

PRE-APPLICATION MEETING NOTES - FINAL

To | Gleeson & Cox Ltd
From | Emma Ensor, Senior Planner WDC
Subject | Pre Application Advice for Riverview Road, HUNTLY
File | PRE0098/19
Date | 21 March 2019

Introduction

A meeting was held on the 1st March 2019 to discuss the following:

- Increase quarry extraction
- Earthworks
- New cleanfill activity

on a site legally described as PT LOT 9 DP 1278, LOT 1 DP 25272, PT LOT 10 DP 1278, LOT 1 DPS 75436, LOT 1 DPS 4285.

In Attendance:

Name	Job details
Ana Maria	Consent Manager - WDC
Wade Hill –	Team Leader WDC
Emma Ensor	Senior Planner WDC
Georgia Morton	Planner WDC
Inderpaul Randhawa	Senior Land Development Engineer WDC
Ian Boddington	Monitoring Officer WDC
Kate Madsen	Consultant Planner / Project Manager Paua Planning Ltd
Biance Schoeman	Planner – Paua Planning
James Gleeson	CEO Gleeson and Cox
Mark Pelan	CFO Gleeson and Cox
Shawn McLean	Quarry Manager
Emma Cowan	Resource Officer Land Development, Resource Use Waikato Regional Council
Jorge Rodriguez	Team Leader Land Development, Resource Use Waikato Regional Council

Matters arising from the Meeting:

I. Introduction

- (a) Round table – everyone introduced themselves, their job position and who they work for
- (b) Meeting notes taken – not meeting minutes, you can take additional notes, review draft notes and provide input, final notes to be included in future applications
- (c) Gleeson and Cox – provide overview of their company and what they want Council to know
 - involvement in the transport business – haulage of aggregate,
 - they are people and solution focussed,
 - purchased this quarry in 2018.
 - provide large map indicating current quarry operation and any proposed variations or new activities
- (d) Background –
 - The first consent granted for overburden was in 1996 and then in 2000 again (6900014). The validity of the consents was however uncertain.
 - Ian Boddington WDC Monitoring staff has advised the following:
 - Original consent WDC ref: 69 00 014 for overburden deposition for 150,000 tonnes per year for 8 years being a total of 1.2 million tonnes. That consent had no expiry date and no lapse date.
 - Therefore the consent holder can continue deposition of overburden in the specified area under consent 69 00 014 up to including 1.2 million tonnes. Once that volume has been reached, overburden deposition will be in accordance with new Landuse consent LUC0035/11.03.
 - Extraction of rock material is under existing use rights or as otherwise provided for by Landuse consent LUC0035/11.03.
 - LUC0035/11.03 granted September 2018 has no expiry date and no lapse date therefore the extraction activity can continue in accordance with this consent into the future. However, the maximum extraction amount per year and the average rate over 5 years will restrict operations.
 - WDC has a good working relationship regarding the operations of this quarry
 - existing use rights: over where, about what, allows for what
 - existing resource consents in play: what they allow for and where - agent has provided a history of consents documents (5 pages) to be put on this pre-application file for reference

- Other issues to bring to Consent Holders attention:
 - Current issues/complaints from staining of roads, mitigation methods have already been put in place but road staining is still occurring.
 - New mitigation method discussed include: Gravitational wheel wash and improved sealing chips
 - Applicant and Council to work together about potential mitigation measures – Applicant to liaise with Ian Boddington WDC

(e) Transferring/Updating Consent Holder details on existing consents

- We would appreciate updating District Consents with new landowner/consent holder details – does WDC have a standard process for this, and is it useful (particularly for monitoring purposes)?
 - Consent Holder to provide information in writing to the WDC Consents Team requesting transfer of ownership of consents and confirmation of new consent holders contact details and who will be responsible for those consents
 - WDC will not issue new consent decision, we just update our database details
- It is noted that regional consents do not automatically transfer when a property is sold – we would like to inform WRC that we will be applying to transfer all regional consents and permits from Stevenson’s Resources Ltd to Gleeson and Cox Ltd. We understand there is a charge associated with this.
 - Forms to complete and fees – Agent to seek further advice from WRC regarding this
- Is it preferable to wait to transfer these regional consents as part of the 2020 applications, or apply immediately?
 - Forms to complete and fees – Agent to seek further advice from WRC regarding this

(f) District Plan information

- Operative District Plan - Rural Zone, Policy Areas; Transmission Line, Aggregate Resource Policy Area, Waikato River Catchment, Landscape Policy Area (near road boundary of site), Aggregate Extraction Policy Area (NB: LUC setback rule)
- Proposed District Plan – Rural Zone, Policy Areas; Aggregate Extraction Area, Aggregate Resource Area, Maaori Site of Significance, Significant Amenity Landscapes, Significant Natural Area SNA (NB: Look for operative Green Rules and address them in application)

SNA – these rules are in force now.

