

SUBMISSION BY WINSTONE AGGREGATES ON THE PROPOSED SELWYN DISTRICT PLAN

Provision to which Winstone's submission relates:	Winstone's position on this provision is:	The reasons for Winstone's submission are:	The decision Winstone want Council to make:
Planning Maps and Zoning			
Zoning: General Rural Zone	Support in full.	Winstone supports the zoning of the Plains area of the District as General Rural Zone including the Wheatsheaf Quarry. This is supported by Winstone as the General Rural Zone appropriately provides for quarrying activities.	Winstone seek that the zoning of the Plains area of Selwyn District be retained as General Rural Zone in the Planning Maps.
Plains Flood Management Overlay	Support in full.	Winstone supports the identification of natural hazards in the District Plan and on the Planning Maps, as this provides clear information to the public including landowners. See specific comments below on the High Hazard Overlay.	Winstone seeks that the Natural Hazard Overlays are retained on the Planning Maps.
Greendale Fault Avoidance Overlay			
Greendale Fault Awareness Overlay			
Rural Density Overlay	Support in full	Winstone supports the management of residential density in the General Rural Zone to minimise the risk of reverse sensitivity and enable land to be available for primary production.	Winstone seeks that the Rural Density Overlay is retained on the Planning Maps.
Interpretation			
Definition of 'cleanfill area'	Support in full	Winstone supports these definitions of 'cleanfill area' 'clean fill material' and 'landfill' which are consistent with National Planning Standards.	Winstone supports the definition of 'cleanfill area', 'cleanfill material' and 'landfill', as defined in the National Planning Standards, and seeks the definitions of these terms are retained as notified.
Definition of 'cleanfill material'			
Definition of 'landfill'			

Definition of ‘dust’	Support in full	Winstone supports the inclusion of a definition of dust as per the definition in the National Planning Standards.	Winstone supports the definition of ‘Dust’, as defined in the National Planning Standards, and seeks the definition of ‘dust’ is retained as notified.
Definition of ‘earthworks’	Support in full	Winstone as part of its quarrying activities removes the earth/soil overlying the material to be quarried, often referred to as ‘overburden’. This is not specifically provided for in the definition of Quarrying Activities – see discussion below. Therefore, Winstone supports the inclusion of the definition of ‘earthworks’ as per the National Planning Standards.	Winstone supports the definition of ‘earthworks’ as defined in the National Planning Standards and seeks the definition of ‘earthworks’ is retained as notified.
Definition of ‘High Hazard Area’	Oppose in part	<p>Winstone notes that part of the Wheatsheaf Quarry (mainly the area that is/has been quarried) and other areas of the General Rural Zone are located within a High Hazard Area: Plains Flood Management Overlay, where, in a 1 in 500 year Average Recurrence Interval flood event.</p> <p>Winstone is concerned that the High Hazard Area within the Plains Flood Management Overlay is not shown on the Planning Maps.</p> <p>It is understood that Selwyn’s flooding maps can be found on Canterbury Maps, however there is no link from the Selwyn District Plan. This means that any landowner or member of the public cannot determine the location of High Hazard area by looking at the District Plan. And further there is no clear direction as to where to look for the maps. This means that it is also not possible to interpret and apply the rules to any future development e.g. how to apply Rule NH-R1:</p> <p><i>15. The alteration, addition to, reconstruction or replacement of any existing residential unit or other principal building,</i></p> <p><i>Where:</i></p>	<p>Winstone seeks that the Council show all of the High Hazard Areas on the Planning Maps.</p> <p>In the alternative, and if the Council is satisfied that it is legal to have the maps held outside the district plan, then Winstone seeks that there be clear links in the District Plan showing users how to access the hazard maps.</p>

		<p><i>a. The building is not located in a high hazard area; ...</i> [emphasis added]</p> <p>This lack of connection is likely to lead to the public not being aware of identified high hazard areas.</p> <p>In addition, the reliance on these maps, which are outside the District Plan, for the interpretation and enforcement of rules is questioned, whereby any changes to these maps would not be subject to a Schedule 1 process under the RMA.</p>	
Definition of ‘Mineral Extraction’	Support in full	Winstone understands that the Rural General Rules in the PSDP consider mining and quarrying as one activity: ‘Mineral Extraction’. This is supported as it minimises the duplication of rules and standards.	Winstone seek that the definition of ‘Mineral Extraction’ is retained as notified.
Definition of ‘Mineral Prospecting’	Support in full	Winstone supports the inclusion of a definition that provides for mineral prospecting.	Winstone seek that the definition of ‘Mineral Prospecting’ is retained as notified.
Definition of ‘Noise Sensitive Activity’	Support in full.	Winstone supports the definition of ‘noise sensitive activities’ and ‘sensitive activities’ as it assists with managing potential reverse sensitivity effects on noise sensitive activities.	Winstone seeks that the definitions of ‘Noise Sensitive Activity’ and ‘Sensitive Activity’ are retained as notified.
Definition of ‘Sensitive Activity’			
Definition of ‘Primary Production’	Support in full	Winstone supports the inclusion of the National Planning Standard definition of ‘Primary Production’ as it recognises quarrying and the initial processing of quarried material is a primary production activity.	Winstone seek that the definition of ‘Primary Production’ is retained as notified.
Definition of ‘Quarry’	Support in full	Winstone supports the inclusion of the definition of ‘Quarry’ as per the National Planning Standards because it gives specific recognition to that land use.	Winstone seeks that the definition of ‘Quarry’ is retained as notified.
Definition of ‘Quarrying Activities’	Support in full	Winstone supports the inclusion of the definition of ‘Quarry Activities’ as per the National Planning Standards because it provides for the broad range of activities that occur within a quarry.	Winstone seeks that the definition of ‘Quarrying Activities’ is retained as notified.
Part 2 – District Wide Matters, Energy, Infrastructure and Transport, Transport			

