

Consent Evaluation Report

Applicant:	Gleeson Quarries Huntly Limited	File No.:	60 50 77A
Address of Site:	310 Riverview Road, Huntly	Project Code:	RC25022
Consent Type(s):	Discharge Permit, Land Use Consent, Water Permit	Application Number:	APP141137

1 Description of application/proposal

Section 4.2 of the application provides the following description of the proposal;

Fill area 5 is located north east from the existing quarry activities. This fill site will be a designated fill area for overburden material due to its accessibility from the quarry to haul overburden. The ODBA (Fill Area 5) is mostly located on one land parcel legally described as PT Lot 10 DP 1278 and a small piece located on PT 9 DP 1278.

The fill area size is 2.5ha and will be able to accommodate an estimated fill volume of 182,600m³.

There is currently an internal access road that leads to the fill area. This road will be used to access the area and will be lengthened and upgraded to meet the required specifications such as gradient and width.

The fill area is within a natural gully and is buffered from the Riverview Road by means of pine tree plantations Eucalyptus trees and native bush and is buffered from both the quarry and the road/river frontage by topographical slopes. The Waikato River and distant views of residential houses are visible from the western ridge of Fill Area 5.

Reference Id	Activity Description
AUTH141137.01.01	To undertake earthworks in High Risk Erosion Areas in association with Overburden Fill Area 5 at 310 Riverview Road
AUTH141137.02.01	To discharge overburden to land at Fill Area 5
AUTH141137.03.01	Divert surface water, divert and reclaim a stream that flows into the Waikato River in association with Overburden disposal at Fill Area 5 - Huntly Quarry
AUTH141137.04.01	To discharge stormwater to land and to water in association with the operation of overburden Fill Area 5

1.1 Application(s) made and activity status under the Plan

Reference Id	Activity Status	WRP Rule
AUTH141137.01.01	Discretionary	Rule 5.1.4.15 – Soil disturbance, roading, tracking, vegetation clearance, riparian vegetation clearance in high risk erosion areas

AUTH141137.02.01	Discretionary	Rule 5.2.5.3 – Large scale overburden disposal
AUTH141137.03.01	Discretionary	Rules 3.6.4.13, 3.6.4.14 – New dams/damming of water and NESF Regulation 57 – Reclamation of Rivers
AUTH141137.04.01	Discretionary	Rules 3.5.11.8 – Discharge of stormwater

1.2 Location

Gleeson Huntly Quarry is located approximately 3km south of Huntly accessed via River View Road. The proposed overburden placement area 'Fill Area 5' is located within a gully to the northeast of the quarry (Figure 1).

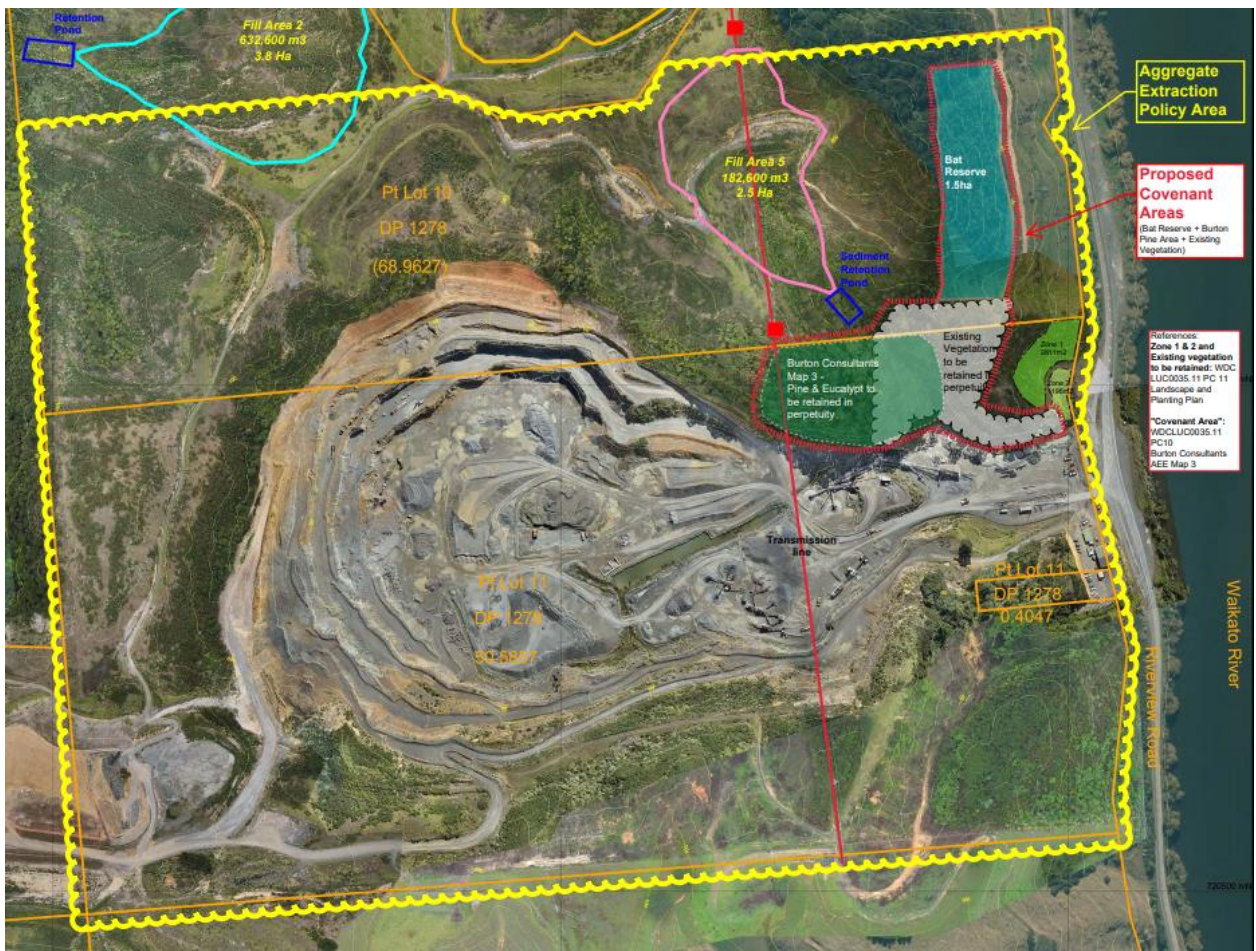


Figure 1: Site Plan sourced from the Resource Consent Application, Fill Area 5 Outlined Pink

1.3 Term sought/rationale

The applicant requests a duration of 25 years for the for the Fill Area 5 consents. However, the applicant has since advised by email that a 15 year term is appropriate to complete the activities sought (WRC document 18134573).

I consider the requested 15 year consent term to be appropriate and accordingly recommend a consent term of 15 years for APP141137.

In assessing the consent term, I have considered the following matters:
certainty and security for the applicant given the substantial investment;

- Assessment of Environmental Effects; and
- Waikato Regional Council Policy and Guidelines for Consent Durations.

2 Process matters

The application was received by Waikato Regional Council on 09 October 2019 and relevant process matters are as follows:

- Record the date that the decision to process the application(s) non-notified was made

Date	Process Detail
09/10/2019	Lodged
14/10/2019	Active
24/10/2019	Timeframe Extension s37A(5)

3 Statutory matters

3.1 Identification of relevant matters

Matter	Relevant (Yes/No)	Comment (if relevant)
Application received before 3/12/2013? (If yes, 2013 amendments do not apply)	No	
Bundling	No	
Controlled activity	No	
Restricted discretionary activity	No	
S89A (MNZ comment) for Coastal Permits only	No	
Permitted baseline effects disregarded? (S104(2))	No	
Value of investment/s124 applies (S104(2A))	No	S124 N/A
S105	Yes	
S107	Yes	
Settlement Act or River Act – Vision and Strategy	Yes	The proffered conditions offer ecological enhancement which will benefit the Waikato River catchment
Hauraki Gulf Marine Park Act 2000	No	
Regulations: - Water Measurement	No	
Statutory acknowledgements	No	

S104A-F	Yes	S104B
NES Freshwater	Yes	Discretionary Activity under Regulation 57, river reclamation

3.1 Effects of the activity

Section 13 of the application assesses the environmental effects of the proposal. The actual and potential adverse environmental effects considered are:

- Land instability
- Erosion and sediment discharges
- Adverse ecological effects associated with vegetation removal, water quality, terrestrial and aquatic ecology
- Cultural values
- Discharges to air
- Cumulative effects

For the purpose of this report I adopt the applicant's AEE in part and add further discussion as follows.

