

**IN THE ENVIRONMENT COURT  
AT AUCKLAND**

**I TE KŌTI TAIAO O AOTEAROA  
KI TĀMAKI MAKĀURAU**

**Decision [2024] NZEnvC 162**

IN THE MATTER OF an appeal under section 120 the Resource  
Management Act 1991

BETWEEN TE KAURI MARAE TRUST  
(ENV-2023-AKL-000052)

Appellant

AND WAIKATO DISTRICT COUNCIL

First Respondent

AND WAIKATO REGIONAL COUNCIL

Second Respondent

AND GLEESON MANAGED FILL  
LIMITED

Applicant

Court: Judge S M Tepania sitting alone under s 279 of the Act  
Last case event: 9 May 2024

Date of Order: 5 July 2024

Date of Issue: 5 July 2024

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**CONSENT DETERMINATION**

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Te Kauri Marae Trust v Waikato District Council & Waikato Regional Council

A: Pursuant to s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

(1) the appeal is allowed subject to the agreed amendments to the consent conditions. A version of the consent conditions highlighting the agreed amendments is set out in Annexure **A**, and a clean version of the consent conditions is set out in Annexure **B**. The Councils are directed to amend the conditions of the resource consents accordingly;

(2) the appeal is otherwise dismissed.

B: Under s 285 of the Resource Management Act 1991, there is no order as to costs.

## REASONS

### Introduction

[1] This appeal relates to the joint decision (**Decision**) of the Waikato District Council and the Waikato Regional Council (together the **Councils**) to grant Gleeson Managed Fill Limited (**Gleeson**) various resource consents to establish and operate a managed fill facility at 310 Riverview Road, Huntly.<sup>1</sup>

[2] On 26 April 2023, a notice of appeal was filed by Te Kauri Marae Trust (**TKMT**) against the Decision however, this was superseded by an amended appeal filed by TKMT on 7 August 2023.

[3] While TKMT appealed the decision in its entirety, the Court understands the principal focus of the Appeal was on cultural issues, including:

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<sup>1</sup> Comprising the regional consent decisions APP144475.01.01, APP144475.02.01, APP144475.03.01, APP144475.04.01, APP144475.05.01, APP144475.06.01 and the district consent decision LUC0488/22.

- (a) The relationship of Te Kauri Marae and their culture and traditions with their tupuna awa, te awa o Waikato and its tributaries including roto (Lake Puketirini and Lake Waahi) and puna (springs) and kaitiakitanga; and
- (b) Cultural effects and consideration of the relevant higher order documents.

### **Other relevant matters**

[4] No person has given notice of an intention to become a party under s 274 of the Act.

### **Agreement reached between the parties**

[5] The parties participated in Court assisted mediation on 31 August 2023. Ongoing hui were subsequently held to progress the potential resolution of the appeal. The parties have now reached agreement that will resolve the appeal in its entirety.

[6] By way of overview, the parties advise that:

...the conditions have been amended to recognise and provide for TKMT as mana whenua (alongside the Waahi Whaanui Trust (**WWT**))<sup>2</sup> and to provide for TKMT's active involvement in managed fill operations under the resource consent (including by way of cultural liaison via a Community Liaison Group, ongoing monitoring and the provision for cultural inputs into various fill management documents via the Maatauranga Maaori Environmental Management Plan (**MMEMP**)).

[7] The key elements of the agreement reached between the parties are as follows:

(a) ***Waikato District Council consent conditions:***

- (i) Conditions 5 and 6 (*Cultural liaison and monitoring*) – These conditions have been amended to include reference to TKMT

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<sup>2</sup> The Court reminds parties that it is not the role of this Court to determine mana whenua nor to impose conditions that might be interpreted to reflect such a determination.

alongside WWT and other parties as appropriate. The amendments explicitly recognise TKMT's role as a cultural liaison, as a cultural monitor in relation to topsoil removal and as an invitee to the pre-construction site meeting.

- (ii) Conditions 45, 46 and 47 (*Archaeological / waahi tapu discovery*) – These conditions have been amended to include TKMT as a party to be notified in the event of any archaeological site or waahi tapu being discovered or disturbed and to confirm that works may only recommence with Waikato District Council's approval subject to relevant considerations, including consideration of tangata whenua interests and values, particularly those of WWT and TKMT.
- (iii) Condition 48 (*MMEMP – Preparation*) – This condition provides for the drafting of an MMEMP noting the ongoing relationship between TKMT, WWT and the consent holder, and the cultural inputs to be provided that assist to inform the ongoing fill operation. It has been amended to clarify the role and inputs TKMT and WWT will have in preparing the MMEMP and the relevant matters to be included in it, including inputs into various relevant management plans, assessments of strategies and subsequent changes or reviews to those documents. An advice note has also been inserted to clarify that one MMEMP be prepared.
- (iv) Condition 49 and 50 (*MMEMP – Commencement and application*) – This condition has also been amended to confirm that the consent holder can operate the fill site if within 3 months of the commencement of the consent, TKMT and/or WWT have not confirmed an MMEMP to be submitted to the Waikato District Council, noting this does not preclude later completion of an MMEMP and the subsequent operation in accordance with the MMEMP once it is certified by the Council.

- (v) Condition 51 (*MMEMP – Amendments*) – This condition has been amended to confirm that any amendments to the MMEMP are to be made in accordance with the amendment process set out in the MMEMP, that process now being explicitly included in the MMEMP.

(b) ***Waikato Regional Council consent conditions:***

*Resource consent AUTH144475.03.01 (Discharge permit – water – stormwater)*

- (i) Condition 23 (*Adverse event notification*) – This condition has been amended to include TKMT and WWT as parties to be notified in respect of specific adverse events affecting water quality and to correctly refer to the Resource Use Directorate of the Waikato Regional Council rather than Resource Users.

*Schedule One – General Conditions (Applies to all regional resource consents)*

- (ii) Condition 2 (*Representative contact*) – This condition has been amended so that the consent holder’s representative contact is also provided to TKMT.
- (iii) Conditions 4 and 5 (*Cultural liaison and monitoring*) – These conditions have been amended to include reference to TKMT alongside WWT and other parties as appropriate. The amendments explicitly recognise TKMT’s role as a cultural liaison entity, as a cultural monitor in relation to topsoil removal and as an invitee to the pre-construction site meeting.
- (iv) Condition 11 (*Land instability notification*) – This condition has been amended to include TKMT and WWT as parties to be notified in respect of land instability events and to be provided with copies of any reports prepared in respect of the same.

- (v) Condition 17 (*Community liaison group*) – This condition has been amended to replace the reference to tangata whenua and confirm that TKMT, alongside WWT, are to be invited to join the Community Liaison Group.
- (vi) Condition 32 (*Ecological mitigations*) – This condition has been amended to confirm that all ecological mitigation actions shall be undertaken in accordance with the MMEMP.
- (vii) Condition 38 (*MMEMP – Preparation*) – This condition provides for the drafting of a MMEMP noting the ongoing relationship between TKMT, WWT and the consent holder, and the cultural inputs to be provided that assist to inform the ongoing fill operation. It has been amended to clarify the role and inputs TKMT and WWT will have in preparing the MMEMP and the relevant matters to be included in it, including inputs into various relevant management plans, assessments of strategies and subsequent changes or reviews to those documents. An advice note has also been inserted to clarify that one MMEMP be prepared.
- (viii) Condition 39 and 40 (*MMEMP – Commencement and application*) – This condition has also been amended to confirm that the consent holder can operate the fill site if, within 3 months of the commencement of the consent, TKMT and/or WWT have not confirmed an MMEMP to be submitted to the Waikato Regional Council, noting this does not preclude later completion of an MMEMP and the subsequent operation in accordance with the MMEMP once it is certified by the Council.
- (ix) Condition 41 (*MMEMP – Amendments*) – This condition has been amended to confirm that any amendments to the MMEMP are to be made in accordance with the amendment process set out in the

MMEMP, that process now being explicitly included in the MMEMP.

- (x) Condition 65 (*Annual compliance report*) – This condition has been amended so that the Annual Compliance Report that is prepared in respect of all regional resource consents is provided to TKMT and WWT (as well as the Waikato Regional Council and the Community Liaison Group).
- (xi) Conditions 68 and 69 (*Archaeological / waahi tapu discovery*) – These conditions have been amended to include TKMT as a party to be notified in the event of any archaeological site or waahi tapu being discovered or disturbed and to confirm that works may only recommence with Waikato Regional Council’s approval subject to relevant considerations, including consideration of tangata whenua interests and values, particularly those of WWT and TKMT.

[8] The parties have also agreed that minor corrective amendments be made to various conditions addressing cross-referencing and terminology as well as the insertion of a glossary at the beginning of the resource consent to assist with interpretation.<sup>3</sup>

### **Further amendments**

[9] The Court requires corrective amendments be made to various conditions as follows:

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<sup>3</sup> This includes the insertion of a Glossary of Terms and minor amendments to the Waikato District Council consent description. It also includes amendments to conditions not previously referred to at [4.4] above, being; Waikato District Council conditions 11(a), 14(v), 18(a), 19(c), 26(g), 35(g), 40(d) and 53(e); and to Waikato Regional Council conditions, AUTH144475.01.01: 4 and 5; AUTH144475.03.01: 6, 11(b), 15, 17, 25 and 45; AUTH144475.04.01: 2, 5(c), 10 and 14(c); AUTH144475.07.01: 2; Schedule One – General Conditions: 12, 13, 14, 23, 29(f) and (g), 33, 35, 37, 43, 44, 45, 65(j), and 7.

- (a) Amend condition 46 (WDC) and condition 68 (WRC) to add the words “represented by” so that those conditions read as follows:
- (i) Tangata Whenua interests and values particularly those **represented by** WWT and TKMT;
- (b) Amend condition 19(c) (WDC) – replace colon with semi-colon at the end;
- (c) Amend condition 30 (WDC) – undertake not undertaken;
- (d) Amend condition 36 (WDC) – ensure consistency of font throughout condition wording;
- (e) Amend condition 48 (WDC) and Schedule One condition 38 (WRC) – delete the comma after the word ‘to’ so that the following sentence reads: “The MMEMP shall include, but will not be limited to providing:”
- (f) Amend Schedule One condition 69 (WRC) – replace ‘be’ with ‘being’.

[10] In making this order the Court has read and considered:

- (a) The appeal dated 7 August 2023; and
- (b) The joint memorandum of the parties dated 9 May 2024.

[11] The Court is making this order under s 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to s 297. The Court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order; and
- (b) all parties are satisfied that all matters proposed for the Court’s endorsement fall within the Court’s jurisdiction and conform to the



relevant requirements and objectives of the Act including, in particular, Part 2.

### **Order**

[12] Accordingly, the Court orders, by consent, that the appeal be allowed to the extent that the Councils are directed to amend the conditions of the resource consents granted to Gleeson. A version of the consent conditions highlighting the agreed amendments is set out in Annexure **A**, and a clean version of the consent conditions is set out in Annexure **B**.

[13] This order resolves the appeal in its entirety.

[14] There is no order as to costs.



S M Tepania

Environment Judge | Kaiwhakawā o te Kōti Taiao



## **Annexure A-1 – Agreed WDC conditions – Tracked changes**

## GLOSSARY OF TERMS

### Organisational Names

<u>WRC</u>	<u>Waikato Regional Council</u>
<u>WDC</u>	<u>Waikato District Council</u>
<u>TKMT</u>	<u>Te Kauri Marae Trust</u>
<u>WWT</u>	<u>Waahi Whaanui Trust</u>
<u>GMF</u>	<u>Gleeson Managed Fill Ltd</u>
<u>FA2</u>	<u>Fill Area 2</u>
<u>FA3</u>	<u>Fill Area 3</u>
<u>FA4</u>	<u>Fill Area 4</u>
<u>MfE</u>	<u>Ministry for the Environment</u>

### Legislative Terms

<u>RMA</u>	<u>Resource Management Act 1991</u>
<u>NES-CS</u>	<u>Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011</u>
<u>HAIL</u>	<u>Hazardous Activities and Industries List</u>

### Management Plans

<u>SFMP</u>	<u>Site and Fill Management Plan</u>
<u>ESCP</u>	<u>Erosion and Sediment Control Plan</u>
<u>DMP</u>	<u>Dust Management Plan</u>
<u>CSMP</u>	<u>Contaminated Site Management Plan (FA3)</u>
<u>ASSMP</u>	<u>Acid Sulphate Soils Management Plan</u>
<u>EMP</u>	<u>Ecological Management Plan</u>
<u>BMP</u>	<u>Bat Management Plan</u>
<u>FMP</u>	<u>Fish Management Plan</u>
<u>MMEMP</u>	<u>Maatauranga Maaori Environmental Management Plan</u>
<u>RMP</u>	<u>Rehabilitation Management Plan</u>
<u>SCLMP</u>	<u>Site Circulation and Loading Management Plan</u>
<u>LVMMS</u>	<u>Landscape and Visual Mitigation Management Strategy</u>

### Other Terminology

<u>SOEP</u>	<u>Suitably Qualified and Experienced Practitioner</u>
<u>Ha</u>	<u>Hectares</u>
<u>M<sup>3</sup></u>	<u>Cubic Meters</u>
<u>M<sup>2</sup></u>	<u>Square Meters</u>
<u>SRP</u>	<u>Sediment Retention Pond</u>
<u>BPO</u>	<u>Best Practicable Outcomes</u>
<u>CLG</u>	<u>Community Liaison Group</u>

# Resource Consent

(Resource Management Act 1991)

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## DECISION ON APPLICATION: LUC0488/22

Pursuant to Sections 34A(1), Section 104, 104B and 108 of the Resource Management Act 1991, the Waikato District Council, under delegated authority, grants land use consent for a ~~Restricted~~ Discretionary Activity under the Operative District Plan [and Proposed District Plan – Appeals Version](#) to:

**Activity:** To establish and operate a managed fill disposal activity that imports material to deposit within identified gullies (Fill Areas 2-4) located north of an existing quarry within the same site.

To undertake soil disturbance of a piece of land (within Fill Area 3) as per the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

**Applicant:** Gleeson Managed Fill Limited

**Location Address:** 310 Riverview Road, Huntly

**Legal Description:** Lot 9 DP 1278 and Pt Lot 10 DP 1278 (RT SA149/243)  
DP 25272 (RT SA656/223)  
Pt Lot 9-10 DP 1278 (RT SA922/109)  
Lot 1 DPS 75436 (RT SA57C/382)  
Pt Lot 11 DP 1278 (RT SA200/118)  
Pt Lot 11 DP 1278 (RT SA200/119)

This consent is subject to the conditions detailed in the attached Schedule 1.

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**CHERIE LANE, CHAIR, INDEPENDENT HEARING PANEL AND COMMISSIONERS  
SHANE SOLOMON AND NGAIRE PHILLIPS**

**Dated:** 29<sup>th</sup> March 2023

# Schedule I

## Conditions of Consent

Resource Consent No: LUC0488/22

### General

1. The managed fill and overburden disposal activities shall be undertaken in general accordance with the information and plans submitted by the Consent Holder in support of application number LUC0488/22 being the updated Assessment of Environmental Effects (“AEE”), version dated 12 July 2022, prepared by Paua Planning (WDC doc ID 3988704) and all associated appendices. In the case of inconsistency between the application and the conditions of this consent, the conditions of consent shall prevail.
2. The managed fill and overburden disposal activities shall operate with the following limitations:
  - (a) The total volume of fill material deposited at the site shall not exceed 300,000m<sup>3</sup> per annum.
3. Pursuant to Section 36 of the Resource Management Act 1991 the Consent Holder shall pay the actual and reasonable costs incurred by the Waikato District Council when monitoring the conditions of this consent.
4. The Consent Holder shall notify Waikato District Council’s Team Leader Monitoring, in writing, at least ten working days prior to the commencement of any activities associated with this consent. Such notification shall include the following details:
  - (a) Name/s and telephone number/s of the Developer’s Representative/s;
  - (b) Site address to which the consent relates;
  - (c) Waikato District Council land use consent reference number; and
  - (d) Works to be undertaken.

### Prior to Commencement

5. The Consent Holder shall engage with Waahi Whaanui Trust (“WWT”) [and Te Kauri Marae Trust \(“TKMT”\)](#) and ensure that WWT ~~is~~ [are](#) notified in writing at least 10 working days prior to any soil disturbance occurring and are invited to act as cultural monitors to observe all topsoil removal at the site on an ongoing basis as each stage of works progresses.
6. The Consent Holder shall arrange and conduct a pre-construction site meeting and invite, with a minimum of 10 working days notice, the Waikato District Council, WWT, [TKMT](#), the contractor, and any other party representing the Consent Holder prior to any work authorised by this consent commencing on site.

7. Prior to commencement of any work within each Fill Area, the Consent Holder must submit evidence to Waikato District Council's Team Leader-Monitoring that the Erosion and Sediment Control Plan "ESCP" for the applicable Fill Area has been certified by the Waikato Regional Council.
8. The Consent Holder is to install and maintain erosion and sediment control measures in accordance with the ESCP's certified by Waikato Regional Council prior to undertaking any soil disturbing activity.
9. Prior to commencement of any work within each Fill Area, the Consent Holder must submit evidence to Waikato District Council's Team Leader-Monitoring that the Dust Management Plan "DMP" for the applicable Fill Area has been certified by the Waikato Regional Council.
10. The Consent Holder is to install and maintain dust management measures in accordance with the DMP certified by Waikato Regional Council prior to undertaking any soil disturbing activity.
11. The Consent Holder must enter into a section 108 Resource Management Act 1991 covenant in favour of Waikato District Council. The Consent Holder shall contact Council to initiate the preparation of the covenant. A copy of the updated Computer Register (Record of Title) showing the covenant has been registered must be provided to Council within 6 months of each individual ecological mitigation works being completed. The covenant must:
  - (a) Effectively protect, in perpetuity, each ecological mitigation / ~~compensation~~ restoration area to be restored in accordance with the Ecological Management Plan "EMP" certified pursuant to condition 18 of this consent; and
  - (b) Set out that the clearance of vegetation, grazing of stock and earthworks within the covenant area is prohibited; and
  - (c) Be drafted by the Council's nominated solicitor at the consent holder's cost; and
  - (d) Be registered against the Computer Register(s) (record of title) to the affected land by the consent holder, at the consent holder's cost; and
  - (e) Require the Consent Holder to be responsible for all legal fees, disbursements and other expenses incurred by Council in connection with the preparation and registration of the covenant and procure its solicitor to give an undertaking to the Council for payment of the same.

### **Site and Fill Management Plan**

12. Prior to the commencement of activities authorised by this consent, the Consent Holder shall prepare and submit to Waikato District Council's Team Leader- Monitoring for certification, an updated Site and Fill Management Plan "SFMP".

The SFMP has the objective of setting out practices and procedures to be undertaken which demonstrate how the site and operations will be managed to ensure that any actual or potential adverse effects are avoided, remedied or mitigated.

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

- (a) Details on the procedures and standards necessary to demonstrate how compliance will be achieved with the relevant conditions of this resource consent.
- (b) Provision for approval of geotechnical design for each Fill Area to be certified by Waikato District Council before commencement of works.
- (c) Details to demonstrate that the landform and all associated disturbed areas are progressively re-grassed and returned to pasture.
- (d) Measures to ensure that:
  - (i) All land use activities, including the construction of new buildings/structures, earthworks, fences, any operation of mobile plant and/or persons working near exposed line parts shall comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) or any subsequent revision of the code.
  - (ii) All machinery and mobile plant operated in association with the works shall maintain a minimum clearance distance of 4 metres from the conductors (wires) of the HAM-MER-B National Grid transmission lines at all times.

13. The Consent Holder shall exercise this consent in accordance with the SFMP certified in Condition 12. Any subsequent changes to the SFMP (related to the District Matters outlined in conditions 12, 15, 16 and 24) must only be made with the written approval of Waikato District Council's, Team Leader, Monitoring. In the event of any conflict or inconsistency between the conditions of this consent and the provisions of the SFMP, then the conditions of this consent shall prevail.