<p>Policy TRAN-P1</p>	<p>Oppose in part</p>	<p>Winstone is concerned that the intent and purpose of Policy TRAN-P1 is unclear, including the role and responsibility of giving effect to the Policy. It appears that it is the responsibility of the Council to manage ‘the types of land transport corridors and land transport infrastructure, including through the network road classifications’ while matters such as ‘manages the levels of service, formation standards’ are the responsibility of parties (such as Winstone) undertaking land use and subdivision development.</p> <p>Therefore, Winstone suggest that the intent and direction of the Policy need to be clarified.</p>	<p>Winstone seek that the intent and purpose of Policy TRAN-P1 is clarified and the Policy reworded accordingly.</p>
<p>Policy TRAN-P3</p>	<p>Support in part.</p>	<p>Winstone often prepares ITA’s for its developments and agrees that these are an appropriate tool to manage transport effects. However, Winstone is concerned with the reference in this policy to <i>‘integrating development with funded improvements to the network and ensuring the timing aligns with capacity.’</i></p> <p>Winstone supports the integration of development and funding of infrastructure but would be concerned if proposed private development such as a new quarry was delayed or unfairly penalised because funding for an upgrade to a road was not available or not due to be undertaken for several years. This lies outside an applicant’s control as it is not the responsibility of an applicant to secure funding.</p>	<p>Winstone does not seek any specific changes to TRAN-P3 but notes the concern regarding <i>‘integrating development with funded improvements to the network and ensuring the timing aligns with capacity’</i> and future implementation of the District Plan.</p>
<p>Policy TRAN-P4</p>	<p>Oppose in part</p>	<p>Winstone considers that Policy TRAN-P4 is covered by Policy TRAN-P3 and is unnecessary duplication as ‘high trip generating activities’ are defined as ‘any activity that exceeds the scale of activity requirements listed in this Plan.’</p> <p>An activity in the General Rural Zone that exceeds the maximum number of vehicle movements for a site, would</p>	<p>Winstone seek that Policy TRAN-P4 is deleted.</p>

		therefore be required to prepare an Integrated Transport Assessment, which is covered by TRAN-P3.	
Policy TRAN-P8	Oppose in part	<p>Winstone is concerned with Policy TRAN-P8 clause 3. The use of the word 'reduce' is of concern, especially given that a railway line runs through the Selwyn District, adjacent to the State Highway, in proximity to rural resources such as gravel. As such there may be no alternative for trucks from a quarry accessing State Highway 1 to cross a railway line. Winstone considers that such effects can be managed and that Policy TRAN-P8 should be amended to address this concern.</p>	<p>Winstone seek that Policy TRAN-P8 is amended as follows (or wording to similar effect):</p> <p>Recognise and protect rail networks and systems by managing land use activities and subdivision development to ensure the safe and efficient movement of people and goods by:</p> <p>...</p> <p>3. Controlling the design and location of land use activities and subdivision development, <u>where practicable</u>, to reduce the need for pedestrians, cyclists, motorists, or other road users from crossing railway lines; and.....</p>
Policy TRAN-P13	Oppose in part	<p>Winstone acknowledge that Policy TRAN-P13 is located under the heading 'Managing the effects of land transport infrastructure and corridors.' However, the wording of the Policy refers to 'development'.</p> <p>Winstone wants to ensure that the Policy refers to land transport infrastructure and corridors, and not 'development' per se.</p>	<p>Winstone seeks that TRAN-P13 is amended to ensure it only refers to 'land transport infrastructure and corridors' or wording to similar effect.</p>