The 2.5 hectare fill site will receive approximately 180,000m³ of overburden from the quarry. Water from the 3.5 hectare catchment will drain to a sediment retention pond below the fill site, known as Pond 5 which will be set-up with a chemical treatment unit. Treated water from Pond 5 will drain into a watercourse known as the northern tributary, the stormwater will mix with treated stormwater from the wider quarry prior to flowing through a culvert under Riverview Road and discharging into the Waikato River. The land stability effects has been peer reviewed for WRC by Cameron Lines, Baseline Geotechnical (WRC doc 15369148). It was concluded that the environmental effects in relation to geotechnical performance are expected to be negligible.

The proposal includes the filling and subsequent reclamation of 110m of ephemeral watercourse and 50m of intermittent watercourse. The ecological effects of the proposal have been assessed for the applicant by Boffa Miskell (Appendix 9 to the Application). Additionally, the proposal is anticipated to result in approximately 1.7 ha of vegetation clearance and could result in the loss of approximately 1 hectare of bat foraging and roosting habitat (inclusive).

Ecological compensation has been assessed for the applicant by Wildlands dated 12 November 2019 (Appendix 9.1 to the Application). An Ecological Management Plan and a Bat Management Plan have been prepared.

The compensation includes creating a Bat Reserve which will be a 1.5 ha stand of pine trees east of the site, this area will be covenanted to ensure protection in perpetuity. The Bat Reserve will be enhanced by the placement of artificial bat roost boxes and chainsaw holes.

The compensation for the watercourse loss will entail restoration of a 120 m section of spring fed headwaters of the western tributary of the compensation area. A covenant will be established for an area of no less than 3800m², forming the western tributary of Compensation Area 4, and ecological enhancement of this area, as set out in the Wildlands letter dated 19 October 2020 (WRC doc 17461464).

The effects assessment includes the following technical reporting:

- “Huntly Quarry Disposal Sites, Fill Site 5 – Geotechnical Design Report, GAIA Engineers, Rev.A, November 2019
- “Huntly Quarry WRC Fill 5 Geotechnical Review. by Cameron Lines-Baseline Geotechnical.pdf” (Waikato Regional Council document number 15369148)
- Bat Management Plan for Gleeson Quarry, Huntly – Wildlands (report no.5208e), February 2020
- Ecological Management Plan for the Compensation Site at Gleeson Quarry, Huntly - Wildlands (report no.5208f), February 2020
- Fill Area 5 Stream Loss Mitigation – Gleeson Quarry, Huntly – Wildlands (report no.5208j), October 2020
- Gleesons Quarry FA5 Stream Mitigation Review V1 - Aecom 22 October 2020 (WRC document 17498225).
- Letter Gleesons Quarry Fill Site 5 Update, dated 22 January 2020 – AECOM (WRC document 15725286)
- Ecological Peer Review Responses prepared by Lyndsey Smith and Michiel Jonker - AECOM (WRC document 15462898)

On review of the applicant’s AEE and on the basis of the outcomes of the peer reviews, I consider that the actual and potential environmental effects associated with Fill 5 have been adequately addressed and assessed and provided the recommended conditions of consent are adhered to that the potential effects will be no more than minor.

Consultation

The applicant has provided the following consultation documents:

1. Most recent emails with Waikato-Tainui (WRC doc 18107269, 18182025 & 18105674)
2. Recent communications with Waikato-Tainui (WRC doc 18107664)
3. Cultural Values Statement for Fill Area 5 from Norm Hill on behalf of Waahi Whaanui Trust (WRC doc 18105972)

The Cultural Values Statement for Fill Area 5 on behalf of Waahi Whaanui Trust does not oppose the application subject to the mitigation and offsetting presented, and recommendations within the CVA. On review of the CVA I do not consider the Waahi Whaanui Trust to be adversely affected by the proposal provided that the recommended conditions of consent are adhered to.

During iwi consultation a potential pa site was located on the ridge above Fill 5 (WRC doc 18168479). The location of the bat reserve can be located to ensure possible Pa is part of covenanted area. A condition of consent has been recommended to ensure iwi consultation and iwi-led archaeological review of potential location of pa site within/in proximity to the Bat Reserve.

The recommended conditions of consent include the development of a Maatauranga Maaori Environmental Monitoring Plan, to be developed in consultation with the Waahi Whaanui Trust.

No written approvals have been obtained from Waikato Tainui or the Waahi Whaanui Trust.

However, I consider the level of consultation undertaken with tangata whenua to be appropriate and on the basis of the outcomes of consultation and the AEE, I do not consider tangata whenua to be adversely affected by the proposal provided that the recommended conditions of consent are adhered to.

Additional Consultation documents are held in WRC folder # 18170023, which relate to consultation across several concurrent applications for Gleeson Quarry.

Transpower

Electricity Transmission lines bisect the fill area. The applicant has undertaken consultation with Transpower who have confirmed the final fill levels are consistent with requirements (NZECP 34:2001 Table 4).

Transpower has requested provision of earthworks methodology as a condition of consent. The concurrent application being processed by the Waikato District Council includes a condition requiring provision of an Earthworks Management Plan to Transpower NZ Ltd review and certification prior to commencement of works. I consider that this condition in the WDC consent is adequate and duplication within the WRC condition schedule is not required. The applicant has confirmed that the EMP for the WDC will be the same as the EMP for the WRC. As a precautionary measure, I have added to the EMP condition in the regional consent that the EMP shall be given to Transpower NZ Ltd for its review and certification prior to the final version being submitted to the Council.

Outside of consent requirements, there is the additional requirement for compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) or any subsequent revision of the code.

I consider the level of consultation with Transpower to be appropriate and I do not consider Transpower to be adversely affected by the proposal.

DoC

The applicant has summarised the consultation undertaken with the Department of Conservation as follows;

- 1. Our first engagement with DoC (Andrew Styche) was on 17 January 2020. We met with DoC to discuss the required permits and processes for the long tailed bats that have been identified at the Gleeson Quarry (FA5) and proposed managed fill sites (FA4).*
- 2. The meeting concluded that we had to apply for a Wildlife Authority Act permit (Catch and Handle Wildlife permit).*
- 3. The WAA permit was submitted to DoC on 6 March 2020, and acknowledgement received from DoC on 12 March 2020.*
- 4. Through continuous follow up emails and conversation, we received a Permission officer (Neil Fowke) on 15 July 2020.*
- 5. Additional information and clarification requests were dealt with from July – October 2020. Matters included Iwi consultation, Bat roost assessments, Bat Reserve etc.*
- 6. The Permissions Team Leader, Liam Thomas took over the processing of the application when Neil went on leave (20 October 2020). All correspondence and discussions were provided to DoC.*
- 7. The WWA permit *86143-FAU) was granted by DoC (Ray Scrimgeour – Operations Manager) on 22 October 2020 allowing the removal of the bat habitat trees in the identified areas.*

8. *Paua Planning notified DoC (Ray Scrimgeour – Operations Manager) on 23 October 2020 in accordance with the Bat Permit that the works will be commencing on 27 October 2020. DoC confirmed the notification is sufficient and work could commence.*
9. *A high level update with regards to our Wildlife Permit was send to DoC (Ray Scrimgeour – Operations Manager) on 6 November: All high risk trees have now been checked and felled as required under Condition 4 of Schedule 3 of the DOC permit. All remaining pine trees within the vegetation clearance area are considered ‘low risk’.*
10. *A change in arborist for the low risk trees was requested and DoC approved the change (10 November 2020)*

(WRC doc 18181972)

I consider the level of consultation undertaken to have been appropriate and that the outcomes of consultation including ecological compensation and preparation of a Bat Management Plan to have been adequately reflected in the management plans and recommended conditions of consent. Provided that the recommended conditions of consent are adhered to, I do not consider DoC to be adversely affected by the proposal.