### **Riverview Road Shoulder Repairs**

14. Prior to the commencement of the commercial operation of the managed fill activity authorised by this consent, the Consent Holder shall prepare and submit to the Waikato District Council's Senior Land Development Engineer for certification, a detailed design of the Riverview Road shoulder repairs and line marking. The detailed design shall be prepared by a suitably qualified and experienced professional and shall include the following:
  - (a) Repair of damaged pavement and surfacing in the Riverview Road shoulders, opposite and adjacent to the site. The purpose of the reinstatement is to prevent ponding in the shoulders and along the seal joint between the traffic lanes and the sealed shoulders and to reduce the need for ongoing maintenance.
  - (b) Details of the pavement and surfacing and extent including tie ins to existing.
  - (c) Details of the line marking for 200m (north and south) of the vehicle crossing, including:

- (i) New diagonal shoulder markings in the 6m wide left turn in approach shoulder in accordance with MOTSAM Part 2 Markings 2.04.02.
- (ii) New diagonal shoulder markings in the left turn out shoulder, adjacent to the edgeline at the vehicle crossing and where it merges north of the power pole, in accordance with MOTSAM Part 2 Markings 2.04.02.
- (iii) New 2.5m wide diagonal shoulder markings in the sealed shoulder opposite, in accordance with MOTSAM Part 2 Markings 2.04.02.
- (iv) No stopping lines in accordance with MOTSAM Part 2 Marking, 2.11.01.
- (v) 200mm wide edgelines and continuity lines, and
- (vi) Remarkings of the right turn bay and centrelines.

### **Vehicle Access Layout Plan**

15. Prior to the commencement of the commercial operation of the managed fill activity authorised by this consent, the Consent Holder shall prepare and submit to the Waikato District Council's Senior Land Development Engineer for certification, a Vehicle Access Layout Plan, prepared by a suitably qualified and experienced professional, which identifies the layout plan and swept paths to confirm that the vehicle crossing and internal access roads are sufficient to provide two way operation over a minimum of 60m from the edgeline of the nearest lane on Riverview Road. This plan will also be appended to the Site and Fill Management Plan "SFMP".

### **Site Circulation and Loading Management Plan**

16. Prior to the commencement of the commercial operation of the managed fill activity authorised by this consent, the Consent Holder shall prepare and submit a Site Circulation and Loading Management Plan "SCLMP", prepared by a suitably qualified and experienced professional, to Waikato District Council's Senior Land Development Engineer for certification. This plan will also be appended to the Site and Fill Management Plan "SFMP". The objective of the SCLMP is to demonstrate that the fill operation will be managed to avoid any impacts on Riverview Road such as queuing or parking within the widened shoulders. The SCLMP shall include, but not be limited to the following:
- (a) Demonstrate swept paths of opposing truck manoeuvres through the gate and within the site. This should include vehicle tracking for trucks not traveling over the weighbridge.
  - (b) Demonstrate how inbound trucks will be prioritised at the weighbridge.
  - (c) Identify holding/waiting areas within the site for trucks waiting for the weighbridge.
  - (d) Identify stopping areas within the site for trucks to cover/uncover trailer tarpaulins/load covers.
  - (e) Documenting how truck driver behaviour will be managed to ensure that queuing/waiting does not occur within the Riverview Road shoulders and to direct drivers to appropriate areas within the site.
  - (f) A requirement that removal and replacement of trailer tarpaulins/load covers to be completed within the site.



- (g) Identify triggers/ timing for the installation and implementation of the second weighbridge.

## **Stormwater**

17. At least 20 working days prior to the commencement of activities authorised by this consent, the Consent Holder shall prepare and submit a stormwater assessment to Waikato District Council's Team Leader - Monitoring for certification. This assessment shall be prepared by a suitably qualified and/or experienced stormwater engineer. This assessment shall include:

- (a) A summary catchment analysis showing the hydrological changes from pre, during, and post filling activities. Plans shall be provided that clearly identify existing flow paths, new erosion and sediment control devices including clean water diversions, dirty water diversions and sediment retention ponds ("SRPs") discharge points and the route(s) of new diversions.
- (b) Any new diversions shall be hydraulically sized, the longitudinal slopes clearly identified and details of this and any erosion and scour protection measures provided.
- (c) An evaluation of the receiving environment downstream of the SRP/diversion outlets with respect to scour and erosion risk. A baseline assessment (including walk over) shall be undertaken to determine current watercourse condition and identify locations of existing scour. The extent of the assessment downstream shall be agreed prior with Council and based on the catchment analysis noted under (a).
- (d) Determining the peak flows and total volumes discharged in a 1 in 2 year return period event for pre filling, during, and post filling activity conditions. Climate change increases in rainfall shall be included in design sizing of diversions only and to a time horizon that matches the operational/design life of the diversions. It shall be to Representative Concentration Pathway 6 (RCP6).
- (e) Scour/erosion mitigation measures shall be provided where the peak flow or volume discharged is increased in the 1 in 2 year event such that the pre filling, during, and post filling flow discharge is no greater than existing. Extended detention shall be provided where the volume discharged increases.
- (f) A plan for ongoing, periodic scour/erosion monitoring of all outlets, diverted flow paths and the downstream receiving environment. The plan shall outline the details of potential remedial works options should scour/erosion increase because of the discharges. Records of the monitoring shall be kept for the duration of the consent and be made available for review if requested by Waikato District Council.

### Advice Note:

- The stormwater assessment may be submitted in stages should the activities be staged across sub-catchments or submitted in full to cover the full extent of the works.

- Under point (c), should the changes be shown to be minor then the assessment extent is not expected to be significant and may just be focused on outlet locations and along the diversions.
- A 1 in 2 year event is a representative storm for stream scour conditions. It may be shown that a 1 in 2 yr event overtops the drain; in which case flow in a bankfull condition downstream of each discharge point maybe used. Either scenario maybe used, at the discretion of the Consent Holder.
- The assessment needs to consider not only the change in surface/vegetation cover from pre to post scenario, but also consider the implications of fill compaction on soil permeability (similar to that outlined in WRC's Stormwater Management Guidelines). This impact can be offset by soil rehabilitation on the surface or increases in planting either above or elsewhere in the catchment.
- Design of diversion channels can include scaling of time horizons for climate change e.g. if a diversion drain is only in place for seven years then only 7 years of climate change needs to be allowed for. If the diversion is permanent, then climate change to 2100-2120 needs to be factored in.
- Any roofed areas (such as those covering the acid sulphate treatment pad) will need to be included when calculating peak flow and volumes.
- Should the catchment analysis show impacts to be minor, the ongoing scour monitoring plan may only need to be a simple annual walkover with a memorandum of comparative photos and brief commentary.

## Ecological Management Plan

18. Prior to the commencement of works authorised by this consent, the Consent Holder shall prepare and submit an updated Ecological Management Plan "EMP" (originally prepared by Wildlands Ltd and dated May 2020) to Waikato District Council's Team Leader-Monitoring for certification. The update to the EMP shall be prepared by a suitably qualified ecologist and shall include:
- (a) Details of additional ~~compensation~~ mitigation / restoration works to ensure that the effects of all indigenous vegetation (including indigenous induced natural wetland vegetation) removal associated with this activity are offset;
  - (b) Timeframes for implementation of the works within the EMP including fencing, each area of planting and review and reporting requirements. This shall include timing and any staging in relation to the works authorised by this consent;
  - (c) Identification of appropriate methodologies and monitoring procedures to ensure all mitigation measures undertaken are effective;
  - (d) The planting and fencing proposed including the number of plants required;
  - (e) Provision for weed and/or pest control;
  - (f) 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; and
  - (g) A monitoring and reporting programme with a measurable pest animal management target such as <5% monitoring index.

## Bat Management Plan

19. Prior to the commencement of works authorised by this consent, the Consent Holder shall submit an updated Bat Management Plan “BMP” (originally prepared by Wildlands Ltd and dated February 2020) prepared by a suitably qualified and experienced ecologist to Waikato District Council's Team Leader-Monitoring for certification. The update to the BMP shall be compliant with the management practice for artificial roost management as outlined in: New Zealand Bat Recovery Group Advice Note – The Use of Artificial Bat Roosts (18/10/2021). In particular this shall:
- (a) Specify that acoustic surveys be conducted in the appropriate season;
  - (b) Require that predator exclusion bands surrounding artificial roosts within the Bat Reserve be inspected annually and adjusted as needed for 15 years; ~~and~~
  - (c) Set out any necessary timing of work in relation to the staging and progression of activity provided for by this consent; ~~and~~;
  - (d) Provide timeframes for implementation of the BMP including timing and any staging in relation to the works authorised by this consent.
20. Prior to the felling on any trees as part of the pre-construction works within FA4, identified roost trees must undergo acoustic monitoring and/or be inspected by an arborist under the supervision of an appropriately qualified ecologist before they are felled. If no bats are detected, felling can commence.

Advice note:

*A Wildlife Permit may be required from Department of Conservation.*

## Landscape and Visual Mitigation

21. Prior to the commencement of works authorised by this consent, the Consent Holder shall submit a Landscape and Visual Mitigation Management Strategy “LVMMS” prepared by a suitably qualified and experienced professional to the Waikato District Council's Team Leader-Monitoring for certification. The LVMMS shall include, but not be limited to the following:
- (a) A plan which identifies the existing vegetation (predominately pine and eucalyptus) to the north east of the Fill Areas which screen the Fill Areas from off-site views along with details to ensure that this vegetation is retained after all filling is completed.

## **Post Construction**

### **Site Rehabilitation**

22. Within 6 months of any decision to cease filling operations of any individual Fill Area, the Consent Holder shall provide for certification a Rehabilitation Management Plan “RMP” to the Waikato District Council’s Team Leader Monitoring. The RMP shall detail rehabilitation objectives, goals and success criteria to be followed and, as a minimum shall include (but not be limited to) the following:
- (a) Configuration of the final Fill Area footprint and its overall shape and form which demonstrates integration with the adjacent natural landform. This shall include confirmation from SQEPs and shall include:
    - (i) An assessment from a Landscape Architect which demonstrates that the landform is shaped to visually integrate with the adjacent natural landform.
  - (b) Reference to and consistency with requirements and outcomes of the Ecological Management Plan “EMP” in Condition 18.
  - (c) Identification of methods to be employed to ensure slope stability and erosion control during plant establishment.
  - (d) Identification of management and restoration procedures to be adopted in the handling and storage of topsoil, subsoil and overburden materials to ensure their continued viability for a growing medium for establishing pasture (or other identified vegetation cover).
  - (e) Identification of contingency measures should planting fail to establish.
  - (f) An indicative maintenance programme.
23. The Consent Holder shall implement the certified RMP under the supervision of persons with appropriate restoration or rehabilitation experience.

### **Geotechnical**

24. All completed works associated with the Fill Areas must be certified by a suitably qualified geotechnical professional that the work has been completed in accordance with the requirements specific to each fill area as specified in the SFMP. Written confirmation shall be provided to Waikato District Council's Team Leader- Monitoring for acknowledgment.
25. Erosion and sediment controls as required by Conditions 7 and 8 shall be maintained and remain in place until the Waikato District Council’s Monitoring Team is satisfied that the risk from erosion and instability has been reduced to a less than minor risk and has provided approval in writing.

## Ongoing Conditions

26. The Consent Holder shall implement the requirements of, and exercise this consent in accordance with the following plans, documents and other associated consents:
- (a) Site Fill and Management Plan certified as per condition 12.
  - (b) Detailed design of the Riverview Road certified as per condition 14.
  - (c) Vehicle Access Layout Plan certified as per condition 15.
  - (d) Site Circulation and Loading Management Plan certified as per condition 16.
  - (e) Stormwater assessment as per condition 17.
  - (f) Ecological Management Plan certified as per condition 18.
  - (g) Bat Management Plan certified as per condition 19, and
  - (h) Landscape and Visual Mitigation Management Strategy certified as per condition 21.

## Hours of Operation

27. The hours of operation for all activities within Fill Areas 2, 3 and 4 shall be limited to:

Monday to Friday (inclusive) 6am to 7pm  
Saturday 6am to 2pm

The site shall not operate on a Sunday or on any public holidays.

## Noise

28. The Consent Holder shall ensure that all activities subject of this consent shall be designed and conducted to ensure that the following noise limits are not exceeded at any point within the notional boundary of any dwelling on another site:

- (a) 50dB LAeq, 7am to 7pm everyday;
- (b) 45dB LAeq, 7pm to 10pm everyday; and
- (c) 40dB LAeq, and 65dB LAmax 10pm to 7am the following day.

29. Noise shall be measured in accordance with New Zealand Standard *NZS 6801:2008 Acoustics - Measurement of Environmental Sound* and assessed in accordance with *NZS 6802:2008 – Acoustics - Environmental Noise*.

### Advice Note:

Notional boundary means a line 20 metres from any side of a dwelling, or the legal boundary where this is closer to the dwelling.

30. Within three (3) months of the commercial operation of the managed fill activity commencing, and at any other time when requested by Waikato District Council, the Consent Holder shall engage a suitably qualified acoustic engineer to undertake noise level monitoring from all activities on the site to confirm compliance with Condition 28.

The results of this monitoring shall be reported to the Waikato District Council Monitoring Team Leader within 10 working days of the completion of the monitoring.

31. Where the monitoring of noise levels required by Condition 30 demonstrates a noncompliance with Condition 28, the Consent Holder shall take action within five (5) working days to ensure that compliance is achieved and shall report to the Waikato District Council's Monitoring Team Leader the mitigation actions to be implemented. Following implementation of such mitigation measures a further noise level survey shall be undertaken confirming that compliance with the relevant noise criteria has been achieved, and those results forwarded to the Waikato District Council's Monitoring Team Leader within ten (10) working days of the completion of the monitoring.

## **Transport**

32. Truck movements to and from the site entrance shall be limited to a maximum total of 12 per hour during the morning period between the time of:

- (i) Monday to Friday (inclusive) 5am to 6am

### Advice Note:

- Operating hours and truck movements do not apply when an emergency is declared by the local or regional authority and metal is required as part of a civil defence response.
- This is a maximum at the site vehicle crossing applying to all site activities as a total and includes both inbound and outbound movements.
- The hours of operation noted in this condition apply only to truck movements.

33. The maximum total number of truck movements at the site vehicle crossing shall not exceed 60 vehicles/hour in any one hour.

### Advice note:

This is a maximum at the site vehicle crossing applying to all site activities as a total and includes both inbound and outbound movements.

34. The Consent Holder shall take all practicable steps to ensure debris is not tracked or spilled onto Council roads. This should include maintaining the wheel wash and the sealed pavement areas at the vehicle crossing between the Riverview Road seal edge, the wheel wash and the weighbridge. If debris is tracked or spilled onto Riverview Road or any other road the consent holder shall take all necessary actions to clean any road surface and associated drainage facilities to the satisfaction of Council's Monitoring Officer. The Consent Holder shall maintain a log of road clean-ups undertaken and provide a copy of the log to Council's Monitoring Officer on a 6 monthly basis or on request. The cost of the clean-up of any roadway and associated drainage facilities, together with all temporary traffic control, shall be the responsibility of the consent holder.

Advice Note:

A temporary traffic management plan approved by the relevant Road Controlling Authority (RCA) is required for work on the public roads. The consent holder could seek approval of a generic temporary traffic management plan for operating the road sweeper that is revised on an annual basis, as agreed with Council as Road Controlling Authority.

35. The Consent Holder shall maintain a register of daily truck movements, daily aggregate volume leaving the site and daily cleanfill material entering the site. The register shall contain the following:

- (a) Registration number of vehicle.
- (b) Time of arrival.
- (c) Approximate size of the fill load deposited.
- (d) Source and type of material to be deposited.
- (e) Comments on whether the material is accepted or not.
- (f) Comment on whether the truck is backloaded with quarry material.
- (g) Time of departure, and
- (h) Approximate size of the backloaded quarry material.

~~36.~~—The daily incoming and outgoing logs shall be retained on site at all times and made available for Council inspection during working hours. A copy of the logged information shall be forwarded to the Waikato District Council's Monitoring Team Leader on a six-

36. (6) monthly basis from the commencement of this consent. The submitted information shall include totals for the number of inbound fill truck movements and total backloads for the six-monthly period.

### **Contaminated Land**

37. At least 20 working days prior to the commencement of activities under this resource consent within FA3, the Consent Holder shall submit to Waikato District Council's Contaminated Land Specialist an updated Contaminated Site Management Plan (CSMP) for certification in writing prior to the commencement of works in FA3. A copy of the certified CSMP shall be provided to the Waikato Regional Council. Any future changes to the CSMP shall be reviewed and certified in writing by the Waikato District Council's Contaminated Land Specialist acting in a technical certification capacity prior to the changes being implemented.

38. Soil disturbance works in FA3 shall be undertaken in accordance with the certified CSMP. The procedures, controls and contingency measures outlined in the CSMP must be implemented for the duration of the soil disturbance works to ensure minimal adverse effects on human health and the environment.

39. All material removed from the site in the course of the soil disturbance works shall be disposed to a suitably licensed facility authorised for receipt of material of that kind.

40. Within three months of soil disturbance works being completed the Consent Holder shall provide a works completion report to Waikato District Council to confirm that the methods outlined in the CSMP were enforced for the period required, and that the measures were successful in ensuring the potential risks were adequately managed. The works completion report shall be completed by a suitably qualified and experienced practitioner and include, but not be limited to:
- (a) Confirmation that the methods described in the CSMP were followed;
  - (b) A summary of the works undertaken including:
    - (i) summary of the earthworks methodology followed;
    - (ii) description of the deposition of soil reused on the site (if any) including location and volume;
    - (iii) volume of soil removed (if any) from the site;
  - (c) Details of all soil samples taken, tabulated analytical results and interpretation of results;
  - (d) Details of any unexpected contamination encountered during the works and actions taken in respect of this; [and](#)
  - (e) Copies of disposal receipts for any material removed from the site.

#### **Dust**

41. The Consent Holder shall ensure that the site shall be managed in such a way that particulate matter resulting from activities authorised by this consent do not cause an objectionable or offensive effect beyond the boundaries of the site to the satisfaction of Waikato District Council's Team Leader Monitoring.

#### Advice Note:

For the purposes of this condition, the Waikato District Council Monitoring Team will consider an effect that is objectionable or offensive to have occurred if any appropriately experienced officer of the Waikato District Council determines so after having regard to:

- (a) The frequency, intensity, duration, location and effect of dust emissions(s); and/or
  - (b) Receipt of complaints from neighbours or the public; and/or
  - (c) Where relevant written advice from an experienced officer of the Waikato Regional Council or the Waikato District Health Board has been received
42. Should an emission of particulate matter occur that has an objectionable or offensive effect, the Consent Holder shall inform the Waikato District Council within 24 hours of the incident and provide a written report to the Waikato District Council within five days of being notified of the incident. The report shall specify:
- (a) The cause or likely cause of the event and any factors that influenced its severity;
  - (b) The nature and timing of any measures implemented by the consent holder to avoid, remedy or mitigate any adverse effects; and
  - (c) The steps to be taken in future to prevent recurrence of similar events.



## Odour

43. The Consent Holder shall ensure that the site shall be managed in such a way that activities authorised by this consent do not cause an objectionable or offensive odour effect beyond the boundaries of the site to the satisfaction of Waikato District Council's Team Leader Monitoring.

### Advice Note:

For the purposes of this condition, the Waikato District Council Monitoring Team will consider an effect that is objectionable or offensive to have occurred if any appropriately experienced officer of the Waikato District Council determines so after having regard to:

- (a) The FIDOL factors described within the 'Good Practice Guide for Assessing and Managing Odour' prepared by the Ministry for the Environment; and/or
  - (b) Receipt of complaints from neighbours or the public; and/or
  - (c) Where relevant written advice from an experienced officer of the Waikato Regional Council has been received
44. Should an emission occur that has an objectionable or offensive odour effect, the Consent Holder shall inform the Waikato District Council within 24 hours of the incident and provide a written report to the Waikato District Council within five days of being notified of the incident. The report shall specify:
- (a) The cause or likely cause of the event and any factors that influenced its severity;
  - (b) The nature and timing of any measures implemented by the consent holder to avoid, remedy or mitigate any adverse effects; and
  - (c) The steps to be taken in future to prevent recurrence of similar events.

## Archaeological

45. In the event of any archaeological site or waahi tapu being discovered or disturbed while undertaking works to give effect to the conditions of this consent, the works in the area shall cease immediately, and WWT, [TKMT](#), [Heritage New Zealand Pouhere Taonga](#) and the Waikato District Council shall be notified within 48 hours.

### Works may recommence with the written

46. approval of the Waikato District Council. Such approval shall be given after the Waikato District Council has considered:

~~45.~~

- (a) Tangata Whenua interests and values particularly those by WWT and TKMT;  
and
- (b) The Consent Holder's interests; and  
\_\_\_\_\_
- ~~(c)~~ Any Heritage New Zealand Pouhere Taonga authorisations; and
- (d) Any archaeological or scientific evidence.