Part 2 – District Wide Matters, Hazards and Risks, NH Natural Hazards

<p>Objective NH-O1</p>	<p>Oppose in part.</p>	<p>Winstone is concerned with the use of the term ‘unacceptable’ as it is very subjective and unclear as to who determines what is or is not acceptable. Furthermore, how and by whom is ‘unacceptable’ risk assessed and how can Winstone find the areas where unacceptable risk may occur. It is assumed that ‘areas where the risks are assessed as unacceptable’ would relate to high hazard areas, and it would be significantly less confusing to simply state that in the objective.</p> <p>Winstone is also concerned as to how Objective NH-O1 can be implemented when the language is uncertain, and it could be that an applicant’s expert deems a risk to be acceptable and the Council’s expert deems it to be unacceptable. At which point, the experts are at an impasse, and the use of uncertain language could make it difficult to achieve the objective.</p>	<p>Winstone seek that Objective NH-O1 is amended as follows (or wording to similar effect):</p> <p>Objective NH-O1</p> <p><i>New subdivision, use, and development, other than new important infrastructure and land transport infrastructure:</i></p> <p><i>1. is avoided in areas where the risks from natural hazards to people, property and infrastructure are assessed as being <u>significant unacceptable</u>; and</i></p> <p><i>in all other areas, is undertaken in a manner that ensures that the risks of natural hazards to people, property and infrastructure are appropriately mitigated.</i></p>
<p>Policy NH-P3</p>	<p>Support in part</p>	<p>Winstone agrees with the intent to mitigate natural hazard risk however the vulnerability of a ‘quarry’ to natural hazard risk is much lower than for a subdivision and other use and development. Winstone therefore seeks confirmation that ‘adequately mitigated’ may mean that no mitigation is required.</p>	<p>Winstone seeks that Policy NH-P3 recognise that the vulnerability of some use and development including quarrying is low such that no mitigation is required.</p>
<p>Policy NH-P10</p>	<p>Support in full.</p>	<p>Winstone generally supports the intent to manage risks to new subdivision, use, and development in the Plains Flood Management Overlay (outside of high hazard areas) through the use of minimum floor levels. This is a sound resource</p>	<p>Winstone seeks that Policy NH-P10 is retained as notified.</p>

		management approach that reflects the direction set by the Canterbury Regional Policy Statement (CRPS).	
Policy NH-P12	Support in part	Winstone seeks a minor amendment to Policy NH-P12 as it implies that earthworks could displace or divert floodwater on surrounding land. It is assumed that the Policy is concerned about floodwater being diverted/displaced from a site onto surrounding land. This reflects the intent of Rule Requirement NH-REQ4 Natural Hazards and Earthworks that manages the flow of flood water <u>from or onto</u> any other property.	Winstone seek that Policy NH-P12 is amended as follows (or wording to similar effect): Manage earthworks undertaken in the Waimakariri Flood Management Overlay and the Plains Flood Management Overlay to ensure that they do not exacerbate flooding on any other property by displacing or diverting floodwater <u>onto</u> surrounding land.
Rule NH-R1 Plains Flood Management Overlay	Oppose in part.	Winstone is concerned that this rule infringes upon existing use rights and should not apply to the <u>reconstruction and replacement</u> of buildings. A District Plan cannot extinguish existing use rights and requiring replacement buildings in High Hazard Areas to be assessed as a restricted discretionary activity implies that the activity could be declined which is not the case if existing use rights apply. In fact, if existing use rights apply then no resource consent can be required. As such, Winstone also seeks that the associated NH-REQ2 be deleted as it only applies to the reconstruction or replacement of an existing building.	Winstone seeks that Rule NH-R1 is amended as follows (o r wording to similar effect): <i>15. The alteration, addition to, reconstruction or replacement of any existing residential unit or other principal building.</i> And Rule NH-REQ2 is deleted.
Rule Requirement NH-REQ2 Building Position Plains Flood Management Overlay	Oppose in full.		
Rule NH-R2 New Buildings and Structures in Natural Hazard Overlays Plains Flood Management Overlay	Support in full.	Winstone supports Rule NH-R2 as applying minimum floor heights is an appropriate management tool to manage flooding risk (outside of High Hazard Areas).	Winstone seeks that Rule NH-R2 is retained as notified.

<p>Rule NH-R3 Earthworks in Natural Hazard Overlays Plains Flood Management Overlay</p>	<p>Support in full.</p>	<p>Winstone supports Rule NH-R3 and Rule Requirement NH-REQ4 as controlling the effects of earthworks on flood water flows is an appropriate tool to minimise the risk of flooding on adjoining properties (outside of High Hazard Areas).</p>	<p>Winstone seeks that Rule NH-R2 and NH-REQ4 are retained as notified.</p>
<p>Rule Requirement NH-REQ4 Natural Hazards and Earthworks</p>			
<p>Matters for Control or Discretion NH-MAT1 Natural Hazards Generally</p>	<p>Support in part</p>	<p>Winstone generally supports the matters of discretion but seeks some minor amendments to improve clarity and Council’s ability to appropriately assess the potential risks to activities from natural hazards.</p> <p>Of particular concern is Matter 4, which refers to the ‘timing, location, scale and nature of any earthworks in relation to natural hazard risk.’ It is unclear as to how the timing of works is related to natural hazard risk unless the Council is suggesting that earthworks should not be undertaken during Spring and Autumn when flooding is more likely? Winstone would be opposed to such limitations on when it could undertake earthworks.</p>	<p>Winstone seeks the following changes to NH-MAT1 (or wording to similar effect):</p> <ol style="list-style-type: none"> 1. The <u>extent of any adverse effects of natural hazards on people and property.</u> 2. The <u>potential for the location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure in relation to increase or exacerbate natural hazard risk.</u> 4. <u>Whether the timing, location, scale and nature of any earthworks in relation has the potential to increase the risk from natural hazards.</u> 6. <u>The effectiveness of and any adverse effects on the environment of any proposed mitigation measures.</u>