3.2 Policies and Plans

Policy instrument	Relevant to application?	Consistent with policy instrument?	Comment (where inconsistent)
NZCPS	No		
<ul style="list-style-type: none"> • Other NPS • Fresh water • Electricity Trans'n • Renewable electricity generation 	Yes		Freshwater Fill Area 5 is located under an electrical transmission line, Transpower is the asset owner.
RPS	Yes	Yes	
Regional Plan	Yes	Yes	
Regional Coastal Plan	No		
NES Telecommunications Drinking water sources Air pollutants Electricity transmission Contaminants in soil Freshwater Plantation Forestry	Yes	Yes	Relevant NES's: Drinking water sources Freshwater, Regulation 57 – Stream Reclamation, Discretionary Activity
Waikato-Tainui Environmental Plan	Yes	Yes	I consider that the proposal is consistent with this Iwi Environmental Plan, provided the recommended

			conditions of consent are adhered to.
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3.3 Part 2 Matters

Statutory provision	Relevant to application?	Consistent with provision?	Comment (where inconsistent)
Section 6 matters a) Natural character b) Outstanding features c) Indigenous d) Public access e) Relationship of Maori f) Historic heritage g) Recognised customary activities	Yes	Yes	
Section 7 matters a) Kaitiakitanga aa) Stewardship b) Efficient use ba) Efficiency of end use c) Amenity values d) Intrinsic values ecosystems f) Quality of environment g) Finite characteristics h) Trout and salmon i) Climate change j) Renewable energy	Yes	Yes	
Section 5 matters (sustainable management purpose)	Yes	Yes	

3.4 Conclusions

In considering the subject resource consent the main potential adverse environmental effects associated with the proposed works have been identified as follows;

- Land instability
- Erosion and sediment discharges
- Adverse ecological effects associated with vegetation removal, water quality, terrestrial and aquatic ecology
- Cultural values
- Discharges to air
- Cumulative effects

However, for the reasons outlined in the AEE of this report, I am satisfied that these adverse effects can be avoided, remedied or mitigated such that the adverse environmental effects associated with the works are likely to be minor. Furthermore, the applicant has proffered the conditions as set out in the condition schedule appended to this report (WRC doc # 18233823), the proffered conditions form part of the application.

The overall proposal has been assessed in respect to their consistency with the objectives and policies of the Regional Council's policies and plans, and the statutory provisions of the RMA. Provided the activity is undertaken in accordance with the application for consent and subsequent supporting documentation, and the recommended consent conditions in the attached Resource Consent Certificate, I consider that the application will not be inconsistent with Council's policy and plans, or the statutory provisions of the RMA.

4 Recommended Decision

I recommend that in accordance with 104B resource consent application APP141137 be granted in accordance with the duration and conditions prescribed in the attached Resource Consent Certificate for the following reasons:

- The activity will have acceptable actual or potential adverse effects on the environment
- The activity is consistent with relevant policies, plans, national standards or regulations;
- The activity is consistent with the purpose of the Resource Management Act 1991.

Also include further reasons where in the case of a discharge to surface waters, the granting is likely to cause any of the effects described in s107(1)(c) to (g).

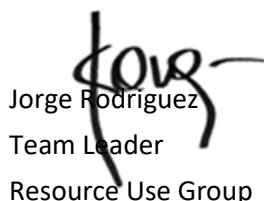


Emma Cowan
Resource Officer
Resource Use Group

Date: 5 March 2021

5 Decision

I hereby grant/decline the resource consent application in accordance with above recommendations.



Jorge Rodriguez
Team Leader
Resource Use Group

Date: 5 March 2021

Acting under authority delegated subject to the provisions of the Resource Management Act 1991 which at the time of decision had not been revoked

RESOURCE CONSENT CERTIFICATE

Resource Consent: AUTH141137.01.01

File Number: 60 50 77A

*Pursuant to the Resource Management Act 1991, the
Regional Council hereby grants consent to:*

Gleeson Quarries Huntly Limited
C/- Gleeson Group - accounts@gleesonquarries.co.nz
PO Box 97034
Manukau City
Auckland 2241

(hereinafter referred to as the Consent Holder)

Consent Type: Land Use Consent

Consent Subtype: Land - disturbance

Activity authorised: To undertake earthworks in High Risk Erosion Areas in association with Overburden Fill Area 5 at 310 Riverview Road

Location: 310 Riverview Road, Huntly 3771

Map reference: NZTM 1789837.0000 E 5837489.0000 N

Consent duration: This consent will commence on the date of decision notification and will expire on 31 March 2036

Subject to the conditions overleaf:

CONDITIONS

1. This consent is also subject to the Schedule One - General Conditions. Where there may be differences or apparent conflict between those general conditions and the conditions below, the condition below shall prevail.
2. The Consent Holder shall be responsible for all contracted operations related to the exercise of this resource consent, and shall ensure contractors are made aware of the conditions of this resource consent relevant to their work area, and comply with those conditions.

Earthworks Management Plan

3. The Consent Holder shall provide the Waikato Regional Council with an Earthworks Management Plan (EMP), at least 10 working days prior to the proposed commencement of activities authorised by this consent. The objective of the EMP is to document the measures by which the Consent Holder intends to comply with all conditions of this resource consent during earthworks and shall include, but not be limited to, the following:
 - a) The commencement and completion dates of the works,
 - b) The proposed construction and methodology,
 - c) Erosion and Sediment Control Plan pursuant to condition 7 below,
 - d) Proposed hazardous substances management and mitigation measures - including spill prevention and response measures in accordance with ICM Oil Spill Contingence Guidelines,
 - e) Procedures to be followed in the event that any historic artefacts are disturbed.

The EMP shall be given to Transpower NZ Ltd for its review and comments prior to the final version being submitted to the Council.

4. The EMP shall be certified in writing by the Waikato Regional Council acting in a technical certification capacity prior to any works authorised by this consent commencing and the Consent Holder shall undertake all activities authorised by this consent in accordance with the approved EMP.
5. Any changes proposed to the EMP shall be confirmed in writing by the Consent Holder and certified in writing by the Waikato Regional Council acting in a technical certification capacity, prior to the implementation of any changes proposed.
6. The Consent Holder shall ensure that a copy of the certified EMP, including any certified amendments, is kept onsite and this copy is updated within 5 working days of any amendments being certified.

Erosion and Sediment Control

7. The consent holder shall provide the Waikato Regional Council with an "Erosion and Sediment Control Plan" (E&SCP), at least 10 working days prior to the commencement of activities authorised by this consent for review approval – acting in a technical certification capacity. The objective of the E&SCP shall be to minimise sediment discharge from the site to the extent practicable.
8. The E&SCP shall as a minimum be based upon and incorporate those specific principles and practices which are appropriate for the activity authorised by this consent and contained within the Waikato Regional Council document titled "Erosion and Sediment Control –

Guidelines for Soil Disturbing Activities" (Technical Report No. 2009/02 – dated January 2009), and shall include at least the following;