(c) —

46. — In the event of any human remains or archaeological items being exposed while undertaking works to give effect to conditions of this consent, the Consent Holder shall ensure works in that area cease immediately. The Police, [Heritage New Zealand Pouhere Taonga](#)~~New Zealand Historic Places Trust~~, and Kaumatua representing ~~the local Tangata Whenua~~[WWT and TKMT](#) shall be contacted and work shall not\_

47. recommence in the affected area until any necessary statutory authorisations or consents have been obtained.

## Cultural

~~47.48.~~ Prior to accepting clean and managed fill to the site, the Consent Holder shall draft a Maatauranga Maaori Environmental ~~Monitoring~~ Management Plan ("MMEMP") together with TKMT and WWT, respectively. The MMEMP shall include, but will not be limited, -  
to providing:

- (a) For Cultural monitoring during ~~topsoil removal~~ consented works; and
- (b) For Invitation to WWT input from TKMT and WWT into the Consent Holder's management plans, assessments of strategies, and associated changes or reviews, including:
  - (i) ~~to view and comment on the Closure and the~~ Rehabilitation Management Plan; and
  - (ii) the Ecological Management Plan;
  - ~~(i)~~ (iii) the Bat Management Plan;
  - ~~(ii)~~ (iv) the Stormwater Assessment; and
  - (v) the Landscape and Visual Mitigation Strategy.
- ~~(b)~~ ~~(c)~~ Invitation to Waahi Whanui Trust to engage over water quality and ecological monitoring; and
- ~~(c)~~ ~~(d)~~ Invitation to WWT to view and comment on the EMP and BMP; and
- ~~(d)~~ ~~(e)~~ Invitation to WWT to view and comment on the Dust Management Plan and air discharge monitoring; and
- ~~(c)~~ ~~(f)~~ Invitation to WWT to be involved in the Community Liaison Group.
- ~~(e)~~ (d) A process to amend the MMEMP.

~~The draft MMEMP shall be provided to the WWT with an invitation to review from a cultural mindset prior to submitting the MMEMP to the Waikato Regional Council.~~

Advice Note: For the avoidance of doubt, there shall be one MMEMP which will either be collaborative between TKMT and WWT OR comprise of two separate sections within the MMEMP, one section drafted with TKMT and one drafted with WWT.

49. If, within three (3) months of the commencement of this consent, TKMT and/or WWT decline have not confirmed a to review or do not respond within twenty (20) working days of receiving the draft MMEMP to be submitted to the Waikato District Council, then condition 31 above and conditions 33 and 34 below shall be voided the Consent Holder may accept clean and managed fill to the site and otherwise undertake all activities authorised by this resource consent. This does not preclude later completion of a MMEMP in accordance with condition 48, and certification under condition 50, to support ongoing operations.

Note: All preparatory and establishment works as authorised in AUTH144475.01.01, AUTH144475.02.01, AUTH144475.05.01 and AUTH144475.06.01 are not dependent on an MMEMP being confirmed or certified. Acceptance of clean and managed fill to site aligns with the commencement (opening) of commercial operations on site.

~~48.~~

~~49.~~50. The MMEMP shall be certified in writing by the Waikato District 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 once it is certified.

~~50.~~51. Any changes proposed to the MMEMP shall be made confirmed in writing by the Consent Holder following in accordance with the amendment process identified in the MMEMP, and confirmed in writing by the Consent Holder following consultation with ~~VAWT~~, Waikato District Council and the Waikato Regional Council prior to the implementation of any changes proposed.

~~51.~~

Advice Note:

Waikato District Council certification of the MMEMP is to ensure that the intent of Condition 48 has been met and that the content of the MMEMP is consistent with the condition requirements.

## **Complaints Procedure**

52. The Consent Holder shall establish and publicise a local telephone number so that members of the public have a specified and known point of contact to raise any matters of concern that may arise during operation of the managed fill facility.

~~52.~~

53. The Consent Holder shall maintain and keep a complaint register for substantiated complaints about the operation of the managed fill facility received by the consent holder in relation to traffic, noise, dust or other environmental effects of the activity. The register shall record, where this information is available, the following:
- (a) The date, time and duration stated by the complainant as to when the incident (if possible, specify nature of incident e.g. dust nuisance) was detected;
  - (b) The location of the complainant when the incident was detected;
  - (c) The weather conditions and wind direction at the site when the event/incident allegedly occurred;
  - (d) The possible cause of the incident;
  - (e) Any corrective action taken by the Consent Holder in response to the complaint, including time of that corrective action; ~~a~~And
  - (f) Any other relevant information.
54. The complaints register shall be available to the Council at all reasonable times upon request. Complaints received by the Consent Holder that may imply non-compliance with the conditions of this consent shall be forwarded to the Waikato District Council, Team Leader Monitoring within 48 hours of the complaint being received.

### **Review Condition**

55. The Waikato District Council may, by giving notice to the Consent Holder of its intention to do so under section 128 of the Resource Management Act 1991, review any or all of the conditions of this consent six months after the date of the commencement of this consent and at one yearly intervals thereafter for any of the following purposes:
- (a) To review the effectiveness of the conditions of this consent in avoiding, remedying, or mitigating any adverse effect on the environment that may arise from the exercise of this consent and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions. In particular, adverse effects in relation to:
    - (i) Noise arising from filling activities; and
    - (ii) Visual impacts; and
    - (iii) Nuisance dust; and
    - (iv) Hours of operation; and
    - (v) Ecological effects; and
    - (vi) Landscape and amenity effects; and
    - (vii) Cultural effects; and
    - (viii) The performance and success of any rehabilitation.
  - (b) To address any adverse effects on the environment which have arisen from the exercise of this consent that were not anticipated at the time of granting this consent, including addressing any issues arising out of complaints.

- (c) To review the adequacy of, and necessity for, any of the monitoring programmes or management plans that are part of the conditions of this consent.
- (d) To require the Consent Holder, if necessary and appropriate, to adopt the best practicable option(s) to avoid, remedy or mitigate any adverse effects on the surrounding environment.

The Council will undertake the review in consultation with the Consent Holder and the Consent Holder shall pay the actual and reasonable costs of the review.

## **Annexure A-2 – Agreed WRC conditions – Tracked changes**

## GLOSSARY OF TERMS

### Organisational Names

<u>WRC</u>	<u>Waikato Regional Council</u>
<u>WDC</u>	<u>Waikato District Council</u>
<u>TKMT</u>	<u>Te Kauri Marae Trust</u>
<u>WWT</u>	<u>Waahi Whaanui Trust</u>
<u>GMF</u>	<u>Gleeson Managed Fill Ltd</u>
<u>FA2</u>	<u>Fill Area 2</u>
<u>FA3</u>	<u>Fill Area 3</u>
<u>FA4</u>	<u>Fill Area 4</u>
<u>MfE</u>	<u>Ministry for the Environment</u>
<u>IANZ</u>	<u>International Accreditation New Zealand</u>
<u>WasteMINZ</u>	<u>Waste Management Institute New Zealand</u>

### Legislative Terms

<u>RMA</u>	<u>Resource Management Act 1991</u>
<u>ANZ</u>	<u>Australia / New Zealand Guidelines</u>
<u>NES-CS</u>	<u>Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011</u>
<u>HAIL</u>	<u>Hazardous Activities and Industries List</u>

### Management Plans

<u>SFMP</u>	<u>Site and Fill Management Plan</u>
<u>ESCP</u>	<u>Erosion and Sediment Control Plan</u>
<u>AMP</u>	<u>Adaptive Management Plan</u>
<u>SAP</u>	<u>Sampling and Analysis Plan</u>
<u>CTMP</u>	<u>Chemical Treatment Management Plan</u>
<u>AsbMP</u>	<u>Asbestos Management Plan</u>
<u>AsbAMP</u>	<u>Asbestos Air Monitoring Programme</u>
<u>DMP</u>	<u>Dust Management Plan</u>
<u>CSMP</u>	<u>Contaminated Site Management Plan (FA3)</u>
<u>ASSMP</u>	<u>Acid Sulphate Soils Management Plan</u>
<u>MSMP</u>	<u>Marine Sediments Management Plan</u>
<u>EMP</u>	<u>Ecological Management Plan</u>
<u>BMP</u>	<u>Bat Management Plan</u>
<u>FMP</u>	<u>Fish Management Plan</u>
<u>MMEMP</u>	<u>Maatauranga Maaori Environmental Management Plan</u>
<u>RMP</u>	<u>Rehabilitation Management Plan</u>

### Other Terminology

<u>WAC</u>	<u>Waste Acceptance Criteria</u>
<u>SPLP</u>	<u>Synthetic Precipitation Leaching Procedure</u>
<u>SQEP</u>	<u>Suitably Qualified and Experienced Practitioner</u>
<u>Ha</u>	<u>Hectares</u>
<u>M<sup>3</sup></u>	<u>Cubic Meters</u>
<u>M<sup>2</sup></u>	<u>Square Meters</u>
<u>XRF</u>	<u>X-Ray Fluorescence</u>
<u>TPH</u>	<u>Total Petroleum Hydrocarbons</u>
<u>TBT</u>	<u>Tributyltin</u>
<u>C&amp;D</u>	<u>Construction and Demolition materials</u>
<u>GPS</u>	<u>Global Positioning System</u>
<u>SRP</u>	<u>Sediment Retention Pond</u>
<u>BPO</u>	<u>Best Practicable Outcomes</u>
<u>CLG</u>	<u>Community Liaison Group</u>



**RESOURCE CONSENT  
CERTIFICATE**

**Resource Consent:** AUTH144475.01.01

**File Number:** 61 76 85A

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

Gleeson Managed Fill Limited  
17 Aerovista Place  
Wiri  
Auckland 2104

(hereinafter referred to as the Consent Holder)

**Consent Type:** Land Use Consent

**Consent Subtype:** Land - disturbance

**Activity authorised:** Earthworks and vegetation clearance within high-risk erosion areas associated with the overburden, cleanfill and managed fill disposal Areas 2, 3 and 4 and ancillary activities.

**Location:** Gleeson Quarries, Riverview Rd, Huntly

**Map reference:** NZTM 1790250.1500 E 5837271.0300 N

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 (RMA) and will expire after 35 years.

**Subject to the conditions overleaf:**

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## CONDITIONS

1. This consent is subject to compliance with Schedule One – General Conditions.

### Winter Works

2. The earthworks authorised by this resource consent shall not be carried out during the winter period, being 1st May to 30th September inclusive, in any year that this consent is current unless authorised by the Waikato Regional Council.
3. The Consent Holder shall ensure that earthworks and soil disturbance areas (not including Managed Fill disposal areas) 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 managed fill and overburden disposal and any other works necessary to maintain and ~~the~~ rehabilitate the site. It does not include managed fill disposal, overburden disposal and handling and recontouring of the managed fill site which is authorised under AUTH144475.02.01 and AUTH144475.03.01

4. 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 (if works are programmed to start before 1 October) and by 1st April each year thereafter, and shall be in the form of amendments to the approved [Erosion and Sediment Control Plan \("E&SCP"\)](#) – Schedule One, General Conditions.
5. At least 10 working days prior to the commencement of activities within Fill Area 3 under this resource consent, the Consent Holder shall submit to Waikato Regional Council an updated Contaminated Site Management Plan ("**CSMP**"). Prior to submitting the CSMP to the Waikato Regional Council, the CSMP shall be submitted to the Waikato District Council for certification prior to the commencement of works in FA3. A copy of the certified CSMP shall be provided to the Waikato Regional Council. Any future changes to the CSMP shall be reviewed and certified in writing by the Waikato District Council acting in a technical certification capacity prior to the changes being implemented.

**Advice Note:** A draft CSMP relating to FA3 only was provided during the application process to both support the regional earthworks application and to the Waikato District Council to support the application for land disturbance works under the NES-CS. The draft CSMP is titled 'Contaminated Site Management Plan, Proposed Huntly Managed Fill

6. All establishment works shall be carried out in accordance with the CSMP.

#### **Advice Notes - General**

- In accordance with s.125 RMA, this consent shall lapse 5 years after the date on which it was granted unless it has been given effect to before the end of that period.
- This 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 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 a review and assessment of compliance with the conditions of the consents.
- Note that pursuant to s.332 of the RMA, 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 the Consent Holder intends 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 the Consent Holder the right to continue exercising this consent after it expires in the event that the Consent Holder's application is not processed prior to this consent's expiry.

**RESOURCE CONSENT  
CERTIFICATE**

**Resource Consent:** AUTH144475.02.01

**File Number:** 61 76 85A

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

Gleeson Managed Fill Limited  
17 Aerovista Place  
Wiri  
Auckland 2104

(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 Areas 2, 3 and 4

**Location:** Gleeson Quarries, Riverview Rd, Huntly

**Map reference:** NZTM 1790250.1500 E 5837271.0300 N

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 (RMA) and will expire after 35 years.

**Subject to the conditions overleaf:**

## **CONDITIONS**

- I. This consent is subject to compliance with Schedule One – General Conditions.

### **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 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 a review and assessment of compliance with the conditions of the consents.
- Note that pursuant to s.332 of the RMA, 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 the Consent Holder intends 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 the Consent Holder the right to continue exercising this consent after it expires in the event that the Consent Holder's application is not processed prior to this consent's expiry.

**RESOURCE CONSENT  
CERTIFICATE**

**Resource Consent:** AUTH144475.03.01

**File Number:** 61 76 85A

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

Gleeson Managed Fill Limited  
17 Aerovista Place  
Wiri  
Auckland 2104

(hereinafter referred to as the Consent Holder)

**Consent Type:** Discharge Permit

**Consent Subtype:** Land - solid waste

**Activity authorised:** To discharge Cleanfill and Managed Fill to Land at Fill Areas 2, 3 and 4

**Location:** Gleeson Quarries, Riverview Rd, Huntly

**Map reference:** NZTM 1790250.1500 E 5837271.0300 N

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 (RMA) and will expire after 35 years.

**Subject to the conditions overleaf:**

## CONDITIONS

1. This consent is subject to compliance with Schedule One – General Conditions.
2. The maximum volume of fill (all types) shall not exceed the volumes and areas set out in the following table:

Fill Area	Size (ha)	Fill Volume (m <sup>3</sup> )
2	4.5	717,000
3	4.34	478,500
4	5.21	800,000
Total	14.05	1,995,500

### Fill Acceptance

3. Managed fill and cleanfill material accepted for disposal pursuant to this consent shall comply with the Fill Acceptance requirements listed in Schedule 3 and Condition 14 (below), being the Waste Acceptance Criteria “WAC” for Contaminant Concentrations.
4. This consent only authorises the disposal of construction and demolition fill that result from site construction and/or demolition activities, providing those wastes are listed as “Acceptable Wastes” in Schedule 3 of this consent.
5. Contaminants not listed in the WAC, but that fall within wastes listed as “Acceptable Wastes” in Schedule 3 of this consent shall undergo Synthetic Precipitation Leaching Procedure “SPLP” testing, requiring that:
  - (a) The SPLP concentration should not exceed 100x the ANZ guideline for 95% protection; and
  - (b) For pesticides for which no ANZ guideline is available, the SPLP concentration should not exceed 20x the Queensland proposed aquatic ecosystem protection guideline values for pesticides (Department of Environment and Science – 2018).
6. At least 20 working days prior to initially accepting material containing any contaminant as described in Condition 5 above, the Consent Holder shall submit to Waikato Regional Council, for approval in a technical certification capacity, a [Site and Fill Management Plan “SFMP”](#) ~~management plan~~ to be certified in writing by the Waikato Regional Council prior to any such materials being accepted at the fill sites. Changes to [the SFMP](#) ~~any management plan~~ submitted under this condition shall be reviewed and certified in writing by the Waikato Regional Council prior to the changes being made.

The acceptance and management of any additional acceptable waste containing contaminants not listed in the WAC but complying with conditions



~~5-4~~ and ~~6-5~~ above shall be in general accordance with the relevant certified Management Plan.

7. Fill listed as "Prohibited" in Schedule 3 shall not be accepted.

*Advice Note: The Consent Holder may apply to amend the list of Acceptable Wastes, at any time following the commencement of this consent, pursuant to s127 of the Resource Management Act 1991.*

8. Any soil removed from Fill Area 3 during the construction of the fill area will be tested at a rate of no less than one sample per 500m<sup>3</sup> of material disturbed or at the frequency specified in the Contaminated Site Management Plan "CSMP" (required by AUTH144475.01.01), whichever is more frequent. All excavated fill material shall be disposed of at an appropriate facility.

**Advice Note:** *Construction activities at Fill Area 3 occur on land which is subject to historic imported coal mine overburden deposits listed on the Hazardous Activities and Industries List (HAIL) E7.*

9. All fill acceptance procedures will be undertaken in accordance with the certified Site and Fill Management Plan "SFMP" as required by Schedule One. The purpose of the SFMP is to set out the procedures for meeting the limits and requirements of the consent conditions. If there is conflict between the conditions of consent and the SFMP the conditions of consent shall prevail.

### **Fill Quality**

10. The Consent Holder shall maintain a site logbook (which may be digital or hard copy) to identify all loads entering the site, recording the number of trucks and estimated volume, the source and type of material deposited and the location of deposition. This site log shall be provided to Council annually, by 30 April (for the period 1 April to 31 March), for each year that this consent is exercised, or within 5 working days of any written request to do so.
11. Fill originating from any sites where there is evidence to suggest that an activity outlined on the Ministry for the Environment's Hazardous Activities

and Industries List has been, or is currently being, carried out, shall only be accepted by the Consent Holder:

- (a) Where those sites have been sampled and tested in accordance with Contaminated Land Management Guideline Number 5 – Site Investigation and Analysis of Soils, Ministry for the Environment, Revised 2021 (or any subsequent updates), by a suitably qualified and experienced practitioner; and
- (b) Where the results of those investigations have been provided to the Consent Holder and reviewed by the Site Manager for compliance with the ~~Fill~~-Waste Acceptance Criteria specified in this resource consent; and
- (c) Soil Sampling Verification reports shall be retained to be provided upon request to Waikato Regional Council.

12. Random XRF analysis of imported managed fill shall be undertaken upon arrival to site in accordance with the Site and Fill Management Plan.

13. Random analytical testing of all imported fill material (excluding overburden) shall be undertaken for the chemical parameters listed in Table 1 Condition 14 at a rate of no less than one sample per 500 m<sup>3</sup> of imported fill material.

14. Analytical Soil Testing Verification records shall be retained to be provided upon request to Waikato Regional Council.

**Advice Note:** *On arrival at site, random analytical testing at a rate of no less than one sample per 500 m<sup>3</sup> is required for all fill (excluding overburden sourced from the adjacent quarry) imported to the site including fill that has been pre-tested. This is to ensure that the lab results are specific to the fill accepted at the site and that testing has been undertaken to the approved protocol and for the full suite of parameters.*

~~14.~~15. The analytical testing shall demonstrate that chemical parameter concentrations in the imported fill are at or below the WAC (Table 1) for the Maximum Waste Acceptance Criteria (> 2 m) (mg/kg); the SPLP Leachability Limits (mg/L); and the Maximum Truckload Fill Concentrations Shallow (<2 m) Cleanfill (mg/kg). All imported fill that exceeds the Shallow ~~Fill~~-Waste Acceptance Criteria shall be placed at a depth greater than 2.0 metres from the identified finished landform levels.

**Table 1. Waste acceptance criteria. "WAC"**

Contaminant Type	Parameter <sup>1</sup>	Maximum Waste Acceptance Criteria (> 2 m) (mg/kg)	SPLP Leachability Limits (mg/L)	Maximum Truckload Fill Concentrations Shallow (<2 m) Cleanfill (mg/kg)
<b>Elements</b>	Arsenic	100	-	12
	Boron	45 (260)	2	45
	Cadmium	7.5	-	0.65
	Chromium	400	-	55
	Copper	280 (325)	0.14	45
	Mercury	1.5	-	0.45
	Nickel	65 (320)	1.1	35
	Lead	250(1,000)	0.34	65
	Thallium	23	-	1
	Zinc	400 (2,000)	0.8	180
<b>BTEX Compounds</b>	Benzene	0.2	-	0.0054
	Toluene	1.0	-	1.1
	Ethylbenzene	1.1	-	1.0
	Total xylenes	0.61	-	0.61
<b>Polycyclic Aromatic Hydrocarbons (PAH)</b>	Benzo-a-pyrene (eq)	20	-	0.0054
	Naphthalene	7.2	-	0.013
<b>Total Petroleum Hydrocarbons (TPH)</b>	C <sub>7</sub> -C <sub>9</sub>	120	-	120
	C <sub>10</sub> -C <sub>14</sub>	300 (1,400)	-	58
	C <sub>15</sub> -C <sub>36</sub>	20,000	-	-
<b>Others</b>	DDT and isomers	8.4	-	0.7
	Aldrin	0.7	-	-
	Dieldrin	0.7	-	-
	Tributyltin	6 <sup>2</sup>	0.3 <sup>2</sup>	
<b>Asbestos</b>				

**Notes:**

1. All values in mg/kg unless otherwise stated.
2. For soils or sediments containing tributyltin (TBT) both total and SPLP testing are required, and the test results must meet both criteria before waste can be accepted.

