heathcote estuary. It could also be used for a range of other works including stopbanks, dams and the rebuilding of infrastructure after a hazard event as has occurred post the

Christchurch earthquake sequence.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

The aggregate extracted could assist in addressing natural hazard risks as discussed above.

Is the project consistent with local or regional planning documents, including spatial strategies?

Yes

Please explain your answer here:

In summary, the Canterbury Regional Policy Statement (CRPS), the Canterbury Land and Water Regional Plan and the Christchurch District Plan essentially provide for development and the use of physical resources whilst ensuring that the quality of the environment is improved or maintained. Of particular relevance to this project, it will:

- o be a rural activity (as defined in the CRPS) in a rural zone.

- o ensure that soils that are removed and stored can be reused and retain their ability to support future primary production.

- o the sensitivity of the landscape is likely to be determined as low with the magnitude of change for this area also being low in degree. Furthermore, following quarry activities, the progressive rehabilitation will return the Site to grazing pasture, which will be consistent with a rural character.

- o effectively minimise any risk to groundwater by maintaining 1 metre between HRGL and the base of the quarry.

- o require all cleanfill to be tested to ensure contaminants meet the relevant background levels for the Site.

- o not require hazardous substances to be stored on the Site and will implement contingency measures such as a spill management plan and staff training in the event of a hydraulic oil or fuel leak.

- o effectively maintain air quality through the use of a Dust Management Plan and on-going monitoring.

- o maintain the current level of rural amenity by retaining existing planting and undertaking the construction of temporary storage bunds and planting additional screening.

Anything else?

Please write your answer here:

The Mahaanui Iwi Management Plan (MIMP)

The MIMP has specific policies that address quarrying, including that quarrying proposals are assessed with reference to: location of the activity (sensitivity of the site, it's 'fit' with the existing landscape, significant biodiversity, waterways, sites of significance, accidental discoveries and wider cultural landscape), the type of quarrying (resource to be extracted, its use and is it sustainable) and avoiding or mitigating adverse effects (erosion and sediment controls, stormwater management, waterway protection, and rehabilitation).

All applications for quarrying activities should include a quarry management plan that addresses earthworks, waterway protection, on site stormwater treatment and disposal and provisions for visual screening/ barriers that include indigenous vegetation; and site rehabilitation plans that include restoration of the site using indigenous species.

There is likely to be no or very little indigenous vegetation within the expansion area, being mainly grassed areas that are used for grazing. Likewise, there are no waterways that flow across the Site and no sites of ecological significance are identified in the District Plan.

The aggregate extracted from the Site is vital to the recovery and growth of Christchurch. The resource needs to be extracted and processed in close proximity to its intended market due to the high costs of transporting a bulky and heavy product.

All works within the Site will be managed through a Quarry Management Plan and a Dust Management Plan. All other potential adverse effects including air and water discharges will be managed. It is also proposed that the Site will be cleanfilled and rehabilitated, and that future uses will integrate with, and not undermine, the rural character of the area. As such, the proposal accords with the intent of the MIMP.

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

Yes

If yes, please explain:

If the Canterbury Region is affected by more significant rainfall events, it is likely that the quarry will infringe the 1 metre separation between the highest recorded level of groundwater and the base of the quarry. This is becoming an issue in Canterbury and many consents require the quarry floor to be backfilled in order to meet this requirement. This is a costly process and often unnecessary given that rainwater is percolating through a reduced depth of aggregate, but it remains free of contaminants.

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

95 Miners Road Quarry, Christchurch

Abatement Notices were issued on 26 July 2023 for Lot 17 DP34056 at 95 Miners Road for the following activities:

- undertaking clean filling without a resource consent.
- discharging to air from storage and handling of materials.
- unauthorised extraction of material within 1 metre of the HRLG.
- restoration of the 1 metre separation between groundwater and the lowest excavation depth using uncontaminated virgin material.

It was resolved as follows:

The small area of cleanfilling that had occurred in Lot 17 was relocated to Lots 1 and 3 on which cleanfilling is authorised under resource consent CRC970118.

An application was made to CRC to authorise the air discharges associated with the existing and ongoing quarry operations on Lot 17 (the Site). Specifically, consent was sought under rule 7.63 of the Canterbury Regional Air Plan (CARP) for the discharge of contaminants to air from the handling of bulk solid materials. Consent is pending.

No resource consent was required to authorise the use of land to excavate gravel on Lot 17, on the basis that the 1 metre separation to the HGRL will be restored by backfilling in accordance with an action plan prepared by the Applicant. Any ongoing excavation within Lot 17 will occur in compliance with CLWRP rule 5.175.

No resource consent for cleanfilling was required on the basis that the cleanfill that has been deposited within Lot 17 has been removed and no further cleanfilling is proposed.

McLeans Island Quarry, Christchurch

Cleanfill

ECan undertook testing of cleanfill at McLeans and identified higher than background level readings for some contaminants on 7th December 2023 with the results provided to KB on 23rd December 2023. ECan then tested again on 25th January 2024 and advised KB on 10th February 2024 that readings still exceeded background levels. This was despite KB advising that they had quarantined the contaminated stockpile of cleanfill.

In response, KB has amended its waste acceptance procedures at the McLeans Island quarry, noting that Fulton Hogan has been engaged to carry out XRF testing of material until KB can purchase its own XRF machine. ECan has tested again and reported that it will not be proceeding with enforcement action.

Depth to Groundwater

In 2023, ECan undertook a review of groundwater level data for a number of sites in the McLeans Island area following the significant rainfall events in August 2022. This was to understand:

- how groundwater levels may have changed, and
- determine any variations in groundwater depth data between sites, and
- check that all sites are measuring and recording groundwater depths appropriately to ensure consistency.

They also measured groundwater levels across multiple monitoring wells to determine the highest recorded groundwater levels and used that data to extrapolate groundwater depths across the KB Site.

They determined that KB had not maintained 1 metre of separation between the quarry floor and the HRLG, despite compliance reports being issued over several years stating that the quarry was compliant. This is in the process of being resolved.

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Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

David Blair

Important notes