- i. Details of all principles, procedures and practices that will be implemented to undertake erosion and sediment control to minimise the potential for sediment discharge from the site, including flocculation if required,
 - ii. The design criteria and dimensions of all key erosion and sediment control structures;
 - iii. A site plan of a suitable scale to identify,
 - iv. The locations of waterways,
 - v. The extent of soil disturbance and vegetation removal,
 - vi. Any "no go" and/or buffer areas to be maintained undisturbed adjacent to watercourses,
 - vii. Areas of cut and fill,
 - viii. Locations of topsoil stockpiles,
 - ix. All key erosion and sediment control structures,
 - x. The boundaries and area of catchments contributing to all stormwater impoundment structures,
 - xi. The locations of all specific points of discharge to the environment; and
 - xii. Any other relevant site information.
 - xiii. Construction timetable for the erosion and sediment control works and the bulk earthworks proposed,
 - xiv. Timetable and nature of progressive site rehabilitation and re-vegetation proposed,
 - xv. Maintenance, monitoring and reporting procedures,
 - xvi. Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or the failure of any key erosion and sediment control structures,
 - xvii. Procedures and timing for review and/or amendment to the E&SCP; and
 - xviii. Identification and contact details of personnel responsible for the operation and maintenance of all key erosion and sediment control structures.
9. The E&SCP shall be certified in writing by the Waikato Regional Council acting in a technical certification capacity prior to any works authorised by this consent commencing and the consent holder shall undertake all earthworks authorised by this consent in accordance with the certified E&SCP.
- Advice Note:*** *The certification or agreement (or withholding of certification or agreement) shall be based on the Waikato Regional Council's assessment of whether the matters being considered achieve the objective of minimising sediment discharges from the site to the extent practicable.*
10. Any changes proposed to the E&SCP shall be confirmed in writing by the consent holder and the Waikato Regional Council, acting in a technical certification capacity, prior to the implementation of any changes proposed.
11. The consent holder shall, prior to filling commencing in an area, submit to the Waikato Regional Council "As Built Certification Statements" signed by an appropriately qualified and experienced professional certifying that erosion and sediment control structures have been constructed in accordance with the certified E&SCP. Certified controls shall include clean water diversion channels/bunds, sediment retention ponds and decanting earth bunds. The As Built Certification Statements shall be supplied to the Waikato Regional Council within 5

working days of the completion of the construction of those controls. Information contained in the certification statement shall include at least the following:

- a) Confirmation of contributing catchment areas;
 - b) The location, capacity and design of each structure;
 - c) Position of inlets and outlets;
 - d) Stability of structures;
 - e) Measures to control erosion; and
 - f) Any other relevant matter as specified in the certification sheet located Waikato Regional Council website (<https://www.waikatoregion.govt.nz/assets/WRC/WRC-2019/Sediment-retention-pond-AS-BUILT-ii.pdf>).
12. The consent holder shall ensure that all sediment laden run-off from the site is treated by sediment retention structures. These structures are to be fully operational before bulk earthworks commence and shall be maintained to perform at least at 80% of their operational capacity.
13. The maximum contributory catchment reporting to Sediment Retention device at the toe of the fill must be no greater than 3.56 ha at any time.
14. The consent holder shall ensure that, as far as practicable, all clean water run-off from stabilised surfaces including catchment areas above the site shall be diverted away from the exposed areas via a stabilised system to prevent erosion. The consent holder shall also ensure the outfall(s) of these systems are protected against erosion.
15. The consent holder shall ensure that all erosion and sediment control structures are inspected on a weekly basis and within 24 hours of each rainstorm event that is likely to impair the function or performance of the controls. A record shall be maintained of the date and time of inspections undertaken, any maintenance requirements identified, and of maintenance undertaken to all erosion and sediment control structures. Records associated with the maintenance of all erosion and sediment control structures shall be made available to the Waikato Regional Council at all reasonable times.

Chemical Treatment Management Plan

16. Prior to bulk earthworks commencing, the consent holder shall undertake flocculant bench testing to determine the reactivity of soils to chemical treatment within those areas of the site where runoff is proposed to be treated by sediment retention pond(s).
17. At least 10 working days prior to the commencement of activities under this resource consent the consent holder shall provide the Waikato Regional Council with a revised Chemical Treatment Management Plan (CTMP). The CTMP shall be submitted to the Waikato Regional Council for approval in writing– acting in a technical certification capacity. The CTMP shall include as a minimum:
- a) An analysis identifying which pond(s) require flocculation, this analysis taking into account,
 - i. The soils reactivity to flocculants based on soil tests
 - ii. The size of the contributing catchment that the pond is treating
 - iii. The likely duration of the ponds use

- b) Specific design details of the flocculation system,
- c) Monitoring (including pH and any other testing procedures), maintenance (including post-storm) and including a record system,
- d) Details of optimum dosage (including assumptions),
- e) Results of any initial flocculation trial,
- f) A spill contingency plan,
- g) Contact details of the person responsible for the operation and maintenance of the flocculation treatment system and the organisational structure to which this person shall report.
- h) Treatment system and the organisational structure to which this person shall report.

Advice Note: *The certification or agreement (or withholding of certification or agreement) shall be based on the Waikato Regional Council's assessment of whether the matters being considered achieve the objective of minimising sediment discharges from the site to the extent practicable.*

18. Unless site specific analysis provides evidence to the contrary, the consent holder shall chemically treat all sediment retention ponds for the purpose of reducing sediment discharges from the site in accordance with the certified CTMP.

19. Any changes proposed to the CTMP shall be confirmed in writing by the consent holder and approved in writing by the Waikato Regional Council, acting in a technical certification capacity, prior to the implementation of any changes proposed.

Advice Note: *The certification or agreement (or withholding of certification or agreement) shall be based on the Waikato Regional Council's assessment of whether the matters being considered achieve the objective of minimising sediment discharges from the site to the extent practicable.*

20. The consent holder shall ensure that the active overburden fill site area is limited to a maximum of 2 ha at any one time. This limit applies to the combined unstabilised area associated with the operation of Fill Area 5 at any one time and includes the active working area, batters slopes, haul roads and top soil and overburden stockpiles. Stabilisation efforts to limit the active fill site area shall be undertaken by providing adequate measures (vegetative and/or structural and including, pavement, clean water diversions, metalling, hydro-seeding, re-vegetation and mulching) that will minimise exposed soil to the extent of 2 ha.

In the event that any issues arise in respect to the performance of the treatment systems, the consent holder may be required stabilise all open areas in full or in part upon written request from the Waikato Regional Council.

21. All earthmoving machinery, pumps, generators and ancillary equipment shall be operated in a manner, which ensures spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any water body, ephemeral water body, or overland flow path, such that any spillage can be contained so that it does not enter surface water.

22. The consent holder shall notify the Waikato Regional Council as soon as is practicable, and as a minimum requirement within 12 hours, of the consent holder becoming aware of a discovery or spill of hazardous materials, fuel, oil, hydraulic fluid or other similar contaminants. The consent holder shall, within 7 days of the incident occurring, provide a written report to the Waikato Regional Council, identifying the possible causes, steps undertaken to remedy the effects of the incident and any additional measures that will be undertaken to avoid future spills.
23. In the event of a contaminant discharge as a result of these activities that may cause a significant impact on the ability of the Waikato District Council to act as a community water supplier the consent holder shall give notice immediately to both the Waikato District Council and Waikato Regional Council of the incident.
24. In order to minimise erosion in the vicinity of any storm water discharge point, appropriate erosion and protection and energy dissipating devices such as rip rap shall be provided at the inlet and outlet of these devices.
25. The removal of any erosion and sediment control measure from any area where soil has been disturbed as a result of the exercise of this consent shall only occur after consultation and written approval has been obtained from the Waikato Regional Council acting in a technical certification capacity. In this respect, the main issues that will be considered by the Waikato Regional Council include:
 - i. The quality of the soil stabilisation and/or covering vegetation;
 - ii. The quality of the water discharged from the rehabilitated land; and
 - iii. The quality of the receiving water.

Advice Note: *The certification or agreement (or withholding of certification or agreement) shall be based on the Waikato Regional Council's assessment of whether the matters being considered achieve the objective of minimising sediment discharges from the site to the extent practicable.*

26. The consent holder shall ensure those areas of the site where earthworks have been completed shall be stabilised against erosion as soon as practically possible and within a period not exceeding 14 days after completion of any works authorised by this consent. Stabilisation shall be undertaken by providing adequate measures (vegetative and/or structural) that will minimise sediment runoff and erosion to the satisfaction of the Waikato Regional Council acting in a technical certification capacity pursuant to condition 20. The consent holder shall monitor and maintain the site until vegetation is established to such an extent that it prevents erosion and prevents sediment from entering any water body.
27. The consent holder shall exclude stock from all areas of work authorised by this consent where grazing, trampling or physical damage by stock may reduce the effectiveness of erosion and sediment controls.

Winter Works

28. The earthworks authorised by this resource consent shall not be carried out during the winter period 1st May to 30th September inclusive in any year that this consent is current unless authorised by the Waikato Regional Council.