**Advice Note:** Any changes to the Waste Acceptance Criteria will require an application pursuant to s127 RMA.

**Advice Note:** For concentrations of boron above 45 mg/kg, copper above 280 mg/kg, lead above 250 mg/kg, nickel above 65 mg/kg and zinc above 400 mg/kg in fill materials will require Synthetic Precipitation Leaching Procedure (SPLP) testing to be carried out on the fill materials prior to acceptance into the landfill, to demonstrate that elevated concentrations of these elements will not mobilise under conditions likely to be present in the fill area. The in-brackets value is the maximum concentration that can be accepted if SPLP results are satisfactory.

~~+5.~~16. The Consent Holder shall engage an independent, suitably qualified and experienced person to undertake a technical review and written report assessing the Consent Holder's level of compliance with the conditions of this resource consent. The report shall be provided to the Waikato Regional Council by 30 April on an annual basis and shall be provided to the Waikato Regional Council at the same time as it is provided to the Consent Holder. The report shall include:

- (a) An assessment of the Consent Holder's compliance with the conditions of this resource consent; and
- (b) An assessment of the accuracy of the fill testing frequency and compliance with the maximum Waste Acceptance Criteria; and
- (c) The results of testing of the fill material; and
- (d) A compilation of all water sampling results for the previous 12-month period and assessment of compliance with the water quality conditions of resource consent AUTH144475.04.01; and
- (e) Any recommendations to address any identified issues of non-compliance with this consent.

~~+6.~~17. All material deposited at the site shall, subject to also meeting the Waste Acceptance Criteria, ~~shall~~ be restricted to:

- (a) materials such as clay, soil and rock and other inert materials such as concrete, brick or demolition materials which are free of combustible materials and are not subject to biological or chemical break down
- (b) inert construction and demolition (C&D) materials including glass and rock fibres and less than 5% timber. Soil and C&D materials can contain minor amounts of electrical wiring, plastics and plasterboard as an acceptable material (less than 0.5% of the waste matrix);
- (c) asbestos containing materials in accordance with the Asbestos Management Plan "AsbMP"
- (d) No prohibited material outlined within Schedule 3 and the Site and Fill Management Plan "SFMP" shall be accepted into the managed fill
- (e) Fill accepted shall not exceed pH 10

~~+7.~~18. Material deposition authorised by this consent shall be as appended in Schedule 3 to these conditions.

~~18.19.~~ All fill loads shall be inspected before being deposited on site. The load shall be exposed, and spotters or plant operators fully trained in inspection and rejection procedures shall be used to verify the deposited material meets the acceptance criteria as set out in the most recently certified SFMP.

~~19.20.~~ If a spotter or plant operator identifies a load that is clearly non-compliant in terms of vegetative composition, foreign material composition, coloured liquids, or strong odour, the material shall not be accepted to site until evidence of compliance is achieved.

~~20.21.~~ After being accepted to site, if any imported fill is found to exceed the relevant specified WAC, it shall be removed to a suitably consented off-site disposal facility within two weeks of receiving laboratory test results confirming unacceptability.

~~21.22.~~ A Suitably Qualified and Experienced Practitioner "SQEP" shall be at the active fill area no less than two separate days per year to audit the fill acceptance practices on site. The SQEP shall supervise the collection of samples and shall have the samples tested by an accredited laboratory for the following analytes:

- a) Total Recoverable Arsenic
- b) Total Recoverable Boron
- c) Total Recoverable Cadmium
- d) Total Recoverable Chromium
- e) Total Recoverable Copper
- f) Total Recoverable Lead
- g) Total Recoverable Zinc
- h) TPH
- i) BTEX

23. The sampling results shall be provided to the Waikato Regional Council within 5 working days of the results becoming available.

**Advice Note:** *Guidance on the interpretation of a suitably qualified and experienced practitioner is provided in the Ministry for the Environment's Users' Guide – National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health, April 2012.*

~~22.24.~~ The full loads of imported fill subject to sampling, both the routine 500m<sup>3</sup> random load sampling and the twice yearly SQEP random load sampling, shall be quarantined in accordance with the SFMP procedures and only deposited at the fill sites after test results confirm the fill does not exceed the Waste Acceptance Criteria.

~~23.25.~~ The Consent Holder shall engage a SQEP to undertake 'end-of-life' composite sampling of each fill site, which will include both the top two (2) metre cleanfill layer and the below two (2) metre managed fill prior to closure works

and aftercare of the respective site to confirm the fill site complies with the Waste Acceptance Criteria as relevant to its intended end use. The samples shall be analysed by an accredited laboratory for the full suite of contaminants listed in Condition ~~21-22~~ and the test results shall be provided to the Waikato Regional Council within five working days of the results becoming available.

### **Asbestos Management and Monitoring**

~~24-26~~. At least 20 working days prior to initially accepting asbestos containing materials, the Consent Holder shall submit to Waikato Regional Council, for approval in a technical certification capacity, an updated Asbestos Management Plan "AsbMP" which includes an Asbestos Air Monitoring programme "AsbAMP". The AsbMP shall be certified in writing by the Waikato Regional Council prior to asbestos containing materials being accepted at the fill sites. Any changes to the AsbMP shall be reviewed and certified in writing by the Waikato Regional Council prior to the changes being made.

~~25-27~~. The acceptance, management and containment of asbestos at the site shall be in general accordance with the certified Asbestos Management Plan.

~~26-28~~. All asbestos waste and/or asbestos contaminated fill material disposed of at the site shall be disposed of in accordance with the conditions below.

~~27-29~~. No asbestos waste or asbestos contaminated fill material shall be disposed of within the top two (2) metres of the final contours of the site.

~~28-30~~. All asbestos contaminated fill material shall be received in a covered truck or skip.

~~29-31~~. A water cart shall be utilised to ensure that prior to disposal, loads containing asbestos contaminated fill material are dampened to avoid the discharge to air of asbestos fibres during handling.

~~30-32~~. The dampened asbestos water and/or asbestos contaminated fill material shall be deposited in an excavated hole suitably large enough to contain the material and shall be capped immediately to a minimum depth of 0.2 metre using locally sourced fill material and covered as per the AsbMP.

~~31-33~~. Care shall be taken to ensure that the wrapping or containerisation of any received asbestos waste is not damaged during handling and disposal.

~~32.34.~~ A hand-held GPS system shall be utilised to log the location and level of the asbestos disposal area within the filling operation.

~~33.35.~~ A record shall be kept of the volume, location and level of all asbestos waste and/or asbestos contaminated fill material disposed of at the site and made available to Waikato Regional Council on request and reported on annually (before 31 May).

~~34.36.~~ Asbestos air monitoring shall be undertaken in general accordance with the certified Asbestos Air Monitoring Programme.

### **Monitoring, sampling and testing**

~~35.37.~~ All operational activities relating to cleanfill, managed fill, sediment and water quality shall be overseen by a SQEP.

~~38.~~ Records of sampling and testing, analytical results, and any consequential actions must be kept by the Site Manager and made available to Waikato Regional Council upon request.

~~36.39.~~ Subject to compliance with the conditions of this consent, all monitoring of surface water, subsoil drainage and sediment discharges from the site is to be undertaken in accordance with the Site and Fill Management Plan "SFMP" and surface water Sampling and Analysis Plan "SAP", as specified in Schedule One – General Conditions and the conditions of resource consent AUTH 144475.04.01, until such time as the fill activities on site have ceased and the site has been rehabilitated.

### **Sediment Retention Pond "SRP" Sampling**

~~37.40.~~ Representative sampling of the accumulated sediment within the sediment ponds shall be undertaken prior to disposal during regular maintenance and prior to the decommissioning of a pond.

~~38.41.~~ Samples collected from the sediment in the sediment ponds shall be tested at an IANZ accredited laboratory. Only sediment that meets the Waste Acceptance Criteria may be disposed of within the site.

### **Site Security**

~~39.42.~~ The Consent Holder shall ensure that appropriate site security is maintained at all times to ensure that no dumping of unauthorised material occurs.

## Closure of Fill Site

~~40.43.~~ The final land shape and capping of the managed fill will be determined by engineering design and the proposed end use of the site. The fill sites shall undergo closure works and aftercare in accordance with the most up to date technical publication endorsed by Ministry of Environment for Cleanfill and Managed Fill sites. The cover and revegetation should promote sound land management and conservation, prevent hazards and protect amenity. The final cover/capping details will be determined as part of the engineered fill requirements and included in the Rehabilitation Management Plan "RMP" (Schedule One – General Conditions) for certification by the Waikato Regional Council. The determination of the closure and cover requirements will demonstrate consistency with permitted land-use activities in the Waikato District Plan and consider the following technical publication (or any subsequent update):

- *Technical Guidelines for Disposal to Land, Waste Management Institute New Zealand (WasteMINZ), October 2022*

## Groundwater

~~41.44.~~ The Consent Holder shall engage a groundwater specialist to undertake a hydrogeological investigation in FA2 prior to works commencing in FA2. These investigations will include (but not be limited to) the following methodologies:

- (a) Install three (3) bores to measure shallow groundwater depths/levels (if encountered); and
- (b) If shallow groundwater is encountered, carry out field permeability tests; and
- (c) Assess the hydraulic gradient, continuity, and inflow of the shallow groundwater (if encountered); and
- (d) Provide a technical memo and recommendations to WRC.

~~42.45.~~ ~~Additional~~ In addition to condition ~~41-44~~ above, should a shallow aquifer or continuous zone of saturation be identified during construction of FA2 which is vulnerable to leachate from the imported fill, drainage shall be installed to divert and discharge this water before filling commences, or an alternative option for managing effects on groundwater shall be submitted to WRC for approval in a technical certification capacity prior to implementation of that option.



## **Acid Sulphate Soils (ASS)**

~~43.46.~~ At least 20 working days prior to initially accepting material containing acid sulphate soils, the Consent Holder shall submit to Waikato Regional Council, for approval in a technical certification capacity, an Acid Sulphate Soils Management Plan "ASSMP". Any changes to the ASSMP shall be reviewed and certified in writing by the Waikato Regional Council prior to the changes being adopted on site.

~~44.47.~~ All acid sulphate soils shall be tested and treated in accordance with the ASSMP before being deposited into Fill Areas 2, 3 and 4.

## **Marine Sediments**

~~45.48.~~ At least 20 working days prior to initially accepting material containing marine sediments, the Consent Holder shall submit to Waikato Regional Council, for approval in a technical certification capacity, a Marine Sediments Management Plan "MSMP" to be certified in writing by the Waikato Regional Council prior to any such materials being accepted at the fill sites. The MSMP shall include but not be limited to, the following:

- (a) pre-delivery dewatering methodology;
- (b) sampling methodology;
- (c) a list of relevant contaminants for laboratory analysis; and
- (d) treatment methodology.

~~49.~~ Any changes to the MSMP shall be reviewed and certified in writing by the Waikato Regional Council prior to the changes being made.

~~46.50.~~ All marine sediments shall be sampled and analysed by an accredited laboratory for the relevant suite of contaminants (including acid sulphate analysis) and treated in accordance with the Marine Sediment Management Plan "MSMP" before being deposited into Fill Areas 2, 3 and 4. All marine sediments received will need to meet the Waste Acceptance Criteria (WAC) for the site before being accepted by the site.

## **Advice Notes - General**

- In accordance with section 125 RMA, this consent shall lapse 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 inspections 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 a review and assessment of compliance with the conditions of the 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 the Consent Holder 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 the Consent Holder the right to continue exercising this consent after it expires in the event that the Consent Holder's application is not processed prior to this consent's expiry.

**RESOURCE CONSENT  
CERTIFICATE**

**Resource Consent:** AUTH144475.04.01

**File Number:** 61 76 85A

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

Gleeson Managed Fill Limited  
17 Aerovista Place  
Wiri  
Auckland 2104

(hereinafter referred to as the Consent Holder)

**Consent Type:** Discharge permit

**Consent Subtype:** Water - stormwater

**Activity authorised:** To discharge stormwater and treated water in association with Fill Area's 2, 3 and 4

**Location:** Gleeson Quarries, Riverview Rd, Huntly

**Map reference:** NZTM 1790250.1500 E 5837271.0300 N

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 (RMA) and will expire in 35 years.

**Subject to the conditions overleaf:**

## CONDITIONS

1. This consent is subject to compliance with Schedule One – General Conditions.
2. Prior to the commencement of any stormwater discharge to the receiving environment, the discharge contaminant criteria and receiving water trigger limits for each of the contaminants listed in Condition ~~6~~7 shall be set out within an updated Sampling and Analysis Plan “SAP” and must be consistent with the discharge contaminant criteria and receiving water criteria specified in Schedule 4 to this resource consent. The SAP shall be provided to Council within 20 working days from the completion of testing. The discharge of stormwater shall only commence after the Waikato Regional Council has reviewed and given written certification of the SAP.
3. The pH of any discharge from sediment retention devices to any watercourse must not be less than 5.5 or greater than 9.
4. Sediment retention ponds “SRPs” must be designed and operated to achieve the following performance targets:
  - a) Greater than 90% average treatment efficiency across a rainfall trigger event based on inflow and outflow turbidity monitoring; and
  - b) Discharge clarity of greater than 100mm measured by black disc.
5. To demonstrate compliance with Conditions 3 and 4, the Consent Holder shall:
  - (a) install and operate automated continuous turbidity samplers at the inlet and outlet of each operational sediment retention pond; and
  - (b) undertake site monitoring of each operation fill site and manually record pH, turbidity and clarity of the inlet and outlet flows of each operational sediment retention pond in response to the following rainfall trigger events:
    - (i)  $\geq 15$ mm in one hour
    - (ii)  $\geq 25$ mm in any 24-hour period; and
  - (c) meet all other requirements of the Adaptive Management Plan “AMP” required by Condition ~~15~~14.
6. In addition to the above, surface water samples shall be collected from the discharge points at the end of the treatment system (DS1, DS3 and DS5) 5 times per year, and from the downstream sampling points (DS2 and DS5) identified in the SAP on a two-monthly basis, excepting times when there are no discharges, until such time as the fill activities on site have ceased and the site has undergone closure and afterworks.

7. Surface water samples shall be submitted to an accredited laboratory for analysis of the following contaminants:

- (a) Dissolved Aluminium (20 MWCO filter); and
- (b) Dissolved Arsenic; and
- (c) Dissolved Boron; and
- (d) Dissolved Cadmium; and
- (e) Dissolved Chromium; and
- (f) Dissolved Copper; and
- (g) Dissolved Lead; and
- (h) Dissolved Nickel;
- (i) Dissolved Thallium;
- (j) Dissolved Zinc; and
- (k) Total petroleum hydrocarbons (TPH).

8. Flowrates will also be measured and recorded at the time that samples are collected.

~~7.9.~~ Within 5 working days of the receipt of water sampling results, the Consent Holder shall ensure that all results of the analysis along with Flowrates are forwarded to Waikato Regional Council.

~~8.10.~~ In the event that any result for a contaminant (dissolved fraction in Condition ~~67~~) exceeds the water quality criteria as specified in Schedule Four or the certified SAP:

- (a) the Consent Holder shall engage a suitably qualified and experienced practitioner "SQEP" to undertake verification sampling of deposited fill at the fill site; and the following contingency measures shall be undertaken:
  - (i) Repeat monitoring within a 10-working day period or the next stormwater run-off event. If water quality is within the trigger levels continue routine compliance monitoring frequency; and
  - (ii) If repeat monitoring confirms trigger level exceedance(s), then a review of the Erosion and Sediment Control Plan "ESCP" and Site and Fill Management Plan "SFMP" shall be undertaken by a SQEP to determine what corrective actions need to be applied to avoid further trigger level exceedance(s). The outcomes of this review shall be provided to Waikato Regional Council.

### **Chemical Treatment Management Plan**

~~9.11.~~ At least 20 working days prior to the commencement of activities under this resource consent the Consent Holder shall provide the Waikato Regional Council with a draft Chemical Treatment Management Plan "CTMP". The CTMP shall be submitted to the Waikato Regional Council, acting in a technical certification capacity, for approval in writing. The CTMP shall include, as a minimum:

- (a) An analysis identifying which devices require flocculation this analysis taking into account:
  - (i) The soil's reactivity to flocculants based on soil tests; and
  - (ii) The size of the contributing catchment that the pond is treating; and
  - (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) and maintenance (including post storm) procedures
- (d) A record system, containing:
  - (i) Details of optimum dosage (including assumptions); and
  - (ii) Results of any initial flocculation trial; and
  - (iii) A spill contingency plan; and
  - (iv) Contact details of the person responsible for the operation and maintenance of the flocculation; and
  - (v) Treatment systems; and
  - (vi) The organisational structure to which this person shall report.

~~10.12.~~ 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 the proposed changes.

~~11.13.~~ Unless site specific analysis provides evidence to the contrary, all sediment retention ponds shall be chemically treated in accordance with the CTMP.

### **Surface Water Quality - Sampling and Analysis Plan (SAP)**

~~12.14.~~ At least 20 working days prior to the importation of cleanfill and managed fill to the site, the Consent Holder shall submit to Waikato Regional Council, for approval in a technical certification capacity, an updated Sampling and Analysis Plan "SAP". The SAP shall include:

- (a) A plan that identifies the locations of water sampling points; and
- (b) Details of how the sub-soil drainage water will be stored, tested, treated and disposed of; and
- (c) A table of the contaminants the water samples will be tested for and the respective maximum concentration limits for each contaminant. The table will as a minimum include the contaminants listed in Condition ~~6Z~~; and
- (d) The water testing regime and sampling frequency which will be no less than as prescribed in the conditions of this consent; and
- (e) The identified process and timeline from collecting the samples through to laboratory analysis; and

- (f) Contingency measures in the event of water quality criteria exceedances.
- (g) Reporting requirements, including frequency.

~~+3.~~15. Any changes to the SAP shall be reviewed and certified in writing by the Waikato Regional Council prior to the changes being made.

~~+4.~~16. The SAP shall be updated on an annual basis by a SQEP to ensure the plan is up to date and consistent with any changes in legislation and guidelines.

**Advice Note:** *An additional resource consent for water take could be required prior to the storage and disposal of the subsoil drainage water.*

### **Adaptive Management Plan**

~~+5.~~17. At least 20 working days prior to the commencement of filling, an updated Adaptive Management Plan "AMP" shall be submitted to the Waikato Regional Council for written approval in a technical certification capacity. The objective of the AMP is to provide a process to ensure that the downstream effects of the filling activities remain within the range assessed as acceptable under this consent. It will provide procedures for monitoring of the site and the downstream receiving environment that is additional to the day-to-day monitoring of erosion and sediment control measures necessary to ensure compliance with this consent and Schedule One.

18. The updated AMP shall include, but not be limited to, the following:

- (a) Methodology to monitor and quantify the efficiency of sediment retention ponds.
- (b) The Methodology used for monitoring of water quality and stream health at locations downstream of each sediment retention pond (and upstream where achievable) including a plan and aerial imagery showing the monitoring locations.
- (c) Trigger rainfall events of 15mm/hr and 25mm/24 hours for site monitoring (in addition to day-to-day erosion and sediment control device monitoring and maintenance).
- (d) A monitoring and contingency response programme to be implemented in response to rainfall trigger events (as defined in c), including response thresholds for turbidity (90% sediment retention pond efficiency), clarity (100mm) and pH (5.5 to 9.0).
- (e) Realtime, continuous automated turbidity monitoring of the inflow and outflow of sediment retention ponds, and continuous automated monitoring of outflow discharge water volumes of sediment retention ponds.
- (f) Trigger event-based recording of turbidity and pH for the duration of the consent.
- (g) Trigger event-based sampling of inflows and outflows and analysis for turbidity, and pH for the duration of the consent.
- (h) Event based inspection and sampling of the immediate receiving environment.