- Application would need to consider / address effects on SNA areas
 - Resource consent applications to include Operative and Proposed District Plan requirements and compliance (of Objectives, policies and rules).
 - Green Rules currently in effect and need to be considered in applications.
 - Ecological assessment for the applications needs to assess against the criteria of the SNA.
 - Consider obtaining an ecological report from suitably qualified person to identify if District Plan recorded SNA meets criteria (WRC)
-

SECTION A – PROPOSED INCREASE IN EXTRACTION

2. Applicants/Agents Overview of proposed increase in extraction

Applicant / agent to provide details on proposed extraction increase:

- Increase extraction due to high demand, from 1.4 million tonnes to 1.8 or 2 million tonnes per annum, and increase average extraction over a five year period from 1 million tonnes to 1.1 or 1.2 million tonnes as a variation
- The increased rate of extraction will occur within currently consented area only
- Are there any new District Plan rule non-compliances?
 - Agent advised this is unlikely – would only result in increased vehicle movements to/from site and on adjoining road network.
- Which conditions would require changing and to what?
 - Applicant / agent will draft up a table for this, however at this stage it is anticipated that additional road levy charges may be applied as mitigation for additional truck movements
 - Applicant concerned about the conditions in current consent Number PC14 of LUC03035/11.03 in regards to the extraction average being 5mill tonne over a 5 year period.
 - Question? Is an average condition still relevant / required? The average restricts future extraction operations. Applicant / agent should discuss this with a suitably qualified traffic expert. Then include traffic expert report as part of resource consent application to rather change the average or remove the average requirement.

- What are the differences in effects / differences in levels of effects from consented to proposed?
 - Changes to operation hours condition?
 - Changes to quarry noise condition? Need acoustic report

3. Planning Matters – for either variation or new consent consider these

- (a) Objectives and Policies – address relevant ones in ODP and PDP
- (b) Character and Amenity – hours, days, weekends / public holidays, duration, noise
- (c) Visual and Landscape effects from exposed areas –
 - Does this change from existing consented area?
 - How visible will exposed areas be from outside site?
 - Is a landscape and visual assessment required by a suitably qualified person?
- (d) Schedule 4 of the RMA and Chapter 19 ODP – address all relevant requirements
- (e) For new consent discuss these:
 - ODP: 25.10.1 Type of Activity DA, Is it 25.18 Construction noise or 25.19 Extractive Industry Noise (refer definitions in DP)?, 25.22 Glare and lighting, 25.23 Dust etc., 25.25 Earthworks DA – if required?, 25.43 Indigenous vegetation clearance LPA – if required?, 25.43A Indigenous vegetation clearance – if required?
 - PDP: earthworks SNA rules, indigenous vegetation clearance in SNA – if required?
 - Erosion and sediment controls? Provide details – refer Waikato Regional Council requirements and Appendix B of the Waikato District Plan – Waikato Section.
 - Staging – limit the area/s exposed at any one time, this will reduce dust nuisance and reduce visual effects

4. Environmental Health

- (a) Contaminated Land (NES) – HAIL report?
- (b) Noise – need to address, refer consent condition / ODP rules – may require acoustic report

5. Geotechnical / Services

- (a) Geotechnical – can existing conditions account for new activity regarding geotechnical matters or is a new geotechnical report required?
- (a) Stormwater Management Plan will be required to be provided as part of the application – this should take into account the increased extraction proposed

6. Traffic and Roding

- (a) What Roads are used?
 - (b) Entrance way locations – Site/Separation Distances – discuss in the application suitability of this taking into account proposed increase in traffic
 - (c) Effects on the roading network – address in Traffic Impact Assessment report, including effects on single lane bridge on Riverview Road
 - (d) NZTA – maybe
 - (e) Heavy Vehicle Impact Fees - Existing consent has one - refer condition PC16 – either amend existing condition or what does this mean if new consent required and Development Contributions?
 - (f) Debris tracking, road staining, mitigation to be proposed.
-