29. The consent holder shall ensure that earthworks and soil disturbance areas (not including disposal area) are appropriately stabilised by 30 April of each year unless otherwise approved in writing by the Waikato Regional Council. Stabilisation shall be undertaken by providing adequate measures (vegetative and/or structural and including, pavement, metalling, hydroseeding, revegetating and mulching) that will minimise erosion of exposed soil to the extent practicable.

Advice Note: For the avoidance of doubt earthworks authorised by this consent include establishment and preparation for the discharge of overburden disposal and any other works necessary to maintain and the rehabilitate the site. It does not include overburden disposal and handling and recontouring of the overburden disposal site which is authorised under AUTH141137.02.01

30. Requests to undertake works during the period 1st May to 30th September inclusive shall be submitted in writing to the Waikato Regional Council at least 20 working days prior to the commencement of activities under this resource consent and by 1st April each year thereafter, and shall be in the form of amendments to the approved E&SCP – Schedule One, General Conditions.

In terms of s116 of the Resource Management Act 1991, this consent commences on the date of decision notification.

Advice Notes - General

- In accordance with section 125 RMA, this consent shall lapse five (5) years after the date on which it was granted unless it has been given effect to before the end of that period.
- This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
- This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
- The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
- The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
- Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
- If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.

RESOURCE CONSENT CERTIFICATE

Resource Consent: AUTH141137.02.01

File Number: 60 50 77A

*Pursuant to the Resource Management Act 1991, the
Regional Council hereby grants consent to:*

Gleeson Quarries Huntly Limited
C/- Gleeson Group - accounts@gleesonquarries.co.nz
PO Box 97034
Manukau City
Auckland 2241

(hereinafter referred to as the Consent Holder)

Consent Type: Discharge Permit

Consent Subtype: Land - solid waste

Activity authorised: To discharge overburden to land at Fill Area 5

Location: 310 Riverview Road, Huntly 3771

Map reference: NZTM 1789837.0000 E 5837489.0000 N

Consent duration: This consent will commence on the date of decision notification
and will expire on 31 March 2036

Subject to the conditions overleaf:

CONDITIONS

1. This consent is also subject to the Schedule One - General Conditions. Where there may be differences or apparent conflict between those general conditions and the conditions below, the condition below shall prevail.
2. The total volume of overburden fill to be placed, authorised by this consent must not exceed 185,000 cubic metres.

Fill Stability

3. The consent holder shall engage a chartered professional engineer to inspect the fill site no less than annually; and to confirm the fill site design and stability is in general accordance with engineering best practice and the resource consent. Annual fill stability reporting on the active fill site shall be undertaken by the nominated chartered engineer until completion with final completion report provided for rehabilitated sites. Annual reporting shall include recommendations to identify and address any issues found.

The written certification or report shall be provided to the Waikato Regional Council annually by 31 May for each year that this resource consent is active.

4. Any fill material must be placed so that it does not result in land instability.

Erosion and Sedimentation Control

5. The consent holder shall be responsible for the structural integrity and maintenance of the overburden, and for the provision and maintenance of any erosion control works that become necessary to control erosion as a result of the exercise of this consent. Any such works shall be to the satisfaction of the Waikato Regional Council and at the consent holder's expense.
6. The consent holder shall ensure that sediment losses to natural water arising from the exercise of this resource consent are minimised during all overburden placement operations and during the term of this consent. In this respect, the consent holder shall implement the E&SC certified under Condition 9 of AUTH141137.01.01 (or certified updates), in accordance with the principles outlined in the document prepared by the Waikato Regional Council titled "Erosion and Sediment Control – Guidelines for Soil Disturbing Activities" (Technical Report No. 2009/02 – dated January 2009), and subsequent amendments or replacement documents.
7. All stormwater runoff from the overburden disposal area(s) not yet rehabilitated shall be directed into sediment treatment devices prior to discharge to receiving waters.
8. All stormwater and ESC structures will comply with the requirements outlined in AUTH141137.01.01, AUTH141137.03.01 and AUTH141137.04.01

In terms of s116 of the Resource Management Act 1991, this consent commences on the date of decision notification.

Advice Notes - General

- In accordance with section 125 RMA, this consent shall lapse five (5) years after the date on which it was granted unless it has been given effect to before the end of that period.
- This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
- This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
- The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
- The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
- Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry

RESOURCE CONSENT CERTIFICATE

Resource Consent: AUTH141137.03.01

File Number: 60 50 77A

*Pursuant to the Resource Management Act 1991, the
Regional Council hereby grants consent to:*

Gleeson Quarries Huntly Limited
C/- Gleeson Group - accounts@gleesonquarries.co.nz
PO Box 97034
Manukau City
Auckland 2241

(hereinafter referred to as the Consent Holder)

Consent Type: Water Permit

Consent Subtype: Diversion

Activity authorised: Divert surface water, divert and reclaim a stream that flows into the Waikato River in association with Overburden disposal at Fill Area 5 - Huntly Quarry

Location: 310 Riverview Road, Huntly 3771

Map reference: NZTM 1789837.0000 E 5837489.0000 N

Consent duration: This consent will commence on the date of decision notification and will expire on 31 March 2036

Subject to the conditions overleaf:

CONDITIONS

1. This consent is also subject to the General Conditions. Where there may be differences or apparent conflict between those general conditions and the condition below, the condition below shall prevail.
2. The works authorised by this consent shall be undertaken in such a manner to avoid causing any new or exacerbating any existing flooding effects on adjacent land.
3. The activities authorised by this consent shall comply at all times with the standards of resource consent AUTH141137.04.01 which authorises discharges from the site.
4. Should Cofferdams be required to be constructed for flowing water, the construction therefore will be in association with the exercise of this resource consent and shall be temporary in nature and constructed of material suitable for the intended use. On completion of the works, the consent holder shall ensure that all such structures are removed from the stream bed. Construction and removal of these structures shall be undertaken without the requirement for machinery to enter the stream bed and shall be undertaken in a manner so as to minimise any increase in sediment levels that result.
5. The consent holder shall ensure diversion of clean water shall be in accordance with the certified E&SCP.
6. The consent holder shall design all structures and any diversion channels for a design flow capacity of 1 in 100 year flow events (1% AEP Annual Exceedance Probability).
7. The consent holder shall control and divert stormwater which is not affected by overburden filling activity away from areas disturbed by filling activities.
8. The consent holder shall ensure that any water diversions authorised by this consent are carried out in a manner that erosion of the diversion is minimised.
9. The consent holder shall ensure that scour protection is constructed in any outlet structures.
10. The consent holder shall ensure that any water diversion channels are maintained in good working order and clear of obstructions at all times.
11. The consent holder shall ensure that any diversion channels at the site are inspected on a weekly basis or within 24 hours of each rainstorm event exceeding rainfall triggers pursuant to condition 2 of AUTH 141137.04.01.. A record shall be maintained of the date, time and any maintenance undertaken in association with this condition which shall be forwarded to the Waikato Regional Council upon request.
12. All works authorised by this resource consent shall be undertaken in accordance with the approved Ecological Management Plan and Fish Management Plan (Schedule One, General Conditions).
13. On completion of the overburden fill area corresponding 'end of life' sediment retention pond below the fill site will be enhanced and converted to permanent artificial wetland. The

enhancement works are to restore the ecological habitat and the water attenuation capacity of the project footprint closer to that of the pre-project environment.

In terms of s116 of the Resource Management Act 1991, this consent commences on the date of decision notification.

Advice Notes - General

- In accordance with section 125 RMA, this consent shall lapse five (5) years after the date on which it was granted unless it has been given effect to before the end of that period.
- This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
- This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
- The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
- The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
- Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
- If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.