- (i) Details of the person or bodies that will hold responsibility for the on-site implementation of the AMP.
- (j) Procedures and timeframes for reporting the monitoring results to the Waikato Regional Council.
- (k) Criteria for the discharge from the site which is consistent with the conditions of this resource consent, including trigger levels, as well as a management programme and mitigation/compensation actions which outline the response if discharge criteria are exceeded.
- (l) Quarterly biological monitoring of macroinvertebrate indicators at downstream sampling locations.
- (m) Visual monitoring of the intermittent stream below Fill Area 2 for scour/erosion.
- (n) Visual monitoring of the reaches of the intermittent stream below Fill Areas 3 and 4 that are located within the Consent Holder's property for scour/erosion.
- (o) Responses if stream channel erosion is identified that is attributable to the operation of a fill site.

~~16.19.~~ Any proposed revisions of the AMP must be submitted the Waikato Regional Council, acting in a technical certification capacity, for certification prior to formalising and implementing the revised AMP.

~~17.20.~~ If a SQEP representing Waikato Regional Council<sub>7</sub> considers changes are required to be made to the AMP as identified within the site reporting, the Waikato Regional Council may request that the AMP be updated to address these matters. If a request is made, the revised AMP shall be submitted to the Waikato Regional Council for certification, who will be acting in a technical certification capacity, within five working days of the request for written approval prior to implementation.

**Advice Note:** *The AMP is a live document and updates are expected to address any unforeseen circumstances or changes in the earthworks and filling methodology as the site responds through its adaptive monitoring regime to ensure the potential for sediment discharges are minimised.*

~~18.21.~~ The Consent Holder shall make available all monitoring results and data required by the AMP upon the request of the Waikato Regional Council.

### **Subsoil Drainage Water – Fill Area 3**

~~19.22.~~ Water discharged from the sub-soil drains in FA3 will be sampled and tested for pH, boron, copper, lead and zinc. If the results exceed the Level 1 criteria (relevant to a minimum pond volume of 470 m<sup>3</sup> and maximum discharge volume of 30 m<sup>3</sup>) or Level 2 criteria (relevant to a minimum pond volume of 750 m<sup>3</sup> and maximum discharge volume of 30 m<sup>3</sup>) then the water will be either treated on-site to meet these criteria or removed off-site for disposal.



Parameter	Trigger Values (mg/L)	
	Level 1 Criteria	Level 2 Criteria
Total boron	1.0	5.0
Total copper	0.5	1.25
Total lead	0.1	0.25
Total zinc	0.1	1.55
pH	6-9	6-9

**Advice Note:** The Consent Holder may utilise a benchtop spectrophotometer (as defined in the SAP) to use ultra-violet to visible light to quickly measure the concentration of metals etc to determine if subsoil drainage water is of acceptable quality to be either treated within the stormwater retention pond, used on-site for dust suppression, further treated on site before discharge, or removed for disposal.

#### Down Gradient Municipal Drinking Water Supply

~~20.~~ If an event of the type described below occurs, the Consent Holder shall notify, as soon as reasonably practicable, the Waikato District Council, [Te Kauri Marae Trust and Waahi Whaanui Trust](#), ~~and the Resource Users~~, [the Resource Use Directorate of the Waikato Regional Council](#) and Waikato Regional Council, advising the nature of the event and the nature of the

~~23.~~ potential significant adverse effect on water quality that may result. The types of events subject to this condition are:

- (a) those arising directly from the activity itself, for example, spillage of chemicals/contaminants and uncontrolled sediment laden water discharging from the site.
- (b) those arising because of any other event, for example, unusually heavy rainfall resulting in poor quality water that does not meet the consented acceptance criteria for contaminants discharging from the site.

~~21-24.~~ The surface water testing and sampling frequency specified in this resource consent shall be undertaken for at least the duration of each active fill site. On capping and closure of each fill site, the consent holder may apply to the Waikato Regional Council by way of an update to the SAP to reduce the water sampling programme frequency to no less than six monthly for the duration of the consents and until such time as it is deemed that resource consent is no longer required for the fill site discharges, that the discharges meet the permitted activity standards.

### **Advice Notes - General**

- In accordance with s.125 RMA, this consent shall lapse 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 inspections 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 a review and assessment of compliance with the conditions of the consents.
- Note that pursuant to s.332 of the RMA, 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 the Consent Holder 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 the Consent Holder the right to continue exercising this consent after it expires in the event that the Consent Holder's application is not processed prior to this consent's expiry.

**RESOURCE CONSENT  
CERTIFICATE**

**Resource Consent:** AUTH144475.05.01

**File Number:** 61 76 85A

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

Gleeson Managed Fill Limited  
17 Aerovista Place  
Wiri  
Auckland 2104

(hereinafter referred to as the Consent Holder)

**Consent Type:** Water Permit

**Consent Subtype:** Take and divert

**Activity authorised:** To take and divert groundwater and divert stormwater all in association with Fill Areas 2, 3 and 4

**Location:** Gleeson Quarries, Riverview Rd, Huntly

**Map reference:** NZTM 1790250.1500 E 5837271.0300 N

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 (RMA) and will expire in 35 years.

**Subject to the conditions overleaf:**

## **CONDITIONS**

1. This consent is subject to compliance with Schedule One – General Conditions.
2. Any water take authorised by this resource consent shall be a zero net take or comply with permitted activity standards and rules in the latest operative version of the Waikato Regional Plan.
3. The activities authorised by this consent shall at all times comply with the standards of resource consent AUTH144475.04.01 which authorises discharges from the site.
4. The Consent Holder shall ensure diversion of clean water shall be in accordance with the ESCP as required by Schedule One – General Conditions.
5. 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).
6. The Consent Holder shall control and divert stormwater which is not affected by filling activities away from areas disturbed by filling activities.
7. The Consent Holder shall ensure that any water diversions authorised by this consent are carried out in a manner that minimises erosion.
8. The Consent Holder shall ensure that scour protection is constructed in any outlet structures.
9. The Consent Holder shall ensure that any water diversion channels are maintained in good working order and are kept clear of obstructions at all times.
10. 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 20 millimetres within the preceding 24-hour period. A record shall be maintained of the date, time and any maintenance undertaken in association with this condition and this record shall be forwarded to the Waikato Regional Council upon request.

## **Advice Notes - General**

- In accordance with s.125 RMA, this consent shall lapse 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 a review and assessment of compliance with the conditions of the consents.
- Note that pursuant to s.332 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 the Consent Holder intends 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 the Consent Holder the right to continue exercising this consent after it expires in the event that the Consent Holder's application is not processed prior to this consent's expiry.

**RESOURCE CONSENT  
CERTIFICATE**

**Resource Consent:** AUTH144475.06.01

**File Number:** 61 76 85A

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

Gleeson Managed Fill Limited  
17 Aerovista Place  
Wiri  
Auckland 2104

(hereinafter referred to as the Consent Holder)

**Consent Type:** Water Permit

**Consent Subtype:** Diversion

**Activity authorised:** To undertake stream diversions, reclamation of streams and associated bed disturbance in association with filling Areas 2, 3 and 4.

**Location:** Gleeson Quarries, Riverview Rd, Huntly

**Map reference:** NZTM 1790250.1500 E 5837271.0300 N

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 (RMA) and will expire after 35 years

**Subject to the conditions overleaf:**

## **CONDITIONS**

1. This consent is subject to compliance with Schedule One – General Conditions.
2. The infilling and disturbance of any artificial wetland and natural stream within the fill footprints is to occur gradually from the top of the gully systems (if applicable) to enable fish to move downstream naturally, and to minimise the fish capture and translocation activities required.
3. All works authorised by this resource consent shall be undertaken in accordance with the approved Ecological Management Plan “EMP” and Fish Management Plan “FMP” (Schedule One, General Conditions).
4. On completion of each fill site the ‘end of life’ SRP below each fill site will be enhanced and converted to an offset wetland comprising indigenous vegetation and open water, representative of the indigenous vegetation and open water communities of the infilled wetlands within each fill area.

### **Advice Notes - General**

- In accordance with s.125 RMA, this consent shall lapse 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 a review and assessment of compliance with the conditions of the consents.

- Note that pursuant to s.332 of the RMA, 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 the Consent Holder 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 the Consent Holder the right to continue exercising this consent after it expires in the event that the Consent Holder's application is not processed prior to this consent's expiry.



**RESOURCE CONSENT  
CERTIFICATE**

**Resource Consent:** AUTH144475.07.01

**File Number:** 61 76 85A

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

Gleeson Managed Fill Limited  
17 Aerovista Place  
Wiri  
Auckland 2104

(hereinafter referred to as the Consent Holder)

**Consent Type:** Discharge Permit

**Consent Subtype:** Land - stormwater

**Activity authorised:** To discharge treated stormwater to land and/or water within 100 metres of a natural induced wetland

**Location:** Gleeson Quarries, Riverview Rd, Huntly

**Map reference:** NZTM 1790250.1500 E 5837271.0300 N

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 (RMA) and will expire after 35 years.

**Subject to the conditions overleaf:**

## CONDITIONS

1. This consent is subject to compliance with Schedule One – General Conditions and AUTH144475.04.01.
2. The bed profile and hydrological regime of identified natural wetlands shall remain in original or improved condition and not be degraded by the activities authorised under this resource consent. To verify compliance with this requirement, the Consent Holder shall maintain a record by taking photographs of any natural induced wetland within 100 metres of any groundwater or stormwater discharge point prior to the commencement of activities under this resource consent and on an annual basis thereafter for the duration of the resource consent. The consent holder shall provide the photographs to the Waikato Regional Council on an annual basis as part of the Annual Compliance Report, Condition [5765](#), Schedule One – General Conditions.

## SCHEDULE ONE – GENERAL CONDITIONS

The granting of resource consent numbers AUTH144475.01.01, AUTH144475.02.01, AUTH144475.03.01, AUTH144475.04.01, AUTH144475.05.01, AUTH144475.06.01 and AUTH144475.07.01 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 being the updated Assessment of Environmental Effects (“AEE”), version dated 12 July 2022, prepared by Paua Planning (WRC doc 24343573) and all associated appendices.

### Pre-Start

2. The Consent Holder shall appoint a representative(s) prior to the exercise of this resource consent who shall be the Waikato Regional Council’s ~~and the~~ Waahi Whaanui Trust’s “WWT” [and Te Kauri Marae Trust’s “TKMT”](#) principal contact person(s) in regard to matters relating to this resource consent. The Consent Holder shall inform the Waikato Regional Council, Waikato-Tainui, ~~and~~ WWT [and TKMT](#) of the representative’s name and how they can be contacted, prior to this resource consent being exercised. Should that person(s) change during the term of this resource consent, the Consent Holder shall immediately inform the Waikato Regional Council and shall also give written notice to the Waikato Regional Council, Waikato-Tainui, ~~and the~~ WWT [and TKMT](#) of the new representative’s name and how they can be contacted.
3. Prior to exercising this consent, 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 Waikato Regional Council. The monitoring team shall comprise of SQEPs and will be available to meet with the Waikato Regional Council monitoring personnel at agreed intervals, to review monitoring and compliance issues. The objectives of the monitoring team are to:
  - (a) Oversee the implementation of all Management Plans and conditions required by these consents; and
  - (b) Undertake or oversee changes and updates to Management Plans to reflect best practicable outcomes “BPO”; and
  - (c) Undertake or commission reports, memos or correspondence with Waikato Regional Council as required; and
  - (d) Ensure records of the managed fill operation are robust and comply with condition and management plan requirements; and
  - (e) Must include an erosion and sediment SQEP.

4. The Consent Holder shall notify WWT [and TKMT](#) in writing at least 10 working days prior to any soil disturbance occurring and invite WWT [and TKMT](#) to act as cultural monitors to observe all topsoil removal at the site on an ongoing basis as each stage of works progresses.
- ~~5.~~ The Consent Holder shall arrange and conduct a pre-construction site meeting and invite, with a minimum of 20 working days' notice, the Waikato Regional Council, WWT, [TKMT](#), the site representative(s) nominated under Conditions 2 and 3, the contractor, and any other party representing the Consent Holder prior to any work authorised by this consent commencing 5. on site.
6. All management plans submitted to council for certification shall be reviewed by Council's SQEP and certification provided to the Consent Holder within ten (10) working days. Any minor changes to the MSMP shall be reviewed and certified in writing by the Waikato Regional Council within five (5) working days of being submitted to Council.

#### **Fill Stability**

7. The separation distance between the edge/toe of Fill Area 3 and the northern most property boundary shall be no less than 28 metres.
8. The Consent Holder shall engage a Chartered Professional Engineer who specialises in geotechnical engineering, or a Professional Engineering Ecologist ("geo-professional") to inspect the active 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 consents. Annual fill stability reporting on the active fill site shall be undertaken by the nominated geo-professional until completion with final completion reports provided for rehabilitated sites. Annual reporting shall include recommendations to identify and address any issues found.
9. 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.
- ~~9.10.~~ Any fill material must be placed to minimise the risk of land instability. In the event of land instability occurring during construction, fill placement shall immediately cease (with the exception of emergency works to stabilise instability), and the supervising geo-professional shall assess the instability and provide written design recommendations to mitigate the instability. Fill placement shall not resume until directed by the geo-professional.
11. The consent holder shall notify Waikato Regional Council, [TKMT and WWT](#) of any land instability events within 24 hours of them occurring, and the Consent Holder shall provide written reports prepared by the supervising geo-professional relating to any instability events to Waikato Regional Council, [TKMT and WWT](#) within 7 days of receipt of those reports.

~~10.12.~~ The fill site design, construction and fill placement are to follow geotechnical best practice and be in general accordance with the following documents:

- (a) 74-GQ-01 (Huntly Quarry Disposal Sites – Fill Site 3 – Geotechnical Design Report Rev A), prepared by GAIA Engineers Limited, dated July 2021;
- (b) 23-GQ-01 (Huntly Quarry Disposal Sites – Fill Site 2- Geotechnical Design Report Rev B), prepared by GAIA Engineers Limited, dated April 2020; and
- (c) A geotechnical design report is to be prepared for Fill Site 4 as required by Condition ~~12.15~~ below.

13. Geotechnical site inspections shall be as per the construction specifications included in reports set out in Condition ~~10.12~~ (a)-(c) above which must include the noted hold points and inspection requirements. Inspection frequency shall be determined by the stage of construction and corresponding nature of earthworks, but shall be no less than annually, and the supervising geotechnical engineer shall provide a written report to Waikato Regional Council on adherence with recommendations in the Gaia Engineers design reports referenced above and with any subsequent Geotechnical recommendations.

~~11.14.~~ The supervising geotechnical engineer shall review the results of the testing and technical monitoring carried out in accordance with the recommendations and construction specification outlined in the Gaia Engineers Ltd. design reports set out in Condition ~~10.12~~ (a)-(c) above. Monitoring and testing include displacement monitoring and fill compaction and construction monitoring. Monitoring results are to be made available to Waikato Regional Council upon written request.

~~12.15.~~ Prior to the commencement of any works associated with the construction of Fill Site 4 a geotechnical design report, prepared by a Geo-professional, must be submitted to Waikato Regional Council for technical certification. The Waikato Regional Council shall engage an independent Geo-professional to review the geotechnical design report. Works must not commence in Fill Area 4 until the design report has been certified by the Waikato Regional Council.

~~13.16.~~ The Consent Holder must notify the Waikato Regional Council if the contractor constructing the fill sites changes or if the Geo-professional changes at any point of the construction and/or filling of each site for the duration of these resource consents.

### **Community Liaison Group**

~~14.17.~~ Within 6 months of the commencement of this consent, the Consent Holder shall establish a Community Liaison Group (CLG) by inviting a maximum of **2** representatives for each of the following:

- (a) The Huntly community; and

- (b) Waikato Regional Council; and
- (c) Waikato District Council; and
- (d) ~~Tangata whenua~~ WWT;
- ~~(d)~~(e) TKMT; and
- ~~(e)~~(f) any other key stakeholders as determined appropriate by the Consent Holder or the Waikato Regional Council.

18. The function of the CLG is to provide a line of communication between the Consent Holder, the wider community and key stakeholders for the duration of the consent.

19. The Consent Holder shall facilitate CLG meetings at a frequency no less than 6 months for the first 2 years and then at a lesser frequency if agreed with the CLG.

**Advice Note:** *The CLG is not a decision-making group, but a forum for the dissemination of information from the Consent Holder and provides the opportunity to comment on consent compliance and provide recommendations for changes to operations, monitoring and adaptive management.*

~~Representatives of tangata whenua shall be from the WWT, representative marae, TKMT, Waikato-Tainui, or all threefour.~~

*Representatives of the community may be sourced via Local Community Board, Submitters to the Consent, or by local advertisement.*

### Rehabilitation Management Plan

~~15.~~20. At least 6 months prior to a fill site ceasing to receive material, the Consent Holder must submit to Waikato Regional Council, for approval in a technical certification capacity, a Rehabilitation Management Plan "RMP" for the Fill Area where works are to cease.

~~16.~~21. The RMP shall include, but not be limited to, the following matters:

- (a) Identification of the final (future) landform once fill operations have ceased and each fill area capped; and
- (b) 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; and
  - (ii) on-going management strategy for weed and pest control; and
  - (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, construction procedures and stability of the final landform, including the maintenance of flows to the downstream stream channels and natural wetlands; and
- (d) Measures to avoid the over compaction of soils; and

- (e) Stormwater drainage/soakage of the final landform; and
- (f) Ecological enhancements; and
- (g) Reporting and review outcomes; and
- (h) The achievement of the minimum fill site cover and capping requirements as set out in the conditions of resource consent AUTH144475.03.01; and
- (i) As-builts for subsoil drainage; and
- (j) Any ongoing monitoring following site closure including water quality criteria and wetland ecological performance criteria.

~~17.22.~~ The Consent Holder shall undertake the mitigation and rehabilitation of the filling area in accordance with approved RMP and under the supervision of persons with appropriate restoration and rehabilitation experience.

~~18.23.~~ The Consent Holder shall review and update the RMP every 3 years and within 6 months of any decision to cease filling operations at the site. Any changes (excluding changes to contact person ~~&~~ and contact details etc.) to the RMP must only be made with the written approval of the Waikato Regional Council.

#### **Site and Fill Management Plan**

~~19.24.~~ At least 20 working days prior to accepting clean or managed fill to the site (excluding overburden from the quarry), the Consent Holder shall submit an updated Site and Fill Management Plan "SFMP" to Waikato Regional Council for written approval acting in a technical certification capacity.

25. The objective of the SFMP is to set out practices and procedures to be undertaken to manage the receipt and disposal of fill at the site and to comply with the conditions of this consent.

~~20.26.~~ The SFMP shall include, but not be limited to the following matters:

- (a) Procedures to record the name and address of contractors dumping fill at the site; and
- (b) The specific location of the fill placement areas (including asbestos and marine sediment disposal); and
- (c) Acceptance criteria for fill to be disposed on site (including sampling requirements); and
- (d) A description of operational procedures and monitoring that will be implemented to prevent unauthorised material from entering the site; and
- (e) A description of operational procedures and monitoring that will be implemented for the acceptance, handling, and disposal of asbestos; and
- (f) Contingency measures for containing and managing unacceptable waste; and
- (g) Specific design details, construction, and certification procedures to ensure long term stability of fill areas; and

- (h) The testing regime to confirm that all material received on site complies with the acceptance criteria; and
- (i) Description of stormwater management system (including design specification, location, and management of all structures); and
- (j) Procedures for improving and/or reviewing the SFMP; and
- (k) Procedures for undertaking verification sampling of fill deposited across the active landfill areas if required by AUTH144475.04.01 (in the event stormwater discharge quality exceeds consented criteria) and by AUTH144475.03.01 (prior to closure of each fill site); and
- (l) Procedures for fill screening methods for the elemental composition by portable X-ray fluorescence as required by AUTH144475.03.01; and
- (m) Provision for approval of geotechnical design changes for each Fill Area to be certified by the Waikato Regional Council before design changes are implemented.

~~21.27.~~ The Consent Holder shall operate the site in accordance with all the approved Management Plans including the SFMP. Any changes to the SFMP other than minor amendments must only be made with the written certification of an authorised officer the Waikato Regional Council.

~~22.28.~~ The SFMP shall be updated on an annual basis by a SQEP to ensure the plan is up to date and consistent with any changes in legislation and guidelines.

## **Ecology**

~~23.29.~~ At least ten (10) working days prior to accepting managed fill to the site (excluding overburden from the quarry), (excluding 'g' and 'h' below which are subject to extended timeframes) the Consent Holder shall submit an updated Ecological Management Plan "EMP" to the Waikato Regional Council for certification, to confirm that the activities undertaken in accordance with the EMP will achieve the EMP's objectives and compliance with the relevant consent conditions. Any subsequent review of the EMP 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.