Part 2 – District Wide Matters, Hazards and Risks, HAZS Hazardous Substances

<p>Objective HAZS-01</p>	<p>Oppose in part</p>	<p>As for Natural Hazards Objective NH-01, Winstone is concerned with the use of the term ‘unacceptable’ as it is very subjective and unclear who determines what is or is not acceptable. Furthermore, how and by whom is ‘unacceptable’ risk assessed and how can Winstone find the areas where unacceptable risk may occur. It is assumed that ‘areas where the risks are assessed as unacceptable’ would relate to high hazard areas, and it would be significantly less confusing to simply state that in the objective.</p> <p>Winstone is also concerned as to how Objective HAZS-01 can be implemented when the language is uncertain, and it could be that an applicant’s expert deems a risk to be acceptable and the Council’s expert deems it to be unacceptable. At which point, the experts are at an impasse, and the use of uncertain language could make it difficult to achieve the objective.</p>	<p>Winstone seek that the intent of Objective HAZS-01 is amended as follows (or wording to similar effect):</p> <p>The benefits associated with activities involving the use, storage, disposal, and transportation of hazardous substances are recognised, while ensuring that risks to the environment and human health are minimised to <u>less than minor acceptable</u> levels.</p>
<p>Policy HAZS-P1</p>	<p>Oppose in part.</p>	<p>As above, Winstone is concerned with the use of the word ‘acceptable.’ Further, the Policy only refers to ‘residual’ risk - how is ‘residual’ risk to be determined, particularly given that no limits apply to hazardous substances?</p>	<p>Winstone seeks that Policy HAZS-P1 is amended to clarify its intent.</p>
<p>HAZS-R1 Use and/or Storage of Hazardous Substances, excluding a Major Hazard Facility</p>	<p>Support in full</p>	<p>Winstone supports the permitted activity status to use and store hazardous substances without limit, as it recognises other relevant legislation such as HSNO.</p>	<p>Winstone seek that HAZS-R1 is retained as notified.</p>

Part 2 – District Wide Matters, General District Wide Matters, EW Earthworks

Policy EW-P4	Oppose in full.	Winstone considers that Policy EW-P4 is confusing and ambiguous. It appears to conflate the activity of earthworks with subsequent use of a site that has been subject to earthworks. It also appears to be trying to manage the interaction between neighbouring sites, rather than the potential adverse effects of earthworks themselves. The Policy muddles construction effects such as dust with resultant use effects such as shading, which are managed through rule requirements i.e. recession planes.	Winstone seeks that the Council clarify the intent of Policy EW-P4 and reword accordingly.
Rule EW-R2 Earthworks	Support in full	Winstone supports the intent of this rule to provide for 'other' earthworks that are not connected to building consent activities. Comments on the rule requirements are provided below.	Winstone seeks to retain EW-R2 as notified.
EW-R5 Stockpiling	Support in full	Winstone stockpile material away from adjoining residential properties in separate ownership, and therefore supports the intent of this rule to manage potential adverse effects on surrounding properties.	Winstone seek that EW-R5 is retained as notified.
Rule Requirements EW-REQ1 Volume of Earthworks	Oppose in part.	Winstone supports the inclusion of a table setting out the maximum level of earthworks in each zone but has concerns over the wording of some of the associated matters for discretion. In particular, Winstone opposes the inclusion of 3b as it seeks to manage sedimentation and water effects which lies outside the jurisdiction of the district council and are the responsibility of the regional council.	Winstone seeks that EW-REQ1 be amended as follows (or wording to similar effect): <i>3. The exercise of discretion in relation to EW-REQ1.2. is restricted to the following matters:</i> <i>a. any adverse effects from the earthworks in terms of visual amenity, landscape context and character, views, outlook,</i>