RESOURCE CONSENT CERTIFICATE

Resource Consent: AUTH141137.04.01

File Number: 60 50 77A

*Pursuant to the Resource Management Act 1991, the
Regional Council hereby grants consent to:*

Gleeson Quarries Huntly Limited
C/- Gleeson Group - accounts@gleesonquarries.co.nz
PO Box 97034
Manukau City
Auckland 2241

(hereinafter referred to as the Consent Holder)

Consent Type: Water Permit

Consent Subtype: Other

Activity authorised: To discharge stormwater to land and to water in association with the operation of overburden Fill Area 5

Location: 310 Riverview Road, Huntly 3771

Map reference: NZTM 1789837.0000 E 5837489.0000 N

Consent duration: This consent will commence on the date of decision notification and will expire on 31 March 2036

Subject to the conditions overleaf:

CONDITIONS

1. This consent is also subject to the Schedule One - General Conditions.
2. Additional site monitoring and reporting shall be undertaken in response to the following rainfall trigger events:
 - ≥ 15 mm in one hour; or
 - ≥ 25 mm in 24 hours
3. Within 24 hours of the occurrence of a rainfall trigger event listed in Condition 2, investigation, response and reporting shall be undertaken against the following sediment retention pond performance triggers:
 - $< 90\%$ sediment retention efficiency (manual sampling of inflows and outflows)
 - < 100 mm clarity of outflows (manually sampled);
 - pH range outside 5.5 to 9 (manually sampled)
 - Total Suspended solids of treated stormwater at the Fill Area 5 sediment retention pond outlet shall not exceed 100g per cubic metre
4. In response to a rainfall trigger event listed in Condition 2, water samples shall be manually taken from the inflow and outflow of the sediment retention pond, submitted to an accredited laboratory and analysed for the following parameters:
 - a) Turbidity;
 - b) pH;
 - c) Total Suspended Solids (TSS)

The results of the investigations and sampling required by Condition 4 shall be reported to the Waikato Regional Council within 15 working days of the corresponding rainfall trigger event, including any contingency actions undertaken in response to exceedance of a trigger value.

5. Any sampling required by this resource consent, the frequency of sampling, analyses and reporting may be altered or reduced with the written agreement of the Waikato Regional Council.

In terms of s116 of the Resource Management Act 1991, this consent commences on the date of decision notification.

Advice Notes - General

- In accordance with section 125 RMA, this consent shall lapse five (5) years after the date on which it was granted unless it has been given effect to before the end of that period.
- This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
- This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
- The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
- The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
- Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
- If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.

SCHEDULE ONE – GENERAL CONDITIONS

The granting of resource consent numbers AUTH141137.01.01, 141137.02.01, 141137.03.01 and 141137.04.01 are subject to the following general conditions that shall apply to each individual consent. Where there may be differences or apparent conflict between the general conditions and conditions contained in either the individual consents contained within this suite, or any other consent referred to below, the conditions contained in the respective individual consents shall prevail.

1. Except as specifically provided for by other conditions of this consent, all activities to which this consent relates shall be undertaken in general accordance with the resource consent conditions below and the information contained in the application for this consent document titled:
 - Application for this resource consent and the document titled 'Application to Waikato Regional Council for Resource Consents associated with the Overburden Disposal Area, Gleeson Quarries Limited, Riverview Road Huntly', prepared by Paua Planning, dated 08 October 2019 and revised Assessment of Environment Effects dated 19 October 2020 (WRC doc # 15237410).:
 - "Huntly Quarry Disposal Sites, Fill Site 5 – Geotechnical Design Report, GAIA Engineers, Rev.A, November 2019
 - "Huntly Quarry WRC Fill 5 Geotechnical Review. by Cameron Lines-Baseline Geotechnical.pdf" (Waikato Regional Council document number 15369148)
 - Bat Management Plan for Gleeson Quarry, Huntly – Wildlands (report no.5208e), February 2020
 - Ecological Management Plan for the Compensation Site at Gleeson Quarry, Huntly - Wildlands (report no.5208f), February 2020
 - Fill Area 5 Stream Loss Mitigation – Gleeson Quarry, Huntly – Wildlands (report no.5208j), October 2020 (WRC doc 17461464).

Pre-start

2. The consent holder shall engage with the Waahi Whanui Trust and ensure that the Waahi Whanui Trust is notified in writing at least 10 working days prior to any soil disturbance occurring; and that the Waahi Whanui Trust is invited to act as cultural monitors to observe all topsoil removal at the site on an ongoing basis as each stage of works progresses.
3. The consent holder shall establish a monitoring team which is to be managed by a nominated and specified person as agreed between the Consent Holder and WRC. The monitoring team shall consist of personnel who have clearly defined roles and responsibilities to monitor compliance with the consent conditions and will be available to meet with the Waikato Regional Council monitoring personnel on a basis as agreed in writing, to review monitoring and compliance issues. The functions of the monitoring team shall include:
 - a) installing, monitoring and maintaining erosion and sediment controls;
 - b) water quality sampling;
 - c) ecological monitoring;
 - d) cultural monitoring; and
 - e) recording and reporting on other information required by this consent.
4. The consent holder shall arrange and conduct a pre-construction site meeting and invite, with a minimum of 10 working days notice, the Waikato Regional Council, the Waahi Whanui Trust, the site representative(s) nominated under conditions 2 and 3, the contractor, and any other party representing the consent holder prior to any earthworks authorised by this consent commencing on site.

Rehabilitation Management Plan

5. Within six (6) months of the commencement of this consent the consent holder shall submit to Waikato Regional Council, for approval in a technical certification capacity, a Rehabilitation Management Plan (RMP)

The RMP shall include, but not be limited to the following matters:

- (a) Identify the final (future) landform following filling operations; and
 - (b) Contain an implementation strategy that clearly identifies the timing of all rehabilitation and restoration works within the filling stage areas including:
 - i) Identification and timing of progressive and closure rehabilitation works;
 - ii) On-going management strategy for weed and pest control;
 - iii) Procedures to be adopted in the handling and storage of topsoil, subsoil and overburden materials to ensure their continued viability for establishing pasture (or other identified vegetation cover).
 - (c) The design and construction procedures, stability of final landform; and
 - (d) Measures to avoid the over compaction of soils; and
 - (e) Stormwater drainage/soakage of final landform; and
 - (f) Ecological enhancements; and
 - (g) Reporting and review outcomes; and
6. The consent holder shall undertake the mitigation and rehabilitation of the overburden fill area in accordance with approved RMP and under the supervision of persons with appropriate restoration and rehabilitation experience.

Ecology

7. Prior to the exercise of this resource consent (excluding 'g' and 'h' below which are subject to extended timeframes) the consent holder shall submit an Ecological Management Plan (EMP) and a Bat Management Plan (BMP) to the Waikato Regional Council for certification, to confirm that the activities undertaken in accordance with the EMP and BMP will achieve the objectives of the plans and compliance with the relevant consent conditions. Any subsequent review of the EMP or BMP shall also be submitted to the Waikato Regional Council for written approval acting in a technical certification capacity. The consent holder shall meet the costs of the production, certification, monitoring and peer review of the EMP and BMP.

The overall objective of the EMP and BMP shall be to set out the practices and procedures to be adopted to ensure compliance with consent conditions and shall include:

- a) Timeframes for implementation of fencing and each area of planting, review and reporting requirements and the nature of proposed review and reporting requirements;
- b) Identification of appropriate methodologies and monitoring procedures to ensure all mitigation measures undertaken are effective;
- c) The planting and fencing proposed including the number of plants required;
- d) Provision for weed and/or pest control;
- e) A maintenance programme to ensure all the rehabilitated areas are maintained, including fencing from stock, weed and pest control, planting protection and replacement to ensure the revegetation and mitigation works are successful;
- f) A Fish Management Plan, including translocation plan:

- g) Within six months of commencement of activities under this consent, mechanism for covenanting of the mitigation area, including gully restoration and bat reserve;
 - h) Within six months of commencement of activities under this consent, an enhancement and planting plan to progressively convert the sediment retention pond to permanent artificial, wetland on completion of the fill site.
 - i) Advice on the value of the bond for remediation; and
 - j) Monitoring requirements.
8. In addition to condition 7 above, the consent holder shall undertake all ecological mitigations in accordance with the Ecological Enhancement Programme as appended to these conditions of consent (Schedule Three).
9. Specific to the Bat Management Plan, the indicative Bat Reserve (Schedule Two appended to these conditions) is to be no less than 1.5ha in area, and the final boundaries are to be determined on site with a representative of the Waahi Whanui Trust (Condition 11) and a suitably qualified and experienced bat ecologist.