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

- (a) Identification of appropriate methodologies and monitoring procedures to ensure all mitigation measures undertaken are effective; and
- (b) The planting and fencing proposed including the number of plants required, timing and ongoing reporting and monitoring; and
- (c) Provision for weed and/or pest control; and



- (d) 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; and
- (e) A Fish Management Plan, including a translocation plan; and
- (f) Mechanism and timing for covenanting of ecological areas as identified in Schedule Two and Conditions ~~28-35~~ and ~~29-36~~ below.
- (g) At least 6 months prior to the cessation of fill placement within a Fill Area, the Consent Holder shall submit to Waikato Regional Council, for approval in a technical certification capacity, an enhancement and planting plan to progressively convert the sediment retention pond within the Fill Area where works are to cease to an offset wetland ("[Wetland Enhancement and Planting Plan](#)") that is representative of the in-filled wetland on a like-for-like basis (of similar or better composition and extent); and
- (h) Advice on the value of the bond for remediation; and
- (i) Any other monitoring requirements.

~~24.30.~~ The Bat Management Plan shall be implemented and be compliant with best management practice for artificial roost management as outlined in: *New Zealand Bat Recovery Group Advice Note – The Use of Artificial Bat Roosts. 18 October 2021*. The acoustic surveys shall be conducted in the appropriate season, predator exclusion bands surrounding artificial roosts shall be inspected annually and adjusted as needed for 15 years, and the bat reserve shall be subject to appropriate legal protection in perpetuity.

~~25.31.~~ Prior to works commencing on site, the Consent Holder shall submit an updated Fish Management Plan "FMP" to the Waikato Regional Council for certification. Any subsequent review of the FMP shall also be submitted to the Waikato Regional Council for written approval acting in a technical certification capacity.

~~26.32.~~ The Consent Holder shall undertake all ecological mitigations in accordance with the Ecological Mitigation Strategy as appended to these conditions of consent (Schedule Two), [and Maatauranga Maaori Environmental Management Plan](#).

### **Ecological Mitigation Monitoring Report**

~~27.33.~~ 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 EMP, Bat Management Plan, Fish Management Plan and macroinvertebrates monitoring which have been undertaken within the preceding 12-month period. The ~~plan-report~~ 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; and
- (b) Details and outcomes of any aquatic and terrestrial ecological monitoring; and
- (c) Details and outcomes of any plant or animal pest control works including any follow up monitoring of pests.

34. 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

~~28-35.~~ At least 6 months prior to a fill site ceasing to receive material, the Consent Holder must establish and register on the land title, a legal mechanism (herein referred to as a "covenant") containing appropriate requirements to legally protect in perpetuity the 3.9ha Ecological ~~Compensation~~-Restoration Area to be restored as per the approved EMP and Schedule Two of this resource consent. The covenant shall also set out that clearance of vegetation, grazing of stock and earthworks within the covenant area is prohibited.

~~29-36.~~ At least six months prior to a Fill Area ceasing to receive material, the Consent Holder shall establish and register on the land title, a legal mechanism (herein referred to as a "covenant") containing appropriate requirements to legally protect in perpetuity the SRP and offset wetlands and all enhanced natural wetland areas below the Fill Area where works are to cease, as per the approved EMP and Schedule Two of this resource consent. The covenant shall also set out that clearance of vegetation, grazing of stock and earthworks within the covenant area is prohibited.

~~30-37.~~ The Consent Holder shall provide draft covenant documents as required to satisfy the requirements of conditions ~~28-35~~ and ~~29-36~~ 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.

## Cultural

~~31-38.~~ Prior to accepting clean and managed fill to the site, the Consent Holder shall draft a Maatauranga Maaori Environmental ~~Monitoring-Management~~ Plan ("MMEMP") together with TKMT, and WWT, respectively. The MMEMP shall include, but will not be limited, to, providing:

- (a) For ~~C~~ cultural monitoring during ~~topsoil removal~~ consented works; and
- (b) For Invitation to WWT input from TKMT and WWT into the Consent Holder's Management Plans and associated Plan changes or reviews, including:
  - (i) ~~to view and comment on the Closure and the~~ Rehabilitation Management Plan; ~~and~~
  - (ii) the Ecological Management Plan and associated Ecological Mitigation Monitoring Report;
  - (iii) the Bat Management Plan;
  - (iv) the Fish Management Plan;
  - (v) the Wetland Enhancement and Planting Plan;
  - (vi) the Erosion and Sediment Control Management Plan;
  - (vii) the Dust Management Plan;
- ~~(b) —~~
- (c) For engagement by TKMT and Invitation to WWT to engage over in water quality, macroinvertebrates and air discharge monitoring; ~~and~~

~~(d) Invitation to WWT to view and comment on the EMP; and~~

~~(e) Invitation to WWT to view and comment on the Dust Management Plan and air discharge monitoring; and~~

~~(d) Invitation For participation by TKMT and to WWT to be involved in the Community Liaison Group;~~

~~(f)(e) A process to amend the MMEMP.~~

~~The draft MMEMP shall be provided to the WWT with an invitation to review from a cultural mindset prior to submitting the MMEMP to the Waikato Regional Council.~~

*Advice Note: For the avoidance of doubt, there shall be one MMEMP which will either be collaborative between TKMT and WWT OR comprise of two separate sections within the MMEMP, one section drafted with TKMT and one drafted with WWT*

39. ~~If, within three (3) months of the commencement of this consent, TKMT and/or WWT decline have not confirmed ana to review or do not respond within twenty (20) working days of receiving the draft MMEMP to be submitted to the Waikato Regional Council, then condition 31 above and conditions 33 and 34 below shall be voided~~ the Consent Holder may accept clean and managed fill to the site and otherwise undertake all activities authorised by this resource consent. This does not preclude later completion of ~~ana~~ MMEMP in accordance with condition ~~31~~38, and certification under condition ~~33~~40, to support ongoing operations.

*Note: All preparatory and establishment works as authorised in AUTH144475.01.01, AUTH144475.02.01, AUTH144475.05.01 and AUTH144475.06.01 are not dependent on an MMEMP being confirmed or certified. Acceptance of clean and managed fill to site aligns with the commencement (opening) of commercial operations on site.*

~~32.~~

33.40. 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 once it is certified.

34.41. Any changes proposed to the MMEMP shall be made confirmed in writing by the Consent Holder in accordance with the amendment process identified in the MMEMP, and confirmed in writing by the Consent Holder following consultation with ~~WWT~~, Waikato District Council and the Waikato Regional Council 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 ~~31~~38 has been met and that the content of the MMEMP is consistent with the condition requirements.*

### **Erosion and Sediment Control Plan**

35.42. At least ten (10) working days prior to the establishment of erosion and sediment control measures and the commencement of filling at each fill site, the Consent Holder shall provide the Waikato Regional Council with a revised Erosion and Sediment Control Plan "ESCP" and any associated ancillary soil disturbance activities. The objective of the ESCP shall be to minimise sediment discharges from the site to the extent practicable.

36.43. 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:

- (a) 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; and
- (b) Analysis and identification of measures necessary to maintain hydrological characteristics of surface water runoff immediately downstream of the site (peak

flow and volume) during the filling stage that are generally consistent with the pre-existing condition of the site or other land use of the site that is permitted under the Waikato District Plan.

- (c) Confirmation and illustration that clean water diversions will maintain flows to the any remaining sections of stream and / or induced natural wetland downstream of a sediment retention pond.
- (d) The design criteria and dimensions of all key erosion and sediment control structures, including sizing of diversion channels and bunds, and sediment retention pond emergency spillways, in accordance with HIRDS RCP6.0 values; also including those measures identified in (b) and (c) above; and

- (e) A site plan of a suitable scale to identify:
  - (i) The location of waterways; and
  - (ii) Any 'no go' and/or buffers areas to remain undisturbed adjacent to watercourses (including wetlands); and
  - (iii) Areas of cut and fill; and
  - (iv) All key erosion and sediment control structures; and
  - (v) The boundaries and area of catchment contributing to all stormwater impoundment structures; and
  - (vi) The locations of all specific discharge points to the environment; and
  - (vii) Any other relevant site information; and
- (f) Construction timetable for the erosion and sediment control works; and
- (g) Timetable and nature of progressive site rehabilitation and re-vegetation proposed; and
- (h) Maintenance, monitoring and reporting procedures; and
- (i) Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or failure of any key erosion and sediment control structures; and
- (j) Procedures and timing for review and/or amendments of the ESCP; and
- (k) Identification and contract details of personnel responsible for the operation and maintenance of all key erosion and sediment control structures.

37.44. 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 activities authorised by this consent in accordance with the certified E&SCP.

38.45. Any changes proposed to the E&SCP 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.

39.46. All disturbed or cut vegetation, soil or debris shall be deposited or placed in a position where it will not enter any water body or cause diversion, damming or erosion of any waterway.

40.47. 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.

41.48. The outfalls and immediate downstream flow paths of clean water diversion outlets and sediment retention pond outlets shall be stabilised to prevent erosion.

~~42.49.~~ 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.

~~43.50.~~ 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 ESCP. 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 As Built Certification Statements shall include, at a minimum, the following:

- (a) Confirmation of contributing catchment areas; and
- (b) The location, capacity, and design of each structure; and
- (c) Position of inlets and outlets; and
- (d) Stability of structures; and
- (e) Measures to control erosion; and
- (f) Any other relevant matters.

**Advice Note:** *An example template and the information required for the As Built Certification Statement can be found on the Waikato Regional Council website [www.waikatoregion.govt.nz/earthworks](http://www.waikatoregion.govt.nz/earthworks).*

### **Dust Management Plan**

~~44.51.~~ At least 10 working days prior to accepting clean or managed fill to the site under this resource consent, the Consent Holder shall submit to Waikato Regional Council for approval, in a technical certification capacity, an updated Dust Management Plan "DMP". The DMP shall be approved in writing by the Waikato Regional Council, and any changes to the DMP shall be reviewed and certified by the Waikato Regional Council, acting in a technical certification capacity, prior to the changes being made.

~~45.52.~~ The maximum area of unstabilised exposed ground at the active fill site shall be no greater than 3 hectares at any one time. Minimising exposed areas will reduce dust discharges and erosion and sediment discharges.

~~46.53.~~ All activities authorised by this consent shall ensure that dust emissions are kept to a practicable minimum, so that there shall be no particulate matter as a result of the activities authorised by this resource consent that causes an objectionable or offensive effect beyond the boundary of the site. At a minimum, the following measures shall be implemented:

- (a) The use of water sprays to suppress dust from fill areas from access roads and from other disturbed land, on an as required basis; and
- (b) The use of dust stabilisation systems (water, water plus additives or mulch); and
- (c) The stabilisation of disturbed land which is currently not being worked; and
- (d) The re-grassing of completed surfaces; and
- (e) The maintenance of all access routes; and
- (f) The use of a truck wheel wash; and
- (g) Keeping the total area of exposed soil to a practicable minimum at all times.

~~47.54.~~ Should an emission of particulate matter occur that has an objectionable or offensive effect beyond the boundary of the site, the Consent Holder shall inform the Waikato Regional Council within 24 hours of the incident and provide a written report to the Waikato Regional Council within 5 days of being notified of the incident. Should the Consent Holder be informed by the Waikato Regional Council of such an emission, the Consent Holder shall provide a written report within 5 days. In both cases the report shall specify:

- (a) The cause(s) or likely cause(s) of the event and any factors that influenced its severity; and
- (b) The nature and timing of any measures implemented by the Consent Holder to avoid, remedy or mitigate any adverse effects; and the steps to be taken in future to prevent recurrence of similar events; and
- (c) The steps planned to be taken to prevent reoccurrence of similar events.

~~48.55.~~ PM<sub>10</sub> monitoring shall be undertaken, if required in writing by the Waikato Regional Council, after determining there has been adverse effects of an objectionable or offensive nature, due to discharge of particulate matter beyond the boundary.

**Advice Note:** *For the purpose of this resource consent, the Waikato Regional Council will consider an effect that is objectionable or offensive to have occurred if any appropriately experienced officer of the Waikato Regional Council deems it so after having regard to:*

- (a) *The frequency, intensity, duration, amount, effect and location of the suspended or particulate matter; and/or*
- (b) *Receipt of complaints from neighbours or the public: or*
- (c) *Relevant written advice or a report from an Environmental Health Officer of a territorial authority or health authority.*



~~49.56.~~ In the event that monitoring of PM<sub>10</sub> is required, the Consent Holder shall ensure that the concentrations of suspended particulate in ambient air arising from authorised activities at or beyond the boundary of the site does not exceed 80 µg/m<sup>3</sup> as a 24 hour average.

~~50.57.~~ The Consent Holder shall record the following in a daily log:

- (a) Records of any PM<sub>10</sub> monitoring; and
- (b) Details on any dust control equipment malfunctions and any remedial actions taken; and
- (c) Details on any visible emission of dust and the source; and
- (d) Wind direction; and
- (e) The frequency of water cart usage and the volume of water applied; and
- (f) The volume of water used for dust suppression other than water cart usage; and
- (g) The date and signature of the person entering the information; and
- (h) Details of dust complaints received; and
- (i) Actions taken in response to dust complaints received.

~~58.~~ Records shall also be made available to the Waikato Regional Council within 5 working days upon request.

~~51.59.~~ Earthworks and filling at Fill Area 3 and 4 shall cease when winds from the west and south-south-west exceeds a windspeed of 10 m/s.

~~52.60.~~ The consent holder shall operate and maintain a meteorological station on the site to measure and record the air temperature, wind direction and wind velocity on a continuous basis (at no less than 10-minute intervals).

~~53.61.~~ A recommendation on the location of the meteorological station shall be made by a suitably qualified and experienced practitioner to ensure that it is positioned in a suitably representative location with respect to the managed fill operation. Details on the finalised location shall be submitted to the Waikato Regional Council for written approval acting in a technical certification capacity.

~~54.62.~~ A suitable anemometer or equivalent measurement device capable of measuring wind speeds at a resolution of no greater than 0.1 m/s and capable of measuring wind direction at a minimum wind speed of no greater than 0.1 m/s, shall be referenced to true north and located at least 6 metres above ground and where practicable, free of influence from trees and other buildings or structures.

~~55.63.~~ The meteorological data shall be retained for the duration of the resource consent and data in excel or csv file format provided for any period to Waikato Regional Council within 48 hours of a request.

~~56.64.~~ The anemometer shall be calibrated annually, with the documentation of the calibration retained and appended to the annual report and also provided within one week of a request from the Waikato Regional Council.

### **Annual Compliance Report**

~~57.~~ The Consent Holder shall provide to the Waikato Regional Council, [TKMT](#), [WWT](#) -and to the Community Liaison Group an Annual Compliance Report, by 31 March, for each year that this consent is exercised. The Annual Compliance Report is to provide an assessment of the Consent Holder's compliance with the conditions of resource consents AUTH144475.01.01, \_

~~\_\_\_\_\_~~ AUTH144475.02.01, ~~—~~AUTH144475.03.01, ~~—~~AUTH144475.04.01, ~~—~~AUTH144475.05.01, \_

~~65.~~ AUTH144475.06.01 and AUTH144475.07.01 and make any recommendations to address any identified instances of non-compliance. The Annual Compliance report shall also address the following:

- (a) Laboratory results from compliance monitoring of soils received to site; and
- (b) Laboratory results from monitoring of subsurface and surface water discharges from the site; and
- (c) Details of any loads turned away; and
- (d) Daily/Weekly Log Books of fill placement and volumes; and
- (e) An assessment of the monitoring results against relevant criteria to ensure that the operation of the facility is not having a more than minor effect on the receiving environment; and
- (f) Details of any actions undertaken to address any issues identified during monitoring or operation of the fill facility; and
- (g) Details of any complaints received, and any management of mitigation actions undertaken to address those complaints; and
- (h) Details of any revisions to the *Site and Fill Management Plan*, or any other documentation associated with the management of the site; and
- (i) Any air quality monitoring records; and
- (j) A copy of the most up to date and certified table of ~~Fill~~-[Waste](#) Acceptance Criteria under AUTH144475.03.01/SFMP; and
- (k) A copy of the current table of discharge water quality limits for each of the contaminants tested under AUTH144475.04.01/SAP.

### **Management Plan Review**

~~58.66.~~ The Consent Holder shall review all Management Plans associated with the site every 5 years that this consent is current. The review shall assess whether management practices are resulting in compliance with the conditions of these consents, and whether the objectives of the Management Plans are being met through the actions and methods undertaken. The review shall result in any amendments that are necessary to better achieve the objectives of the Management Plans.

~~59.67.~~ A copy of the review and any changes to the Management Plans from that review shall be provided to Waikato Regional Council with the Annual Compliance Report for every fifth year.

### **Archaeological Accidental Discovery**

~~60.~~ In the event of any archaeological site or waahi tapu being discovered or disturbed while undertaking earthworks or ancillary activities, the activity shall cease immediately in the area of the discovery and the WWT, ~~TKMT~~, Heritage New Zealand Pouhere Taonga and the Waikato Regional Council shall be notified within 24 hours. Works may recommence with the written

~~68.~~ approval of the Waikato Regional Council. Such approval shall be given after the Waikato Regional Council has considered:

- (a) Tangata whenua interests and values, particularly those of WWT and TKMT; and
- (b) The Consent Holder's interests; and
- (c) Any Heritage New Zealand Pouhere Taonga authorisations; and
- (d) Any archaeological or scientific evidence.

~~69.~~ In the event of any human remains or archaeological items be exposed while undertaking works to give effect to conditions of this consent, the Consent Holder shall ensure works in that area cease immediately. The Police, Heritage New Zealand Pouhere Taonga, and Kaumatua representing WWT and TKMT shall be contacted and work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained.

### **Bond**

~~61.70.~~ Prior to the placement of fill material in each individual Fill Area authorised via AUTH144475.02.01 (overburden) and AUTH144475.03.01 (clean and managed fill), the Consent Holder shall provide and maintain, in favour of the Waikato Regional Council, a bond to enable:

- (a) Restoration (including contouring, drainage, and revegetation) of filling areas and disturbed areas to a standard such that the activities and works authorised by this consent no longer require resource consent; and
- (b) Operation and maintenance of treatment systems on the site to ensure that discharges meet the resource consent requirements while restoration on the site is being completed; and
- (c) Compliance with all the conditions of this consent and to enable any adverse effects on the environment resulting from the Consent Holder's activities and not authorised by resource consent to be avoided, remedied, or mitigated.
- (d) The fill sites are to be rehabilitated in accordance with the Rehabilitation Management Plan.

~~62.71.~~ The quantum of the bond shall be no less than \$250,000 and shall be staged according to completion of each active fill area and associated ecological ~~compensations~~ mitigations and

| [restorations](#), as well as be sufficient to cover:

- |
- (a) the estimated costs (including any contingency necessary) of the activities outlined in Condition ~~61~~[70](#); and
  - (b) All works outlined in Schedule Two and the associated EMP.

- ~~63-72.~~ The bond shall be in a form approved by the Waikato Regional Council and shall, subject to these conditions, be on the terms and conditions required by the Waikato Regional Council.
- ~~64-73.~~ 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 Waikato Regional Council. 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.
- ~~65-74.~~ The bond amount shall be fixed within 12 months of commencement of this consent and every fifth anniversary thereafter by the Waikato Regional Council or more frequently if otherwise agreed between the Consent Holder and the Waikato Regional Council. The amount of the rehabilitation bond shall be advised in writing to the Consent Holder at least one month prior to the review date.
- ~~66-75.~~ Should the Consent Holder not agree with the amount of the bond fixed by the Waikato Regional Council 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 Waikato Regional Council advising that the amount of the rehabilitation bond is disputed, such notice to be given by the Consent Holder within two weeks of notification of the amount of the rehabilitation 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 Institution 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 Waikato Regional Council 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.
- ~~67-76.~~ If the decision of the arbitrator is not made available by the 30th day referred to above, then the amount of the bond shall be the sum fixed by the Waikato Regional Council, until such time as the arbitrator does make his/her decision. At that stage the new amount shall apply. The Consent Holder shall not exercise this consent if the variation of the existing bond or new bond is not provided in accordance with this condition.
- ~~68-77.~~ 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 Waikato Regional Council a variation of the existing bond or a new bond for the amount fixed on review by the Waikato Regional

Council. 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.

### **National Grid Electricity Transmission Lines**

~~69.78.~~ All machinery and mobile plant operated in association with the works shall maintain a minimum clearance distance of 4 metres from the conductors (wires) of the HAMMER-B National Grid transmission lines at all times.