			<p><i>overlooking and privacy from raising ground levels;</i></p> <p><i>b. any potential dust nuisance, sedimentation, and water or wind erosion effects can be avoided or mitigated;</i></p>
EW-REQ5 Bunding	Oppose in full	<p>The existing and proposed bunds at the Wheatsheaf Quarry are 3m in height to provide appropriate noise retention and visual screening of the quarry. Winstone therefore seeks that EW-REQ5 is amended to ensure these bunds do not become non-compliant with the District Plan and enable future bunding to provide effective mitigation of quarrying activities.</p> <p>Winstone also considers that the matters for discretion, requires amendment as it is unclear how a bund could create a nuisance effect: is this intended to relate to stability and shading of adjoining residential properties?</p> <p>With regard to ‘post development flood and drainage effects’, NH-REQ4 addresses the effects of earthworks on flood flows. The National Planning Standards require all matters relating to natural hazards to be addressed in the Natural Hazard chapter.</p> <p>Winstone therefore seek to amend the assessment matter.</p>	<p>Winstone seek that EW-REQ5 is amended as follows (or wording to similar effect):</p> <p>Earth bunds for noise attenuation or screening are less <u>no more</u> than 3m in height</p> <p>3. The exercise of discretion in relation to EW-REQ5.2. is restricted to the following matters:</p> <p>a. the potential for adverse visual amenity <u>effects and shading over adjoining residential property.</u> , nuisance and post development flood and drainage effects on the functioning of natural biological and physical processes.; <u>and</u></p> <p>b. <u>the effectiveness of any proposed measures to initially and permanently stabilise the bund.</u></p>

Part 2 – District Wide Matters, General District Wide Matters, LIGHT, Light			
LIGHT-P3	Support in full	Winstone supports the intent to manage artificial light to minimise the potential for adverse effects on people and the night sky. However, a minor amendment is requested to improve the readability of the Policy.	Winstone seek that LIGHT-P3 is amended as follows (or wording to similar effect): Minimise potential upward light that causes sky glow by controlling new artificial outdoor lighting to: .. ensure the safe and efficient operation of roads and public pedestrian access, and public sports courts, and grounds while minimising sky glow.
Part 2 – District Wide Matters, General District Wide Matters, NOISE, Noise			
Objective NOISE-O1	Support in full	Winstone supports Objective NOISE-O1 that seeks to protect people and amenity values from significant levels of noise as this is an appropriate management approach that reflects the intent of the RMA.	Winstone seek to retain Objective NOISE O1 as notified.
NOISE-P1	Support in full	Winstone supports the application of noise standards as an appropriate resource management tool.	Winstone seek that Policy NOISE-P1 is retained as notified.
NOISE-R1 Activities not otherwise specified	Support in part	Winstone supports the permitted activity status for traffic and rail noise generated within a land transport corridor, as this	

<p>NOISE-REQ1 Zone Noise Limits</p>		<p>reflects the intent of the RMA and provides clear guidance for the public and applicants.</p> <p>Winstone supports the application of noise standards but seeks that the noise standards for the General Rural Zone are amended to include a LAmax limit between 0700 to 2200 as currently applies at their Wheatsheaf Quarry to provide for occasional increases in noise levels.</p>	<p>Winstone seek to amend NOISE-REQ1 Zone Noise Limits as follows (or wording to similar effect):</p> <p>NOISE-TABLE5 - Zone Noise Limits.</p> <p>At the notional boundary of any noise sensitive activity within any site receiving noise:</p> <p>0700 to 2200: 55 dB LAeq/<u>85 LAmax</u></p> <p>2200 to 0700: 45 dB LAeq / 70 LAmax</p>
<p>NOISE-MAT1 Health and Wellbeing and Amenity Values</p>	<p>Support in part</p>	<p>Winstone generally supports the intent of the assessment matters but seek minor amendments to ensure they can be appropriately and effectively applied.</p>	<p>Winstone seek to amend NOISE-MAT 1 as follows (or wording to similar effect):</p> <ol style="list-style-type: none"> 1. The level, duration, and character of the noise, including the ambient noise levels. 2. The nature and location of nearby activities and the adverse effects they may experience from <u>as a result of the level, duration, and character of the proposed noise.</u> 3. Whether the noise is likely to detract from <u>adversely impact on</u> the amenity values or general environmental quality

			<p>of the area in which they are received.</p> <p>4. Whether the noise generated is likely to cause sleep disturbance or result in adverse health or well-being effects.</p> <p>5. <u>The effectiveness of any mitigation or noise attenuation measures proposed, such as: reduction of noise at the source, alternative techniques or machinery available, insulation or enclosure of the noise source, mounding or screen fencing/walls, hours of operation.</u></p> <p>6. The extent to which alternative locations and methods have been considered to avoid, remedy, or mitigate any adverse effects recognising <u>function need, operational need, and any technical, operational, and practical constraints.</u></p>
<p>Part 2 – District Wide Matters, General District Wide Matters, SIGNS, Signs</p>			