Ecological Mitigation Monitoring Report

10. On an annual basis, the Consent Holder shall prepare an Ecological Mitigation Monitoring Report which outlines the details of any ecological mitigation and associated monitoring works required under the Ecological Mitigation Plan, the Fill Area 5 Stream Loss Mitigation plan and, the Fish Management Plan and the Bat Management Plan which have been undertaken within the preceding 12 month period. The plan shall include, but will not be limited to, the following items:
- a) Details of any planting or plant maintenance works including the outcomes of any maintenance inspections of established plantings;
 - b) Details and outcomes of any aquatic and terrestrial ecological monitoring;
 - c) Details and outcomes of any plant or animal pest control works including any follow up monitoring of pests.

The monitoring report shall be prepared by a suitably qualified and experienced ecologist and shall be forwarded to the Waikato Regional Council by 31 May each year.

Covenant

11. Within 12 months of commencement of this resource consent, the consent holder the consent holder shall establish and register on the land title, a legal mechanism (herein referred to as a "covenant") containing appropriate requirements in order to legally protect in perpetuity the following areas
- a) ecological mitigation/compensation area of no less than 3,800m² (to be updated at the time of covenanting) to be restored as per the approved EMP, the Fill Area 5 Stream Loss Mitigation plan (Wildlands, 19 October 2020) Figure 1
 - b) the Bat Reserve and previously identified areas in Schedule Two of this Resource Consent. The consent holder shall consult with the Waahi Whanui Trust and offer to include the possible pa located on the ridge above FA5 within the area covenanted as agreed during consultation.

The covenant shall also set out that clearance of vegetation, grazing of stock and earthworks within the covenant area is prohibited.

12. The consent holder shall provide a draft covenant document to satisfy the requirements of condition 11 for the consideration and written approval of the Waikato Regional Council, acting in a technical certification capacity, and prior to the registration of the covenant on the property title.

Maatauranga Maaori

13. Within three months of the consent being granted the consent holder shall develop a Maatauranga Maaori Environmental Monitoring Plan (MMEMP). The MMEMP shall include but will not be limited to:

- (a) Undertaking cultural monitoring during topsoil removal;
- (b) Waahi Whanui Trust input into the Closure and Rehabilitation plan;
- (c) Involvement of the Waahi Whanui Trust in water quality monitoring;
- (d) Restoration of the western tributary in Compensation Area 4 which is located west of Fill Area 5 (See Schedule One);
- (e) Waahi Whanui Trust input into the Dust Management Plan and air discharge monitoring;
- (f) Waahi Whanui Trust input into the Bat Management Plan and Ecological Management Plan.
- (g) Iwi-led archeological review of potential location of pa site within/in proximity to the Bat Reserve with the view of incorporating the potential pa site within the covenanted area (Condition 11) to ensure protection in perpetuity.

The MMEMP shall be developed in consultation with the Waahi Whanui Trust and the final MMEMP provided to the Waahi Whanui Trust for comment at least 20 working days prior to submitting the MMEMP to the Waikato Regional Council.

14. The MMEMP shall be certified in writing by the Waikato Regional Council acting in a technical certification capacity and the consent holder shall undertake all activities authorised by this consent in accordance with the certified MMEMP.
15. Any changes proposed to the MMEMP shall be confirmed in writing by the consent holder following consultation with the Waikato Regional Council acting in a technical certification capacity, prior to the implementation of any changes proposed.

Advice Note: *Waikato Regional Council certification of the MMEMP is to ensure that the intent of Condition 13 has been met and that the content of the MMEMP is consistent with the condition requirements.*

16. The consent holder shall ensure contractors and workers are made aware of the conditions of this resource consent and ensure compliance with those conditions.

Bond

17. Within 12 months of the commencement of this consent the Consent Holder shall provide and maintain, or shall have a third party provide and maintain, a bond in favour of the Consent Authority to enable:

- a) Rehabilitation (including contouring, drainage, revegetation,) of the quarry site and overburden areas to a standard such that the activities and works authorised by this consent no longer require resource consent;

- b) Operation and maintenance of treatment systems on the site to ensure that discharges meet the resource consent requirements while rehabilitation on the site is being completed; and,
 - c) Compliance with all the conditions of this consent related to site rehabilitation and site closure.
18. The quantum of the bond shall be sufficient to cover:
- a) The estimated costs (including any contingency necessary) of the activities outlined in condition 17; and,
 - b) Any further sum which the Consent Authority consider necessary for monitoring any adverse effect on the environment that may arise from the site including monitoring anything which is done to avoid, remedy, or mitigate an adverse effect.
19. The bond shall be in a form approved by the Consent Authority and shall, subject to these conditions, be on the terms and conditions required by the Consent Authority.
20. Unless the bond is a cash bond, the performance of all the conditions of the bond shall be guaranteed by a guarantor acceptable to the Consent Authority. The guarantor shall bind itself to pay for the carrying out and completion of any condition of the bond in the event of any default of the Consent Holder, or any occurrence of any adverse environmental effect requiring remedy.
21. The amount of the bond shall be fixed within 12 months of commencement of this consent and every third anniversary thereafter by the Consent Authority. The amount of the bond shall be advised in writing to the Consent Holder at least one month prior to the review date.
22. Should the Consent Holder not agree with the amount of the bond fixed by the Consent Authority then the matter shall be referred to arbitration in accordance with the provisions of the Arbitration Act 1996. Arbitration shall be commenced by written notice by the Consent Holder to the Consent Authority advising that the amount of the bond is disputed, such notice to be given by the Consent Holder within two weeks of notification of the amount of the bond. If the parties cannot agree upon an arbitrator within a week of receiving the notice from the Consent Holder, then an arbitrator shall be appointed by the Chief Executive Officer of the Institute of Professional Engineers of New Zealand. Such arbitrator shall give an award in writing within 30 days after his or her appointment, unless the Consent Holder and the Consent Authority agree that time shall be extended. The parties shall bear their own costs in connection with the arbitration. In all other respects, the provisions of the Arbitration Act 1996 shall apply. Pending the outcome of that arbitration, the existing bond shall continue in force. That sum shall be adjusted in accordance with the arbitration determination.
23. If the amount of the bond to be provided by the Consent Holder is greater than the sum secured by the current bond, then within one month of the Consent Holder being given written notice of the new amount to be secured by the bond, the Consent Holder and the guarantor shall execute and lodge with the Consent Authority a variation of the existing bond or a new bond for the amount fixed on review by the Consent Authority. Activities authorised by the consent shall not be undertaken if the variation of the existing bond or new bond is not provided in accordance with this condition.
24. The bond may be varied, cancelled, or renewed at any time by agreement between the Consent Holder and the Consent Authority.
25. The bond shall be released on completion of Closure of the site.

Advice Note:

Completion of Closure means when resource consents for the site are no longer required. The Consent Holder shall pay all costs relating to the bond.