**Advice Note:** *It is the Consent Holder's responsibility to ensure that all land use activities, including the construction of new buildings/structures, earthworks, fences, any operation of mobile plant and/or persons working near exposed line parts shall comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) or any subsequent revision of the code.*

### **Review**

~~70.79.~~ The Waikato Regional Council may, in 2025 and every two years thereafter, serve notice on the Consent Holder under s.128(1) of the RMA, of its intention to review the conditions of this resource consent for the following purposes:

- (a) To review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment from the exercise of this resource consent and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions;
- (b) If necessary and appropriate, to require the Consent Holder to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment due to the placement of managed fill and any subsequent contaminated stormwater discharges;
- (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 Plans or Policies.

### **Administration**

~~71.80.~~ The Consent Holder shall pay the Waikato Regional Council any reasonable administrative charge fixed in s.36 of the RMA, or any charge prescribed in accordance with regulations made under s.360 of the RMA.

**Schedule Two – Ecological Mitigation Schedules &and Locality of Ecological Compensation Restoration Areas**

Mitigation Area	Mitigation Action	<u>Compensation</u> <u>Mitigation/Restoration</u> For	Timeframe	Notes
<b><u>Compensation</u> <u>Restoration</u> Area 3.9ha gully</b>	14,552m <sup>2</sup> of Terrestrial pioneer planting	Loss of indigenous vegetation/fauna habitat in FA2 and FA4 (3328m <sup>2</sup> )	Completed. Works outlined in the Ecological Mitigation Monitoring Report (Envoco, 2022).	14,552m <sup>2</sup> terrestrial planting, including riparian and wetland buffer planting, completed July 2022.
	Planting to restore exotic/degraded wetland habitat	Artificial Wetland loss (quality) FA2 570m <sup>2</sup>	Planting completed, area subject to ongoing maintenance and monitoring as part of EMP.	Areas of low-lying pasture adjacent to natural wetland has been planted with indigenous wetland plants (415m <sup>2</sup> ). Completed July 2022.
	Mechanism for covenanting <u>compensation</u> - <u>restoration</u> area	Overall loss of ecological values	Within 6 months of commencement of activities under this consent.	To be surveyed according to fence line.
	Pest plant and animal control	Loss of fauna habitat all fill areas	Ongoing. Works outlined in the Ecological Mitigation Monitoring Report (Envoco, 2022).	Includes periodic monitoring of pest animals <u>&amp;and</u> vegetation.
	14,552m <sup>2</sup> of terrestrial enrichment planting	Loss of indigenous vegetation/fauna habitat in FA2 and FA4 (3328m <sup>2</sup> ).	Minimum 3 years after pioneer planting when there is sufficient shelter/canopy cover, within planting season (May - September).	Species planted include later-successional species that represent vegetation lost and that also represent historic ecosystem type.
	Fish, macroinvertebrate, habitat and water quality monitoring	n/a	Annual	Methods as per the updated EMP (Envoco, 2023)
	Installation of fish ladders and monitoring at perched culverts	n/a	Monitoring to be undertaken before and after installation of the fish ladders.	Will connect <u>Compensation</u> <u>Restoration</u> Area to downstream environments and facilitate fish movement.
<b>Natural wetlands below</b>	Restoration of natural	Constructed Wetland loss	Planting plan and works	Planting plan to be included

Mitigation Area	Mitigation Action	Compensation- Mitigation/Restoration For	Timeframe	Notes
<b>Fill areas</b>	wetlands below FA2 and FA4 (pest plant control, planting)	(quality) in FA2 and FA4 (150m <sup>2</sup> ).	(including fencing) to be carried out within 12 months after the granting of consent.	in updated Ecological Management Plan (EMP).
	Mechanism for covenanting induced natural wetlands below FA2 and FA4	Overall loss of ecological values.	Within 6 months of deciding to cease the filling operation within an individual Fill Area.	To be surveyed according to fencing.
<b>Sediment Retention Ponds (SRP's)</b>	Conversion of FA2 SRP into indigenous offset wetland habitat	Offset Wetland loss (quantity) in FA2 (570m <sup>2</sup> )	Enhancement and planting plan (including fencing) within 6 months of fill area becoming operational, restoration works to be completed within 12 months once fill operations have ceased	Pond area approximately 1,200m <sup>2</sup> . Planting plans for all SRP's to be developed in consultation with Southern Skies and iwi, and approved by council prior to starting works.
	Conversion of FA3 SRP into indigenous offset wetland habitat	Offset Wetland loss (quantity) in FA3 (815m <sup>2</sup> previously compensated for; SRP conversion is additional)	Enhancement and planting plan (including fencing) within 6 months of fill area becoming operational, restoration works to be completed within 12 months once fill operations have ceased	Pond area approximately 1,200m <sup>2</sup> .
	Conversion of FA4 SRP into indigenous offset wetland habitat, based on Enhancement & <del>and</del> Planting Plan	Offset Wetland loss (quantity) in FA4 (484m <sup>2</sup> )	Enhancement and planting plan (including fencing) within 6 months of fill area becoming operational, restoration works to be completed within 12 months once fill operations have ceased	Pond area approximately 1,200m <sup>2</sup> .
	Mechanism for covenanting SRP's in FA's 2, 3 and 4	Overall loss of ecological values	Within 6 months of deciding to cease the filling operation within an individual Fill Area	To be surveyed according to fencing.



Mitigation Area	Mitigation Action	Compensation- Mitigation/Restoration For	Timeframe	Notes
<b>Pekapeka/Bat Reserve</b>	Mechanism for covenanting Bat Reserve	Overall loss of ecological values	Underway – required by FA5 consent	Covenanted area to be delineated with fence.
	Creation of chainsaw hollows/artificial roost boxes	Potential effects on pekapeka (long-tailed bats)	Prior to removal of roost trees within FA4, in accordance with Bat Management Plan (BMP).	5 chainsaw hollows/roost boxes required for FA5, so more will be required depending on what activity is in FA4 (how many roost trees).
	Pest animal control in 1.5ha bat reserve	Loss of bat habitat (FA4)	Monitoring and maintenance of all bat boxes and predator-exclusion bands must be carried out annually for 15 years following installation to determine if bats are using them. The condition of each bat box should also be monitored at the same time, and replacement and maintenance must occur as required. Replacement and maintenance of boxes and predator-exclusion bands should occur as required between 1 September and 1 November each year	Refer BMP – to be updated prior to commencement of works in FA4.
<b>On-site mitigation</b>	Fish salvage and relocation from artificial wetlands and watercourses within fill areas	Avoiding adverse effects on indigenous fish within fill areas	Prior to reclamation of artificial wetlands/ watercourses	Refer to <a href="#">APP144475AUTH144475.06.0</a> 1, Condition 2 Refer to Fish Management Plan (Wildlands 2022)

# Locality Map of Ecological Compensation Restoration Area



**SCHEDULE THREE – ACCEPTABLE AND PROHIBITED WASTES**

<b>ACCEPTABLE WASTES</b>	
<b>1. Cleanfill Material Definition</b>	
Material that when buried will have no adverse effect on people or the environment. Cleanfill material includes virgin natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of: <ul style="list-style-type: none"> <li>• combustible, putrescible, degradable or leachable components</li> <li>• hazardous substances</li> <li>• products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices.</li> <li>• materials that may present a risk to human or animal health such as medical and veterinary waste, asbestos or radioactive substances liquid waste.</li> </ul>	
<b>2. Construction &amp; Demolition Fill</b>	
Construction & Demolition fill as defined and listed as acceptable materials in Section 4.2 of the Cleanfill Guidelines. The material will include soil, rock, concrete, bricks, and inert C&D material. Inert C&D will mostly include glass and rock fibres and less than 5% timber. Soil and C&D can contain minor amounts of electrical wiring, plastics, and plasterboard as an acceptable material (less than 0.5% of the waste matrix).	
<b>Material</b>	<b>Discussion</b>
Bricks & Masonry Blocks	Inert – will undergo no degradation.
Ceramics	Inert.
Concrete – un-reinforced	Inert material.
Concrete –reinforced	Including exposed reinforcing rods of less than 1 meter in length
Fibre cement building products	Inert material comprising cellulose fibre, Portland cement and sand. Care will be taken to ensure that the product does not contain asbestos, which is unacceptable.
Glass	Inert, and poses little threat to the environment. May pose a safety risk if placed near the surface in public areas, or if later excavated. The safety risk on excavation should become immediately apparent, so glass is considered acceptable provided it is not placed immediately adjacent to the finished surface.
Road sub-base	Inert.
Soils, rock, gravel, sand, clay, etc.	Acceptable if free of contamination. Vetting procedures will be implemented through the Site and Fill Management Plan
Tiles (clay, concrete or ceramic)	Inert.
<b>3. Asbestos in soil and asbestos contaminated material (ACM)</b>	
The demolition material will include ACM such as: <ul style="list-style-type: none"> <li>• asbestos-cement sheet cladding, roofing, and drainage pipes</li> <li>• backing material for floor tiles and vinyl sheets</li> <li>• insulation board for thermal protection (e.g., around fireplaces)</li> <li>• textured ceilings and sprayed-on wall surfaces.</li> </ul>	

- lagging for insulation around pipes, heaters, and hot water cylinders
- asbestos-cement sheet cladding, roofing, and drainage pipes
- backing material for floor tiles and vinyl sheets
- insulation board for thermal protection

All asbestos soils and ACM shall be accepted, tested, treated, and disposed as outlined in the certified Asbestos Fill Management Plan.

**4. Peat**

Naturally occurring material. Peat forms from the build-up of partially rotted plant material in wet environments Note that some peat soils do contain sulphides and therefore some peat soils will need to be managed as acid sulphate soils and treated before they can be accepted.

**5. Acid sulphate soils and marine sediments**

All identified acid sulphate soils and marine sediments shall be accepted, tested, treated, and disposed as outlined in the certified Acid Sulphate Soil Management Plan and Marine Sediment Management Plan.

**6. Managed Fill**

Material that meets the Waste Acceptance Criteria outlined in Table 1 of AUTH APP144475.03.01

All materials shall be accepted, tested, treated, and disposed as outlined in the approved Site and Fill Management Plan.

### **PROHIBITED WASTES**

- Any material that exceeds the accepted criteria listed in approved Waste Acceptance Criteria.
- No chipboard, will be accepted as part of the Construction ~~&~~and Demolition fill
- No green waste – (Vegetation, bark and wood chips) any material that is compostable / biodegradable that could cause leachate.
- No material from gas works will be accepted.
- Animal carcasses or animal waste
- Containers, sealed drums, and gas cylinders
- Bulk liquids or liquid wastes
- Tyres
- Medical and Veterinary Waste
- Coal Ash Waste
- Lead acid batteries (lead acid batteries can be recycled in New Zealand).
- Used oil.
- Explosive, flammable, oxidising or corrosive substances - as defined under the HSNO Act.
- PCB wastes.
- Persistent Organic Pollutants wastes (as defined by the Stockholm Agreement).
- Viscous materials-liquids/tars/paints and painted material.
- Drums or containers containing hazardous chemicals (including agrichemicals, solvents, petroleum compounds or toxic chemicals (as defined under the HSNO Act)).
- Household Hazardous Waste.
- Municipal solid waste and domestic refuse.
- Paper, cardboard, and fabrics
- Electrical components, cabling, and insulation
- Biosolids from municipal or industrial wastewater treatment plants
- Radioactive substances
- Motor vehicle bodies, engines or parts

## SCHEDULE FOUR – WATER QUALITY PARAMETERS

Table One: Water quality parameters and proposed trigger values for stormwater discharge at Sampling location DS1, DS3 and DS4.

Parameter	Proposed Trigger values (mg/L)	Source and Rationale
Dissolved Aluminium (20K MWCO)	0.980 <sup>1</sup>	US EPA CMC. Intermittent discharge and Colloidal alumino-silicates may give high values
Dissolved Arsenic	0.01 <sup>2</sup>	MoH (2018) Drinking Water Standards
Dissolved Boron	0.940 <sup>3</sup>	ANZG (2018) 95% Guidelines. High Background values
Dissolved Cadmium	0.0008 <sup>1</sup>	ANZG (2018) 80% Guidelines. Allows for dilution
Dissolved Chromium (based on Cr(III))	0.57 <sup>1</sup>	US EPA CMC. Intermittent discharge
Dissolved Copper	0.0251 <sup>5</sup>	ANZG (2018) 80% Guidelines. Allows for dilution
Dissolved Lead	0.0056 <sup>4</sup>	ANZG (2018) 90% Guidelines. Allows for dilution and protection of drinking water.
Dissolved Nickel	0.013 <sup>4</sup>	ANZG (2018) 90% Guidelines and Protection of Drinking water
Dissolved Thallium	0.00003 <sup>4</sup>	ANZG (2018) 95% Guidelines. High Background values
Dissolved Zinc	0.031	Confirmed as being non-toxic by Whole Effluent Toxicity testing of the stream water collected from sampling location.
Total petroleum hydrocarbons (TPH)	15 <sup>6</sup>	MfE (1989) Petroleum Guidelines. To avoid visible sheens
pH	>5.5 (6.0 for storage tank Fill 3 underdrain) pH units	
<p>Note: Dissolved aluminium shall be measured using 20K MWCO ultra-filtration method to remove colloidal aluminium from clay particles.</p> <ol style="list-style-type: none"> <li>1. US EPA CMC (for aluminium the lowest CMC has been used with a water hardness of 100 mg/L, DOC equal 1 mg/L and pH 7)</li> <li>2. MoH (2018) Drinking water standards</li> <li>3. ANZG (2018) 95% ecosystem protection guideline value</li> <li>4. ANZG (2018) 90% ecosystem protection guideline value</li> <li>5. ANZG (2018) 80% ecosystem protection</li> <li>6. Based upon MfE (1989) Environmental Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand recommendation of 15 mg/L.</li> </ol>		

Table Two: Water quality parameters and proposed trigger values for downstream receiving water quality at DS2 and DS5.

Parameter	Proposed Trigger values (mg/L)	Source and Rationale
Dissolved Aluminium (20K MWCO)	0.080 <sup>1</sup>	ANZG (2018) 90% Guidelines. Background may be elevated during storm conditions.
Dissolved Arsenic	0.024 <sup>2</sup>	ANZG (2018) 95% Guidelines.
Dissolved Boron	0.940 <sup>2</sup>	ANZG (2018) 95% Guidelines.
Dissolved Cadmium	0.0002 <sup>2</sup>	ANZG (2018) 95% Guidelines.
Dissolved Chromium (as Chromium VI)	0.006 <sup>1</sup>	ANZG (2018) 90% Guidelines. Background may be elevated.
Dissolved Copper	0.0014 <sup>2</sup>	ANZG (2018) 95% Guidelines.
Dissolved Lead	0.0034 <sup>2</sup>	ANZG (2018) 95% Guidelines.
Dissolved Nickel	0.011 <sup>2</sup>	ANZG (2018) 95% Guidelines.
Total petroleum hydrocarbons (TPH)	5 <sup>3</sup>	33% of the MfE (1989) Petroleum Guidelines. To avoid visible sheens on the surface of the water.

Note: Dissolved aluminium shall be measured using 20K MWCO ultra-filtration method to remove colloidal aluminium from clay particles.

1 = Based upon ANZG (2018) 90% ecosystem protection

2 = Based upon ANZG (2018) 95% ecosystem protection

3 = Based upon MfE (1999) Environmental Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand recommendation of 15 mg/m<sup>3</sup>

L = litre

m<sup>3</sup> = cubic metre

MfE = Ministry for the Environment

mg = milligram

mg/L = milligram per litre

mg/m<sup>3</sup> = milligram per cubic metre

TPH = total petroleum hydrocarbons

Table Three: Proposed trigger values for discharging Underdrain Storage Tank (FA3)

Parameter	Proposed Trigger values (mg/L)	
	Level 1 Criteria	Level 2
Total Boron	1.0	5.0
Total Copper	0.5	1.25
Total Lead	0.1	0.25
Total Zinc	0.6	1.55

Note:

mg/L = milligram per litre

**Annexure B-1 – Agreed WDC conditions – Clean version**



## GLOSSARY OF TERMS

### Organisational Names

WRC	Waikato Regional Council
WDC	Waikato District Council
TKMT	Te Kauri Marae Trust
WWT	Waahi Whaanui Trust
GMF	Gleeson Managed Fill Ltd
FA2	Fill Area 2
FA3	Fill Area 3
FA4	Fill Area 4
MfE	Ministry for the Environment

### Legislative Terms

RMA	Resource Management Act 1991
NES-CS	Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011
HAIL	Hazardous Activities and Industries List

### Management Plans

SFMP	Site and Fill Management Plan
ESCP	Erosion and Sediment Control Plan
DMP	Dust Management Plan
CSMP	Contaminated Site Management Plan (FA3)
ASSMP	Acid Sulphate Soils Management Plan
EMP	Ecological Management Plan
BMP	Bat Management Plan
FMP	Fish Management Plan
MMEMP	Maatauranga Maaori Environmental Management Plan
RMP	Rehabilitation Management Plan
SCLMP	Site Circulation and Loading Management Plan
LVMS	Landscape and Visual Mitigation Management Strategy

### Other Terminology

SQEP	Suitably Qualified and Experienced Practitioner
Ha	Hectares
M <sup>3</sup>	Cubic Meters
M <sup>2</sup>	Square Meters
SRP	Sediment Retention Pond
BPO	Best Practicable Outcomes
CLG	Community Liaison Group

# Resource Consent

(Resource Management Act 1991)

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## DECISION ON APPLICATION: LUC0488/22

Pursuant to Sections 34A(1), Section 104, 104B and 108 of the Resource Management Act 1991, the Waikato District Council, under delegated authority, grants land use consent for a Discretionary Activity under the Operative District Plan and Proposed District Plan – Appeals Version to:

**Activity:** To establish and operate a managed fill disposal activity that imports material to deposit within identified gullies (Fill Areas 2-4) located north of an existing quarry within the same site.

To undertake soil disturbance of a piece of land (within Fill Area 3) as per the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

**Applicant:** Gleeson Managed Fill Limited

**Location Address:** 310 Riverview Road, Huntly

**Legal Description:** Lot 9 DP 1278 and Pt Lot 10 DP 1278 (RT SA149/243)  
DP 25272 (RT SA656/223)  
Pt Lot 9-10 DP 1278 (RT SA922/109)  
Lot 1 DPS 75436 (RT SA57C/382)  
Pt Lot 11 DP 1278 (RT SA200/118)  
Pt Lot 11 DP 1278 (RT SA200/119)

This consent is subject to the conditions detailed in the attached Schedule 1.

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**CHERIE LANE, CHAIR, INDEPENDENT HEARING PANEL AND COMMISSIONERS  
SHANE SOLOMON AND NGAIRE PHILLIPS**

**Dated:** 29<sup>th</sup> March 2023

# Schedule I

## Conditions of Consent

Resource Consent No: LUC0488/22

### General

1. The managed fill and overburden disposal activities shall be undertaken in general accordance with the information and plans submitted by the Consent Holder in support of application number LUC0488/22 being the updated Assessment of Environmental Effects (“AEE”), version dated 12 July 2022, prepared by Paua Planning (WDC doc ID 3988704) and all associated appendices. In the case of inconsistency between the application and the conditions of this consent, the conditions of consent shall prevail.
2. The managed fill and overburden disposal activities shall operate with the following limitations:
  - (a) The total volume of fill material deposited at the site shall not exceed 300,000m<sup>3</sup> per annum.
3. Pursuant to Section 36 of the Resource Management Act 1991 the Consent Holder shall pay the actual and reasonable costs incurred by the Waikato District Council when monitoring the conditions of this consent.
4. The Consent Holder shall notify Waikato District Council’s Team Leader Monitoring, in writing, at least ten working days prior to the commencement of any activities associated with this consent. Such notification shall include the following details:
  - (a) Name/s and telephone number/s of the Developer’s Representative/s;
  - (b) Site address to which the consent relates;
  - (c) Waikato District Council land use consent reference number; and
  - (d) Works to be undertaken.

### Prior to Commencement

5. The Consent Holder shall engage with Waahi Whaanui Trust (“WWT”) and Te Kauri Marae Trust (“TKMT”) and ensure that WWT and TKMT are notified in writing at least 10 working days prior to any soil disturbance occurring and are invited to act as cultural monitors to observe all topsoil removal at the site on an ongoing basis as each stage of works progresses.
6. The Consent Holder shall arrange and conduct a pre-construction site meeting and invite, with a minimum of 10 working days notice, the Waikato District Council, WWT, TKMT, the contractor, and any other party representing the Consent Holder prior to any work authorised by this consent commencing on site.

