

**BEFORE A COMMISSIONER APPOINTED BY THE OTAGO REGIONAL
COUNCIL AND THE CENTRAL OTAGO REGIONAL COUNCIL**

IN THE MATTER OF

the Resource Management Act 1991

AND

IN THE MATTER OF

applications by Cromwell Certified
Concrete Limited for resource
consents to expand Amisfield Quarry

**MEMORANDUM OF COUNSEL FOR
CROMWELL CERTIFIED CONCRETE LIMITED**

Dated: 4 February 2022

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MAY IT PLEASE THE COMMISSIONER:

- 1 This memorandum attaches conditions proposed by the applicant for comment by submitters and their experts, and for the preparation of final recommended conditions by Mr Whyte and the experts advising the consent authorities.
- 2 As directed by the Commissioner in his third minute (dated 22 December 2021), one set of conditions (contained in Appendix A to this memorandum) is provided for the full proposal including the expansion land, and one set of conditions (contained in Appendix B) is provided for deepening of the existing quarry only.
- 3 The same suite of consents is required for both scenarios, with the exception of an air discharge permit which would not be required for the deepening only.
- 4 As addressed at the hearing, should consents be granted for deepening of the existing quarry only, the applicant would limit the rate of production (and would likely limit production to concrete aggregates only) in order to ensure continuity of supply. In a deepening only scenario, the rate of crushing and screening would be limited to less than 100 tonnes per hour and extraction would be limited to less than 100,000m³ per year. At these rates of extraction and processing, the deepened quarry would comply with permitted activity rules 16.3.5.2 and 16.3.5.3 of the Otago Air Plan. Conditions which limit the rates of extraction and processing for deepening only are incorporated into condition 3 of the District land use consent (RC200343) for that scenario (Appendix B to this memorandum). A Dust Management Plan is still proposed for a deepening only scenario (Appendix B, RC200343, condition 10) as well as a requirement that activities shall not give rise to dust or to the deposition of particulate matter that causes a noxious, dangerous, objectionable or offensive effect beyond the boundary of the site (Appendix B, RC200343, condition 4).
- 5 Should consents be granted for the deepening only, the right turning bay on State Highway 6 would not be required given the volume of

traffic movements that would be generated by the limited rates of production. Therefore a requirement for the right turning bay is not provided for in the District land use consent for the deepening only (Appendix B, RC200343).

- 6 By way of summary, the substantive amendments proposed include:

Air discharge permit (RM360.20.03)

- (a) Use of a conveyor to convey aggregate from the expansion land. This is reflected in proposed conditions 9(n)(iii), 18(g) and (h) and 22 of RM360.20.03 (Appendix A);
- (b) The PM₁₀ trigger concentrations specified in conditions 13 and 14 of RM360.20.03 (Appendix A) are now expressed as maximums, allowing them to be decreased shortly after a review by a SQEP (and the DMP to be amended accordingly) without the need for a formal review of conditions by the consent authority (or a consent variation);
- (c) Addition of an early warning pre-trigger concentration alert level (a maximum of ≥ 150 micrograms per cubic metre, as a 10 minute rolling average, updated every 1 minute) (Appendix A, RM360.20.03, condition 14);
- (d) Video monitoring is proposed (Appendix A, RM360.20.03, condition 34);

Discharge to land (RM360.20.02)

- (e) The location of the sediment pond has been defined in the conditions (Appendices A and B, RM20.360.02, condition 4);
- (f) Drilling and monitoring of a new bore between the infiltration/sediment pond and the bores on the other side of the State Highway is proposed (Appendices A and B, RM20.360.02, condition 6);
- (g) Groundwater quality monitoring of several more bores will be undertaken, including for the additional parameters suggested

by Amisfield Estate Society Incorporated (excluding lead which is not water soluble) (Appendices A and B, RM20.360.02, condition 8);

- (h) Should groundwater quality monitoring show that the discharge is causing significant adverse turbidity effects or levels of suspended solids in the bores owned by Irrigation & Maintenance, additional or alternative sediment treatment or management measures will be undertaken to reduce the concentration of suspended solids entering the infiltration/sediment pond (Appendices A and B, RM20.360.02, condition 11). The review condition has also been amended to allow a review of conditions if required to address any such effects (Appendices A and B, RM20.360.02, condition 14(b));

District land use consent (RC200343)

- (i) The number of trucks which can be loaded between 0600 – 0700 and 1900 – 2000 Monday to Friday, as well as the size of aggregate which can be loaded between 0600 – 0700 Monday to Friday, has been limited (Appendix A, RC200343, condition 20; Appendix B, RC200343, condition 12);
- (j) The wording of the noise monitoring condition has been refined and includes a requirement that the report address whether compliance with noise limits will be maintained when works within the expansion area are undertaken at distances less than 200m from the dwelling at 1308 Luggate-Cromwell Road (Appendix A, RC200343, condition 28);
- (k) Certification of the Closure and Rehabilitation Plan has been included (Appendix A, RC200343, condition 40; Appendix B, RC200343, condition 27).

- 7 An increased setback in the vicinity of the workers accommodation consented on Lot 1 DP 508108 (R6) has not been proposed given that the wind rose in Attachment D to Mr Cudmore's evidence indicates that R6 will only be downwind of the expansion area (for all wind conditions) for anywhere between 1% to 4% of all time for any

specific year, and use of a conveyor to transport aggregate is proposed.

- 8 Should submitters have any queries regarding conditions, they are welcome to contact counsel. Technical experts are also welcome to contact the applicant's experts directly.



Monique Thomas
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4 February 2022