Advice Note: *To minimize administration, the consent holder may choose to have one bond for the whole site inclusive of any other areas subject to a performance bond in favour of the Waikato Regional Council.*

Administration

26. The Consent Holder shall pay to the Waikato Regional Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act.

Review

27. The Waikato Regional Council may during 2025, 2030 and 2035 serve notice on the consent holder under section 128 (1) of the Resource Management Act 1991, of its intention to review the conditions of this resource consent for the following purposes:

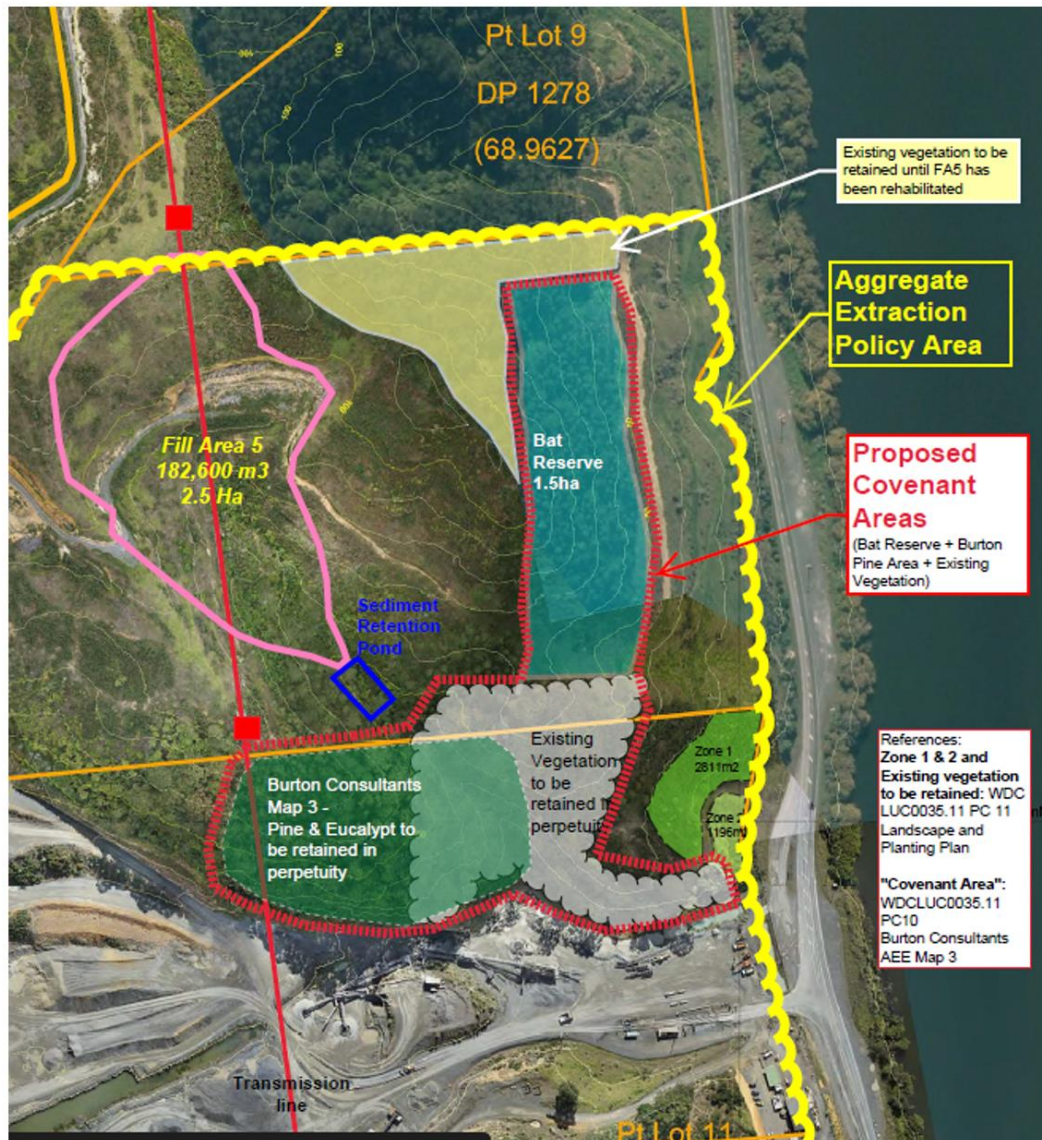
- a. to review the effectiveness of the conditions of these resource consents in avoiding or mitigating any adverse effects on the environment and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions; or
- b. if necessary and appropriate, to require the holder of this resource consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment; or
- c. to review the adequacy of and the necessity for monitoring undertaken by the consent holder; or
- d. To take account of any changes to the Waikato Regional Council's Regional Plans or Policies;

Schedule One – Compensation area for Fill Area 5 (subject to survey)



Advice Note: The Fill Area 5 Stream Loss Mitigation subject to covenant will be no less than 3800m², forming the western tributary of Compensation Area 4 (as per inset on map above), as set out in the Wildlands letter dated 19 October 2020 (WRC doc 17461464).

Schedule Two– Indicative Bat Reserve and other indicative covenant areas for Fill Area 5 (subject to survey)



Note: Covenant areas to be confirmed subsequent to accurate aerial map depicting location of existing vegetation and subsequent to construction of Sediment Retention Pond to ensure covenant area is outside area of works required to facilitate Fill Area 5, but will not be less than 1.5ha for Bat Reserve in order to compensate for the bat habitat identified in Fill Area 5 (and Fill Area 4 – APP141137,FA4 Activity has since been withdrawn, however the full ecological enhancement package will be continued and offered as part of the FA5 proposal), in addition to areas protected under previous consents. In future if the applicant chooses to lodge a new application relating to proposed Fill Area 4, any ecological compensation for the new application will be assessed on its own merits at the time of processing the new application.

References:
 Zone 1 & 2 and Existing vegetation to be retained: WDC LUC0035.11 PC 11 Landscape and Planting Plan
 "Covenant Area": WDC LUC0035.11 PC10 Burton Consultants AEE Map 3

Schedule Three – Ecological & Bat Mitigation Schedule

Ecological Enhancement Programme

<p>Fencing around south western tributary area of CA4¹ – refer to Figure 1 in FA5 Stream Loss Mitigation, Wildlands, 19 October 2020, 5208j</p>	<p>Loss of stream habitat in Fill Areas 5</p>	<p>Within 1 year of Resource Consent grant date</p>	<p>Encompasses approximately 120 metres of the spring-fed headwaters of the western tributary of the compensation area. The restoration area will be fenced to exclude stock thus reducing sediment and nutrient input into the watercourse</p>
<p>Pest plant control within identified Western tributary area in CA4 – refer to Herbicide treatments for Pest Plant Species table in FA5 Stream mitigation, Wildlands, 19 October 2020, 5208j</p>	<p>Loss of stream habitat in Fill Areas 5</p>	<p>Initial control within Management Unit 1 & 2 completed within 1 year from Resource Consent grant date.</p>	<p>Two pest plant management units are present within the restoration area and the specific control methodologies are outlined in the Stream loss mitigation report.</p>
<p>Enhancement planting in around western tributary</p>	<p>Loss of stream habitat in Fill Areas 5</p>	<p>Site preparation to be completed in April 2022 (following completion of initial plant control).</p> <p>Planting complete July / August 2022 and plantings monitored with replacement planting as necessary over five years or until canopy closure is achieved, whichever is longer.</p>	<p>Plantings shall be spaced at an overall average of 1.4 metre spacing unless otherwise specified. Most species can be planted at these spacings, but larger growing species (e.g. kahikatea, pukatea), should be planted further apart at five to ten metre centers, while maintaining the specified spacing between all plants on the site overall.</p>
<p>Maintenance & Infill Plantings</p>	<p>Loss of stream habitat in Fill Areas 5</p>	<p>Plantings shall be inspected at least 3 times per year for the first two years following planting to identify any management required.</p>	<p>Limited infill planting may be required from the second planting season. Infill planting is required wherever plant failures occur up to year three and may comprise both replacement species, i.e. replacement of dead plants planted in previous years, and planting of enrichment species in existing or created gaps.</p>

¹ Note: CA4 refers to 'Compensation Area 4'

Bat Management Plan

Mitigation action	Mitigation for	Completed	Notes
Fencing of the Bat Reserve	Loss of potential bat roosting and foraging habitat in Fill Area 5	Three months from the commencement date of the tree felling in Fill Area 5 have been completed	
Installation of five artificial roost boxes and predator exclusion bands in the Bat Reserve (five boxes to mitigate for roost loss in Fill Area 4 and five for loss of roosts in Fill Area 5).	Loss of potential bat roosts in Fill Area 5	Between November 2021 and February 2022	It can take 5 years or more for roost boxes to become occupied and therefore installing prior to tree felling is beneficial.
Creation of chainsaw hollows in the bat reserve	Loss of potential bat roosts in Fill Area	Between 1 September and 1 November in the year following tree felling	The number of chainsaw hollows is dependent on the number of potential roost features removed during tree felling and therefore cannot be determined
Maintenance of artificial roost boxes, chainsaw hollows, and predator exclusion bands	Loss of potential bat roosts in Fill Area 5	Annually between 1 September and 1 November for 15 years following installation	