Policy SIGN-P1	Support in part	Winstone has limited signage at its quarries, and most is related to health and safety, but it does advertise the name of each quarry, so truck drivers know where entrances are located. Therefore, Winstone seek that signs for either Primary Production activities or Mineral Extraction activities are provided for in the Policy.	Winstone seek that Policy-P1 is amended as follows: Enable signs that are an integral component of industrial, commercial, <u>primary production or mineral extraction</u> and community activities and important infrastructure.
SIGN-R1 General Signs	Support in full	Winstone supports the permitted activity rule for signage and the ability to have more than one sign on larger sites.	Winstone seek to retain SIGN-R1 and SIGN-REQ1 as notified.
SIGN-REQ1 Free Standing Signs			
SIGN-MAT1 All signs and Support Structures		Winstone advise that no matters of control or discretion are included in the Plan for Rule SIGN_MAT1.	Winstone seek that assessment matters (or matters of control or discretion) are included for Rule SIGN MAT1, and there is an opportunity to make a submission, if required.
Part 3 – Area Specific Matters General Rural Zone			
Objective GRUZ-01	Support in full	Winstone supports Objective GRUZ-01 as it specifically provides for Primary Production, which includes quarrying as per the National Planning Standard definition. In particular, the Objective priorities primary production over other activities in the General Rural Zone and seeks that it is not compromised by reverse sensitivity effects.	Winstone seeks to retain Objective GRUZ-01 as notified.

Policy GRUZ-P1	Support in full	Winstone supports the ‘enabling’ of primary production in the Policy. However, Winstone acknowledges that mineral extraction activities have the potential to generate adverse effects and seeks to actively manage these as per clause 2.	Winstone seek that Policy GRUZ-P1 is retained as notified.
Policy GRUZ-P4 Economic Activity	Support in part	<p>Winstone considers that the first line of the Policy appears to encompass a broad range of activities that could include primary production. However, clause 1 refers to activities that ‘have a direct relationship with, or are dependent on, primary production.’ But this does not include the economic contribution of primary production itself.</p> <p>Clause 2 refers to activities that have ‘a functional need, or operational need to locate in the rural area.’ Given there is no ‘and’ between clause 1 and 2, this could apply to primary production including quarrying. However, it is unclear.</p> <p>It is also suggested that clause 4, Policy GRUZ P4, should refer to maintaining or enhancing the ‘rural’ character of rural areas.</p>	<p>Winstone seeks that Policy GRUZ-P4 is amended as follows (or wording to similar effect):</p> <p>Provide for the economic development potential of the rural area by enabling a range of activities that:</p> <ol style="list-style-type: none"> 1. have a direct relationship with, or are dependent on, primary production; <u>and/or</u> 2. have a functional need, or operational need to locate in the rural area; <u>and</u> 3. represent an efficient use of natural and physical resources; <u>and</u> 4. maintain or enhance the <u>rural</u> character and amenity values of the surrounding area.
Policy GRUZ-P7 Reverse Sensitivity	Support in full	Winstone supports the intent of Policy GRUZ-P7 and GRUZ-R11 to protect lawfully established quarries from reverse sensitivity effects.	Winstone seek that Policy GRUZ-P7 and GRUZ-R11 are retained as notified.
GRUZ-R11 Sensitive Activity Setback from Mineral Extraction		It supports the listing of the Wheatsheaf Quarry in GRUZ-SCHED1 and the protection of any future quarries through the reference to ‘lawfully established operational mine or quarry post the decision date of this District Plan.’	

Policy RUZ-P8 Mineral Extraction	Support in part	<p>Winstone supports the specific policy provision for mineral extraction, which includes quarrying, including the use of industry best practice and management plans as these are applied to Winstone's quarries.</p> <p>However, Winstone seek that the intent of clause 3 is clarified, so it refers to mineral extraction in proximity to sensitive activities and residential zones and not more broadly within the District.</p>	<p>Winstone seek that Policy GRUZ-P8 is amended as follows:</p> <p>Provide for mineral extraction in the General Rural Zone to meet the District's and region's supply needs, while:</p> <p>3. managing the location of mineral extraction activities in <u>proximity to sensitive activities and Residential Zones</u>.</p>
Policy GRUZ-P9 Mineral Extraction	Support in full	Policy GRUZ-P9 reflects the intent of Winstone following the completion of quarrying activities on a site.	Winstone seek that Policy GRUZ-P9 is retained as notified.
GRUZ-R2 Structures	Support in full	Winstone supports the permitted activity status for structures that will provide for offices and other facilities within a quarry.	Winstone seek that GRUZ-R2 is retained as notified.
GRUZ-20 Mineral Prospecting	Support in full	Winstone support the permitted activity status applied to mineral prospecting given its small scale and potential to generate low levels of adverse effects.	Winstone seek to retain GRUZ-20 as notified.
GRUZ-R21 Mineral Extraction	Oppose in part	Winstone has operated Wheatsheaf Quarry on Selwyn Road for a number of years. The quarry operates in close proximity to neighbouring residential properties. Winstone, generally, has a good relationship with its neighbours and is known as a responsible operator. There have been no complaints held against Winstone for that last 5 years. However, Winstone recognises the potential for adverse effects and notes that the Canterbury Air Regional Plan (CARP) Rule 7.36 requires that the discharge of contaminants to air from the handling of bulk solid materials does not occur within 200m of a sensitive activity or	<p>Winstone seek to amend GRUZ-R21 Mineral Extraction as follows:</p> <p>GRUZ-R21 Mineral Extraction</p> <p>Activity Status: RDIS <u>CON</u></p> <p>1. The establishment of a new, or expansion of an existing mine, quarry, or farm quarry that exceeds an area of extraction of 1,500m², and</p>