SECTION B – PROPOSED EARTHWORKS

7. Applicants/Agents Overview of earthworks

- Existing district land use consent No.6900014 (granted 5 July 2000) enables the consent holder to deposit overburden from an existing quarry site at a rate of approximately 150,000m³ per year for a period of up to 8 years.
- Historically: 150,000m³ of overburden stripped, transported and placed per operation (every two to three years)
- Based on averages, approximately 1millm³ of overburden has currently been stripped, therefore there is potentially still capacity for an additional 200,000m³ of overburden stripping (based on 8 years x 150,000 = 1.2millm³)
- District LUC0035/11 (granted 17 Nov 2010) states in Reason for Consent (7):
 - *The earthworks provisions within the Proposed District Plan will be exceeded, however dispensation can be granted as the effects have been addressed in the application through the provision of a report by Erosion Management Ltd, which confirms that no significant adverse effects are expected to occur on either the ecological or physical receiving environments as a result of the proposal. The appropriate consents are being sought from Environment Waikato, it is considered that the further imposition of conditions from WDC is not required in this instance.*
- RC103164 was granted by Environment Waikato 9 August 2000, enabling place up to 700,000 cubic metres of overburden onto the ground at the southern overburden disposal site, for metal extraction purposes, where contaminants emanating from it (stormwater runoff) may enter an unnamed tributary of the Waioateatua Stream. This consent expires 14 July 2020.
- G&C CEO/Quarry Manager Shawn McLean provided update as to where current overburden m³ is at.

Applicant / agent to provide details on proposed earthworks –

- Potentially applying for regional and district earthworks consents to strip approximately 100,000m³ of topsoil per annum for the next 2 years (fill retained and stabilised within an existing gully on-site) to be lodged as soon as possible – this is dependent on whether there is remaining capacity within the existing consents for overburden. If existing consents are sufficient, preparation will commence for a more comprehensive regional/district consents to be achieved before 14 July 2020 expiry date.
- Interplay with existing overburden disposal consent conditions (LUC0035/11.03)?

8. Planning Matters

(a) Rule Infringements:

- ODP: 25.10.1 Type of Activity DA, Is it 25.18 Construction noise or 25.19 Extractive Industry Noise (refer definitions in DP)?, 25.22 Glare and lighting, 25.23 etc., 25.25 Earthworks DA, 25.43 Indigenous vegetation clearance LPA, 25.43A Indigenous vegetation clearance
- PDP: earthworks SNA rules, indigenous vegetation clearance in SNA

(b) Objectives and Policies – address relevant ones in ODP and PDP

(c) Staging – limit area/s exposed at any one time, to reduce dust nuisance

(d) Character and Amenity – hours, days, weekends / public holidays, duration, noise

(e) Erosion and sediment controls / stormwater management – what is proposed?

- Provide details – refer Waikato Regional Council requirements and Appendix B of the Waikato District Plan – Waikato Section.

(f) Ecological – is indigenous vegetation clearance proposed? Please discuss this in the application.

(g) Visual and Landscape effects - from exposed areas, is a landscape and visual assessment required by a suitably qualified person?

(h) Future use of exposed areas – what is proposed?

- Stage rehabilitation,
- Site closure plan

(i) Cultural Effects – Iwi/Hapu Consultation

- Relevant iwi/hapu names and contacts
 - Waahi Whaanui Trust
 - Mai Uenuku Ki Te Whenua

(j) Other Planning Matters –

- Information as required by Schedule 4 of the RMA and Chapter 19 ODP

- Consent required by Waikato Regional Council? If yes, then either get WRC consent granted first or lodge concurrently and agree S37A time extension for WRC decision so conditions can be matched between consents.
 - Vision and Strategy – new Waikato Regional Council requirements - improvements in water quality in the catchment –
 - Cumulative effects of sediment loss over consenting period
 - Betterment to river catchment
 - Overland flow
 - Agents to draft AEE and send to Waikato Regional Council for comments.
- Winter works – WRC case by case basis
- A conceptual site closure plan and financial guarantee / bond needs to be included. A bond is a guarantee in order to ensure rehabilitation.
- The bond can be phased /stages and the largest stage can be used for the financial guarantee. The spreadsheet for the bond / rehabilitation calculation needs to include a cost for rehabilitation and mitigation.

9. Environmental Health

- (a) Contaminated Land (NES) – need to address - HAIL report?
- (b) Noise – need to address in application – refer District Plan rules – Is an acoustic report required?

10. Natural Hazards/Geotechnical

- (b) Geotechnical – stability of exposed faces – how to manage erosion and how to ensure faces are stable and do not cause human hazard – geotechnical report required for slopes?
 - Geotech reports need to assess drainage / stormwater management
 - Flooding risks once fill begins and finishes, mitigation method need to be address (e.g ponding, settling area?)
 - Existing ground conditions of proposed fill site and suitability for its use for proposed fill, fill loading

11. Traffic and Rooding

- Effects on the roading network – none as no vehicles leaving site
 - Any proposed vehicle entrance improvements
 - Access route to overburden and fill site - are they suitable for proposed suitable for works or are any improvement required?