		<p>where the discharge is from blasting, within 500m of a sensitive activity. The proposed provisions align with those in the CARP.</p> <p>However, Winstone note that it is a permitted activity to establish a sensitive activity within:</p> <ul style="list-style-type: none"> i. 200m for any excavation; and ii. 500m for any activity involving blasting; and iii. 500m for any processing. <p>So presumably, the Council considers that effects on sensitive activities can be managed if, for example, a residential activity is setback 200m from a quarry. It therefore seems perverse that a residential unit can establish within 200m of a quarry as a permitted activity but the same does not apply to a quarry within 200m of a residential unit. Particularly, given the clear policy guidance to avoid reverse sensitivity effects on lawfully established primary production activities (Policy GRUZ-P7).</p> <p>However, recognising that the Council may wish to know where a quarry is proposed and assess any potential adverse effects, Winstone considers that a Controlled Activity status could be applied to new quarries. It is noted that matters relating to traffic, noise and effects on infrastructure will be managed through the provisions in those chapters.</p> <p>Winstone also notes that the definition of cleanfilling does not include construction materials. Winstone’s quarries, as part of rehabilitation, are filled with ‘clean’ construction materials as relying on ‘cleanfill’ (virgin material) is unreliable and potentially expensive. Therefore, Winstone seek to amend the rule to provide for the infilling of quarries.</p>	<p>2. <u>The filling of a quarry with ‘clean’ inert materials such as concrete, including reinforcing steel embedded in the concrete, cured asphalt or brick.</u></p> <p>Where</p> <p>2. The exercise of discretion <u>matters of control</u> in relation to GRUZ-R21.1 is restricted <u>limited</u> to the following matters:</p> <ul style="list-style-type: none"> a. Effects on amenity values during the establishment, and operation of the site from the scale and intensity of the mineral extraction, including any cumulative effect, the location of buildings and plant, but excluding those caused by dust. b. The preparation of a site rehabilitation plan. This may include but is not limited to: <ul style="list-style-type: none"> i. the end use of the site and method used to achieve this; ii. duration of rehabilitation; and
--	--	---	--

			iii. the methods used to rehabilitate the site and any effects that may arise from the method and end use.
GRUZ-22 Amenity Planting	Support in full	Winstone support the permitted activity status of amenity planting as the company often screens quarry sites with extensive amenity planting.	Winstone seek to retain GRUZ-R22 as notified.
GRUZ-Schedules GRUZ-SCHED1 - Mineral Extraction Sites Subject to a Reverse Sensitivity Buffer	Support in full	Winstone supports the protection of the Wheatsheaf Quarry by a reverse sensitivity buffer.	Winstone seek to retain the listing of Wheatsheaf Quarry at 50 Selwyn Road in GRUZ-SCHED1.

From: [Claire Kelly](#)
To: [DPR Submissions](#)
Cc: [Tyler Sharratt \(Winstone Aggregates\)](#)
Subject: Winstone Aggregates: Submission on the Proposed Selwyn SDP
Date: Thursday, 10 December 2020 5:57:19 p.m.
Attachments: [~WRD0276.jpg](#)
[Winstone_Submission_Proposed_SDP.pdf](#)

Good afternoon,

Please find attached Winstone Aggregates submission on the Proposed SDP.

Submitter No: DPR-0215

Kind regards

Claire

BML Logo



Claire Kelly | Planner | Principal | Full Member, New Zealand Planning Institute

E: claire.kelly@boffamiskell.co.nz | D: +64 3 353 7561 | T: +64 3 366 8891 | M: +64 27 809 8386

LEVEL 1 | 141 CAMBRIDGE TERRACE | CHRISTCHURCH 8013 | NEW ZEALAND

www.boffamiskell.co.nz

From: District Plan Review

Sent: Thursday, 10 December 2020 5:51 PM

To: Claire Kelly

Subject: Your Submitter ID for the Proposed Selwyn District Plan

Thank you for making a submission.

Your submitter ID is: DPR-0215

Please Email dprsubmissions@selwyn.govt.nz and attach your supporting information quoting your submitter ID in the subject line.

By making this submission your personal details, including your name and addresses, will be made publicly available in accordance with the Resource Management Act 1991. This is because, under the Act, any further submission supporting or opposing your submission must be forwarded to you as well as to the Council.

Next steps

After submissions close:

- We will prepare a summary of decisions requested by submitters, then publicly notify the availability of this summary and where the summary and full submissions can be inspected
- People who represent a relevant aspect of the public interest or have an interest greater than the interest of the general public may make a further submission, in the prescribed form within 10 working days of notification of the summary of decisions sought, supporting or opposing submissions already made
- A copy of the further submission must be sent to the Council and the person who made the original submission
- If requested by any submitter, we will hold a public hearing on the submissions received.

- Following the hearing we will give notice of our decision on the Proposed District Plan (and matters raised in submissions, including our reasons for accepting or rejecting submissions)
- Every submitter then has the right to appeal the decision on the Proposed District Plan to the Environment Court.

Contact us

If you have any further questions please contact us by email at contactus@selwyn.govt.nz or phone us on 0800 SELWYN (735 996).

2 Norman Kirk Drive, Rolleston 7614
PO Box 90, Rolleston 7643
Phone: 0800 SELWYN (735 996)
Fax: (03) 347-2799
www.selwyn.govt.nz | www.selwynlibraries.co.nz
www.selwyn.getsready.net

The Councillors, Management and staff at Selwyn District Council would like to wish you and your family a safe and happy festive season.
We close for business at: Midday Thursday 24th December 2020
And will reopen on: Monday 4th January 2021
The Selwyn Aquatic Centre will be closed on Christmas Day, Boxing Day, and New Year's Day, and open until 6pm on Christmas Eve and New Year's Eve.
Selwyn Libraries - please check www.selwynlibraries.co.nz for details of individual library opening times.
Meri Kirihimete ki a koutou.

This electronic message together with any attachments is confidential. If you receive it in error: (i) you must not use, disclose, copy or retain it; (ii) please contact the sender immediately by reply email and then delete the emails. Views expressed in this email may not be those of Boffa Miskell Ltd. No claim may be made against Boffa Miskell in regard to the use of data in any attachments. This e-mail message has been scanned for Viruses and Content.

From: [Eilish Robinson-Kelly](#)
To: [Emma Robertson](#)
Subject: FW: Summary of submissions clarification DPR-0215
Date: Thursday, 18 March 2021 7:57:39 a.m.
Attachments: [~WRD0003.jpg](#)
[image001.png](#)
[image002.jpg](#)
[image003.jpg](#)

From: Claire Kelly [mailto:claire.kelly@boffamiskell.co.nz]

Sent: Wednesday, 17 March 2021 3:50 p.m.

To: Eilish Robinson-Kelly

Subject: RE: Summary of submissions clarification

Hi Eilish,

No problem at all – better to get this clear now rather than later.

Winstone did not seek to change the definition of ‘cleanfill material’ as it is a National Planning Standard definition and cannot be changed. The definition of ‘cleanfill materials’ means *virgin excavated natural materials including clay, gravel, sand, soil and rock that are free of:*

- (a) combustible, putrescible, degradable or leachable components;*
- (b) hazardous substances and materials;*
- (c) products and materials derived from hazardous waste treatment, stabilisation or disposal practices;*
- (d) medical and veterinary wastes, asbestos, and radioactive substances;*
- (e) contaminated soil and other contaminated materials; and*
- (f) liquid wastes*

Winstone therefore sought to amend the rule to enable the deposition of ‘clean construction materials’.

The concern is that relying on ‘virgin materials’ will mean that it will take much longer to rehabilitate a quarry.

Kind regards

Claire

Claire Kelly | Planner | Principal | Full Member, New Zealand Planning Institute

E: claire.kelly@boffamiskell.co.nz | D: +64 3 353 7561 | T: +64 3 366 8891 | M: +64 27 809 8386

LEVEL 1 | 141 CAMBRIDGE TERRACE | CHRISTCHURCH 8013 | NEW ZEALAND

www.boffamiskell.co.nz

From: Eilish Robinson-Kelly

Sent: Wednesday, 17 March 2021 3:04 PM

To: Claire Kelly

Subject: Summary of submissions clarification

Good afternoon Claire,

I am hoping you can clarify for me a point in the submission on behalf of Winston Aggregates;
In the submission point for GRUZ-R21, a statement is made below;
cid:image001.png@01D71B44.574C8E40

I understand that you seek to include the infilling within the rule, but as you have mentioned definition, I wonder if you are also seeking to amend this as well? In the submission presented, the 'cleanfill material' definition is supported in full and to be retained as notified.

Any clarity that you can provide on the matter is greatly appreciated.

Kind regards,

Eilish

SDC DP Email Signature_Eilish Robinson-Kelly (002)

2 Norman Kirk Drive, Rolleston 7614
PO Box 90, Rolleston 7643
Phone: 0800 SELWYN (735 996)
Fax: (03) 347-2799
www.selwyn.govt.nz | www.selwynlibraries.co.nz
www.selwyn.getsready.net

This electronic message together with any attachments is confidential. If you receive it in error: (i) you must not use, disclose, copy or retain it; (ii) please contact the sender immediately by reply email and then delete the emails. Views expressed in this email may not be those of Boffa Miskell Ltd. No claim may be made against Boffa Miskell in regard to the use of data in any attachments. This e-mail message has been scanned for Viruses and Content.