SECTION 3 – PROPOSED FILL

12. Applicants/Agents Overview of proposed fill

Applicant / agent to provide details on proposed fill, including the following:

- Maximum deposition volume, annual deposition volume, staging, truck movements per day and per week, hours of operation, is expiry date proposed?
- Cleanfill or managed fill as per Operative District Plan definition & Proposed District Plan Definition?
- Peer review of contaminate management plan will be required

13. Planning Matters

(a) Rule Infringements:

- ODP: 25.10.1 Type of Activity DA, Is it 25.18 Construction noise or 25.19 Extractive Industry Noise (refer definitions in DP)?, 25.22 Glare and lighting, 25.23 Dust etc., 25.25 Earthworks DA if any required?, 25.27 Earthworks filling using imported fill – DA, 25.43 Indigenous vegetation clearance LPA if required?, 25.43A Indigenous vegetation clearance if required?
- PDP: earthworks SNA rules – if required?, indigenous vegetation clearance in SNA – if required?

(b) Objectives and Policies – address relevant ones in ODP and PDP

(c) Staging – plans showing area/s exposed / deposited at any one time and timeframes, dust nuisance

(d) Character and Amenity – hours, days, weekends / public holidays, duration, noise

(e) Erosion and sediment controls

- Provide details – refer Waikato Regional Council requirements and Appendix B of the Waikato District Plan – Waikato Section.

(f) Visual and Landscape effects from deposited areas – How visible is it? Is a landscape and visual assessment required by a suitably qualified person?

(g) Future covering / rehabilitation / use of completed deposited areas – Site closure plan

(h) Bond for completing largest stage or suitable contouring works, bond for topsoil and grass seed largest stage, bond to ensure success of grass seeding of largest stage

(i) Cultural Effects – Iwi/Hapu Consultation

- Relevant iwi/hapu names and contacts

- Waahi Whaanui Trust
- Mai Uenuku Ki Te Whenua
- Is a Cultural iwi values assessment required?
- Consider Waikato Tainui management plan

(k) Other Planning Matters –

- Information as required by Schedule 4 of the RMA and Chapter 19 ODP
- Discharge of contaminants to land consent required under the Regional Plan
- check with WRC

14. Environmental Health

- (a) Contaminated Land (NES) – need to address
- (b) Noise – need to address, refer ODP rules – Acoustic report will be required and address stormwater and construction associated with required acoustic measures e.g. bunding
- (c) Fill Management Plan will be required

15. Earthworks

- (a) Earthworks - any additional earthworks associated with fill area?

16. Natural Hazards/Geotechnical

- (a) Initial geotechnical report for stability of deposited faces will be required
- (b) Existing ground conditions of proposed fill site and suitability for its use for proposed fill, fill loading

17. Services

- (a) Stormwater Management Plan and Overland Flow Paths – will be required

18. Traffic and Rooding

- (a) Which roads used?
- (b) Entrance way locations – Site/Separation Distances need to be addressed
- (c) Effects on the roading network – Traffic Impact Assessment report required
- (d) NZTA - maybe
- (e) Heavy Vehicle Impact Fees / Development Contributions
- (f) Debris tracking, road staining, mitigation to be proposed

Other matters

- It was recommended that the Resource consents applications are split between: (1) Overburden application (2) Clean and management fill.
- Applications can be lodged at the same time with both Councils. However agent's agreement in writing would be required to a section 37A time extension to enable concurrent processing of the applications.
- It is however important to note that WDC will be dependent on feedback / comments / input from WRC and this will influence processing times.
- The following existing conditions of consent were highlighted for possible effect change: PC 4; PC 6; PC6a; PC 14; PC16.
- The S127 change of conditions application needs to indicate what is authorized by the current consent, what is required / proposed and whether there will be a change in the effect and what that change in effect may be.
- Hours of operation needs to fit within a S127 application.

Lodgement fee for a Resource Consent Application

The current lodgement fee for making the resource consent application is \$3,200.00 (prior to 1 July 2019) and \$3,300.00 (after 1 July 2019).

Note: This fee is just a deposit and additional fees can be charged to recover the actual and reasonable costs incurred by the Council in receiving and processing the application and in issuing decisions and monitoring performance of consent conditions.

Please refer to Council's Fees and Charges Schedule immediately prior to lodging your application

Pre Application Fees

You have paid a lodgement fee for this application. However this is not a fixed fee and there may be additional charges.

Note: The charges incurred have taken into account one hour free time of the Council planner's time and one hour free time of up to two other Council technical experts (as deemed necessary by the Council planner).

Current pre-application charges for this pre-application are \$1,857.00.

An invoice will be sent to you at the completion of your request detailing the costs involved.

Disclaimer: The advice you will receive from Council is limited to the information you provide in this application, any further information you may supply at a pre application meeting and which is relevant to the provisions of any plan or proposed plan in existence at the time of the pre application meeting. Council does not accept any legal liability for any advice or view expressed by Council at the pre application meeting and any advice or view expressed is subject to further reconsideration by Council after the application is lodged. Prior to lodging any application under s88 of the RMA, applicants are advised to seek their own independent legal and planning advice in relation to all matters covered by the pre application meeting, and in the event the proposal changes or there is a delay in lodging any application.