7. Prior to commencement of any work within each Fill Area, the Consent Holder must submit evidence to Waikato District Council's Team Leader-Monitoring that the Erosion and Sediment Control Plan "ESCP" for the applicable Fill Area has been certified by the Waikato Regional Council.
8. The Consent Holder is to install and maintain erosion and sediment control measures in accordance with the ESCP's certified by Waikato Regional Council prior to undertaking any soil disturbing activity.
9. Prior to commencement of any work within each Fill Area, the Consent Holder must submit evidence to Waikato District Council's Team Leader-Monitoring that the Dust Management Plan "DMP" for the applicable Fill Area has been certified by the Waikato Regional Council.
10. The Consent Holder is to install and maintain dust management measures in accordance with the DMP certified by Waikato Regional Council prior to undertaking any soil disturbing activity.
11. The Consent Holder must enter into a section 108 Resource Management Act 1991 covenant in favour of Waikato District Council. The Consent Holder shall contact Council to initiate the preparation of the covenant. A copy of the updated Computer Register (Record of Title) showing the covenant has been registered must be provided to Council within 6 months of each individual ecological mitigation works being completed. The covenant must:
  - (a) Effectively protect, in perpetuity, each ecological mitigation / restoration area to be restored in accordance with the Ecological Management Plan "EMP" certified pursuant to condition 18 of this consent; and
  - (b) Set out that the clearance of vegetation, grazing of stock and earthworks within the covenant area is prohibited; and
  - (c) Be drafted by the Council's nominated solicitor at the consent holder's cost; and
  - (d) Be registered against the Computer Register(s) (record of title) to the affected land by the consent holder, at the consent holder's cost; and
  - (e) Require the Consent Holder to be responsible for all legal fees, disbursements and other expenses incurred by Council in connection with the preparation and registration of the covenant and procure its solicitor to give an undertaking to the Council for payment of the same.

### **Site and Fill Management Plan**

12. Prior to the commencement of activities authorised by this consent, the Consent Holder shall prepare and submit to Waikato District Council's Team Leader- Monitoring for certification, an updated Site and Fill Management Plan "SFMP".

The SFMP has the objective of setting out practices and procedures to be undertaken which demonstrate how the site and operations will be managed to ensure that any actual or potential adverse effects are avoided, remedied or mitigated.

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

- (a) Details on the procedures and standards necessary to demonstrate how compliance will be achieved with the relevant conditions of this resource consent.
  - (b) Provision for approval of geotechnical design for each Fill Area to be certified by Waikato District Council before commencement of works.
  - (c) Details to demonstrate that the landform and all associated disturbed areas are progressively re-grassed and returned to pasture.
  - (d) Measures to ensure that:
    - (i) All land use activities, including the construction of new buildings/structures, earthworks, fences, any operation of mobile plant and/or persons working near exposed line parts shall comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) or any subsequent revision of the code.
    - (ii) All machinery and mobile plant operated in association with the works shall maintain a minimum clearance distance of 4 metres from the conductors (wires) of the HAM-MER-B National Grid transmission lines at all times.
13. The Consent Holder shall exercise this consent in accordance with the SFMP certified in Condition 12. Any subsequent changes to the SFMP (related to the District Matters outlined in conditions 12, 15, 16 and 24) must only be made with the written approval of Waikato District Council's, Team Leader, Monitoring. In the event of any conflict or inconsistency between the conditions of this consent and the provisions of the SFMP, then the conditions of this consent shall prevail.

### **Riverview Road Shoulder Repairs**

14. Prior to the commencement of the commercial operation of the managed fill activity authorised by this consent, the Consent Holder shall prepare and submit to the Waikato District Council's Senior Land Development Engineer for certification, a detailed design of the Riverview Road shoulder repairs and line marking. The detailed design shall be prepared by a suitably qualified and experienced professional and shall include the following:
- (a) Repair of damaged pavement and surfacing in the Riverview Road shoulders, opposite and adjacent to the site. The purpose of the reinstatement is to prevent ponding in the shoulders and along the seal joint between the traffic lanes and the sealed shoulders and to reduce the need for ongoing maintenance.
  - (b) Details of the pavement and surfacing and extent including tie ins to existing.
  - (c) Details of the line marking for 200m (north and south) of the vehicle crossing, including:

- (i) New diagonal shoulder markings in the 6m wide left turn in approach shoulder in accordance with MOTSAM Part 2 Markings 2.04.02,
- (ii) New diagonal shoulder markings in the left turn out shoulder, adjacent to the edgeline at the vehicle crossing and where it merges north of the power pole, in accordance with MOTSAM Part 2 Markings 2.04.02,
- (iii) New 2.5m wide diagonal shoulder markings in the sealed shoulder opposite, in accordance with MOTSAM Part 2 Markings 2.04.02,
- (iv) No stopping lines in accordance with MOTSAM Part 2 Marking, 2.11.01,
- (v) 200mm wide edgelines and continuity lines, and
- (vi) Remarkings of the right turn bay and centrelines.

### **Vehicle Access Layout Plan**

15. Prior to the commencement of the commercial operation of the managed fill activity authorised by this consent, the Consent Holder shall prepare and submit to the Waikato District Council's Senior Land Development Engineer for certification, a Vehicle Access Layout Plan, prepared by a suitably qualified and experienced professional, which identifies the layout plan and swept paths to confirm that the vehicle crossing and internal access roads are sufficient to provide two way operation over a minimum of 60m from the edgeline of the nearest lane on Riverview Road. This plan will also be appended to the Site and Fill Management Plan "SFMP".

### **Site Circulation and Loading Management Plan**

16. Prior to the commencement of the commercial operation of the managed fill activity authorised by this consent, the Consent Holder shall prepare and submit a Site Circulation and Loading Management Plan "SCLMP", prepared by a suitably qualified and experienced professional, to Waikato District Council's Senior Land Development Engineer for certification. This plan will also be appended to the Site and Fill Management Plan "SFMP". The objective of the SCLMP is to demonstrate that the fill operation will be managed to avoid any impacts on Riverview Road such as queuing or parking within the widened shoulders. The SCLMP shall include, but not be limited to the following:
- (a) Demonstrate swept paths of opposing truck manoeuvres through the gate and within the site. This should include vehicle tracking for trucks not traveling over the weighbridge.
  - (b) Demonstrate how inbound trucks will be prioritised at the weighbridge.
  - (c) Identify holding/waiting areas within the site for trucks waiting for the weighbridge.
  - (d) Identify stopping areas within the site for trucks to cover/uncover trailer tarpaulins/load covers.
  - (e) Documenting how truck driver behaviour will be managed to ensure that queuing/waiting does not occur within the Riverview Road shoulders and to direct drivers to appropriate areas within the site.
  - (f) A requirement that removal and replacement of trailer tarpaulins/load covers to be completed within the site.

- (g) Identify triggers/ timing for the installation and implementation of the second weighbridge.

## **Stormwater**

17. At least 20 working days prior to the commencement of activities authorised by this consent, the Consent Holder shall prepare and submit a stormwater assessment to Waikato District Council's Team Leader - Monitoring for certification. This assessment shall be prepared by a suitably qualified and/or experienced stormwater engineer. This assessment shall include:

- (a) A summary catchment analysis showing the hydrological changes from pre, during, and post filling activities. Plans shall be provided that clearly identify existing flow paths, new erosion and sediment control devices including clean water diversions, dirty water diversions and sediment retention ponds ("SRPs") discharge points and the route(s) of new diversions.
- (b) Any new diversions shall be hydraulically sized, the longitudinal slopes clearly identified and details of this and any erosion and scour protection measures provided.
- (c) An evaluation of the receiving environment downstream of the SRP/diversion outlets with respect to scour and erosion risk. A baseline assessment (including walk over) shall be undertaken to determine current watercourse condition and identify locations of existing scour. The extent of the assessment downstream shall be agreed prior with Council and based on the catchment analysis noted under (a).
- (d) Determining the peak flows and total volumes discharged in a 1 in 2 year return period event for pre filling, during, and post filling activity conditions. Climate change increases in rainfall shall be included in design sizing of diversions only and to a time horizon that matches the operational/design life of the diversions. It shall be to Representative Concentration Pathway 6 (RCP6).
- (e) Scour/erosion mitigation measures shall be provided where the peak flow or volume discharged is increased in the 1 in 2 year event such that the pre filling, during, and post filling flow discharge is no greater than existing. Extended detention shall be provided where the volume discharged increases.
- (f) A plan for ongoing, periodic scour/erosion monitoring of all outlets, diverted flow paths and the downstream receiving environment. The plan shall outline the details of potential remedial works options should scour/erosion increase because of the discharges. Records of the monitoring shall be kept for the duration of the consent and be made available for review if requested by Waikato District Council.

### Advice Note:

- The stormwater assessment may be submitted in stages should the activities be staged across sub-catchments or submitted in full to cover the full extent of the works.

- Under point (c), should the changes be shown to be minor then the assessment extent is not expected to be significant and may just be focused on outlet locations and along the diversions.
- A 1 in 2 year event is a representative storm for stream scour conditions. It may be shown that a 1 in 2 yr event overtops the drain; in which case flow in a bankfull condition downstream of each discharge point maybe used. Either scenario maybe used, at the discretion of the Consent Holder.
- The assessment needs to consider not only the change in surface/vegetation cover from pre to post scenario, but also consider the implications of fill compaction on soil permeability (similar to that outlined in WRC's Stormwater Management Guidelines). This impact can be offset by soil rehabilitation on the surface or increases in planting either above or elsewhere in the catchment.
- Design of diversion channels can include scaling of time horizons for climate change e.g. if a diversion drain is only in place for seven years then only 7 years of climate change needs to be allowed for. If the diversion is permanent, then climate change to 2100-2120 needs to be factored in.
- Any roofed areas (such as those covering the acid sulphate treatment pad) will need to be included when calculating peak flow and volumes.
- Should the catchment analysis show impacts to be minor, the ongoing scour monitoring plan may only need to be a simple annual walkover with a memorandum of comparative photos and brief commentary.

## **Ecological Management Plan**

18. Prior to the commencement of works authorised by this consent, the Consent Holder shall prepare and submit an updated Ecological Management Plan "EMP" (originally prepared by Wildlands Ltd and dated May 2020) to Waikato District Council's Team Leader-Monitoring for certification. The update to the EMP shall be prepared by a suitably qualified ecologist and shall include:
- (a) Details of additional mitigation / restoration works to ensure that the effects of all indigenous vegetation (including indigenous induced natural wetland vegetation) removal associated with this activity are offset;
  - (b) Timeframes for implementation of the works within the EMP including fencing, each area of planting and review and reporting requirements. This shall include timing and any staging in relation to the works authorised by this consent;
  - (c) Identification of appropriate methodologies and monitoring procedures to ensure all mitigation measures undertaken are effective;
  - (d) The planting and fencing proposed including the number of plants required;
  - (e) Provision for weed and/or pest control;
  - (f) 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; and
  - (g) A monitoring and reporting programme with a measurable pest animal management target such as <5% monitoring index.



## **Bat Management Plan**

19. Prior to the commencement of works authorised by this consent, the Consent Holder shall submit an updated Bat Management Plan “BMP” (originally prepared by Wildlands Ltd and dated February 2020) prepared by a suitably qualified and experienced ecologist to Waikato District Council's Team Leader-Monitoring for certification. The update to the BMP shall be compliant with the management practice for artificial roost management as outlined in: New Zealand Bat Recovery Group Advice Note – The Use of Artificial Bat Roosts (18/10/2021). In particular this shall:
- (a) Specify that acoustic surveys be conducted in the appropriate season;
  - (b) Require that predator exclusion bands surrounding artificial roosts within the Bat Reserve be inspected annually and adjusted as needed for 15 years;
  - (c) Set out any necessary timing of work in relation to the staging and progression of activity provided for by this consent; and
  - (d) Provide timeframes for implementation of the BMP including timing and any staging in relation to the works authorised by this consent.
20. Prior to the felling on any trees as part of the pre-construction works within FA4, identified roost trees must undergo acoustic monitoring and/or be inspected by an arborist under the supervision of an appropriately qualified ecologist before they are felled. If no bats are detected, felling can commence.

### Advice note:

*A Wildlife Permit may be required from Department of Conservation.*

## **Landscape and Visual Mitigation**

21. Prior to the commencement of works authorised by this consent, the Consent Holder shall submit a Landscape and Visual Mitigation Management Strategy “LVMMS” prepared by a suitably qualified and experienced professional to the Waikato District Council's Team Leader-Monitoring for certification. The LVMMS shall include, but not be limited to the following:
- (a) A plan which identifies the existing vegetation (predominately pine and eucalyptus) to the north east of the Fill Areas which screen the Fill Areas from off-site views along with details to ensure that this vegetation is retained after all filling is completed.

## **Post Construction**

### **Site Rehabilitation**

22. Within 6 months of any decision to cease filling operations of any individual Fill Area, the Consent Holder shall provide for certification a Rehabilitation Management Plan “RMP” to the Waikato District Council’s Team Leader Monitoring. The RMP shall detail rehabilitation objectives, goals and success criteria to be followed and, as a minimum shall include (but not be limited to) the following:
- (a) Configuration of the final Fill Area footprint and its overall shape and form which demonstrates integration with the adjacent natural landform. This shall include confirmation from SQEPs and shall include:
    - (i) An assessment from a Landscape Architect which demonstrates that the landform is shaped to visually integrate with the adjacent natural landform.
  - (b) Reference to and consistency with requirements and outcomes of the Ecological Management Plan “EMP” in Condition 18.
  - (c) Identification of methods to be employed to ensure slope stability and erosion control during plant establishment.
  - (d) Identification of management and restoration procedures to be adopted in the handling and storage of topsoil, subsoil and overburden materials to ensure their continued viability for a growing medium for establishing pasture (or other identified vegetation cover).
  - (e) Identification of contingency measures should planting fail to establish.
  - (f) An indicative maintenance programme.
23. The Consent Holder shall implement the certified RMP under the supervision of persons with appropriate restoration or rehabilitation experience.

### **Geotechnical**

24. All completed works associated with the Fill Areas must be certified by a suitably qualified geotechnical professional that the work has been completed in accordance with the requirements specific to each fill area as specified in the SFMP. Written confirmation shall be provided to Waikato District Council's Team Leader- Monitoring for acknowledgment.
25. Erosion and sediment controls as required by Conditions 7 and 8 shall be maintained and remain in place until the Waikato District Council’s Monitoring Team is satisfied that the risk from erosion and instability has been reduced to a less than minor risk and has provided approval in writing.

## Ongoing Conditions

26. The Consent Holder shall implement the requirements of, and exercise this consent in accordance with the following plans, documents and other associated consents:
- (a) Site Fill and Management Plan certified as per condition 12,
  - (b) Detailed design of the Riverview Road certified as per condition 14,
  - (c) Vehicle Access Layout Plan certified as per condition 15,
  - (d) Site Circulation and Loading Management Plan certified as per condition 16,
  - (e) Stormwater assessment as per condition 17,
  - (f) Ecological Management Plan certified as per condition 18,
  - (g) Bat Management Plan certified as per condition 19, and
  - (h) Landscape and Visual Mitigation Management Strategy certified as per condition 21.

## Hours of Operation

27. The hours of operation for all activities within Fill Areas 2, 3 and 4 shall be limited to:

Monday to Friday (inclusive) 6am to 7pm  
Saturday 6am to 2pm

The site shall not operate on a Sunday or on any public holidays.

## Noise

28. The Consent Holder shall ensure that all activities subject of this consent shall be designed and conducted to ensure that the following noise limits are not exceeded at any point within the notional boundary of any dwelling on another site:
- (a) 50dB LAeq, 7am to 7pm everyday;
  - (b) 45dB LAeq, 7pm to 10pm everyday; and
  - (c) 40dB LAeq, and 65dB LAmax 10pm to 7am the following day.
29. Noise shall be measured in accordance with New Zealand Standard *NZS 6801:2008 Acoustics - Measurement of Environmental Sound* and assessed in accordance with *NZS 6802:2008 – Acoustics - Environmental Noise*.

### Advice Note:

Notional boundary means a line 20 metres from any side of a dwelling, or the legal boundary where this is closer to the dwelling.

30. Within three (3) months of the commercial operation of the managed fill activity commencing, and at any other time when requested by Waikato District Council, the Consent Holder shall engage a suitably qualified acoustic engineer to undertake noise level monitoring from all activities on the site to confirm compliance with Condition 28.

The results of this monitoring shall be reported to the Waikato District Council Monitoring Team Leader within 10 working days of the completion of the monitoring.

31. Where the monitoring of noise levels required by Condition 30 demonstrates a noncompliance with Condition 28, the Consent Holder shall take action within five (5) working days to ensure that compliance is achieved and shall report to the Waikato District Council's Monitoring Team Leader the mitigation actions to be implemented. Following implementation of such mitigation measures a further noise level survey shall be undertaken confirming that compliance with the relevant noise criteria has been achieved, and those results forwarded to the Waikato District Council's Monitoring Team Leader within ten (10) working days of the completion of the monitoring.

## **Transport**

32. Truck movements to and from the site entrance shall be limited to a maximum total of 12 per hour during the morning period between the time of:

- (i) Monday to Friday (inclusive) 5am to 6am

### Advice Note:

- Operating hours and truck movements do not apply when an emergency is declared by the local or regional authority and metal is required as part of a civil defence response.
- This is a maximum at the site vehicle crossing applying to all site activities as a total and includes both inbound and outbound movements.
- The hours of operation noted in this condition apply only to truck movements.

33. The maximum total number of truck movements at the site vehicle crossing shall not exceed 60 vehicles/hour in any one hour.

### Advice note:

This is a maximum at the site vehicle crossing applying to all site activities as a total and includes both inbound and outbound movements.

34. The Consent Holder shall take all practicable steps to ensure debris is not tracked or spilled onto Council roads. This should include maintaining the wheel wash and the sealed pavement areas at the vehicle crossing between the Riverview Road seal edge, the wheel wash and the weighbridge. If debris is tracked or spilled onto Riverview Road or any other road the consent holder shall take all necessary actions to clean any road surface and associated drainage facilities to the satisfaction of Council's Monitoring Officer. The Consent Holder shall maintain a log of road clean-ups undertaken and provide a copy of the log to Council's Monitoring Officer on a 6 monthly basis or on request. The cost of the clean-up of any roadway and associated drainage facilities, together with all temporary traffic control, shall be the responsibility of the consent holder.

Advice Note:

A temporary traffic management plan approved by the relevant Road Controlling Authority (RCA) is required for work on the public roads. The consent holder could seek approval of a generic temporary traffic management plan for operating the road sweeper that is revised on an annual basis, as agreed with Council as Road Controlling Authority.

35. The Consent Holder shall maintain a register of daily truck movements, daily aggregate volume leaving the site and daily cleanfill material entering the site. The register shall contain the following:
- (a) Registration number of vehicle,
  - (b) Time of arrival,
  - (c) Approximate size of the fill load deposited,
  - (d) Source and type of material to be deposited,
  - (e) Comments on whether the material is accepted or not,
  - (f) Comment on whether the truck is backloaded with quarry material,
  - (g) Time of departure, and
  - (h) Approximate size of the backloaded quarry material.
36. The daily incoming and outgoing logs shall be retained on site at all times and made available for Council inspection during working hours. A copy of the logged information shall be forwarded to the Waikato District Council's Monitoring Team Leader on a six (6) monthly basis from the commencement of this consent. The submitted information shall include totals for the number of inbound fill truck movements and total backloads for the six-monthly period.

### **Contaminated Land**

37. At least 20 working days prior to the commencement of activities under this resource consent within FA3, the Consent Holder shall submit to Waikato District Council's Contaminated Land Specialist an updated Contaminated Site Management Plan (CSMP) for certification in writing prior to the commencement of works in FA3. A copy of the certified CSMP shall be provided to the Waikato Regional Council. Any future changes to the CSMP shall be reviewed and certified in writing by the Waikato District Council's Contaminated Land Specialist acting in a technical certification capacity prior to the changes being implemented.
38. Soil disturbance works in FA3 shall be undertaken in accordance with the certified CSMP. The procedures, controls and contingency measures outlined in the CSMP must be implemented for the duration of the soil disturbance works to ensure minimal adverse effects on human health and the environment.
39. All material removed from the site in the course of the soil disturbance works shall be disposed to a suitably licensed facility authorised for receipt of material of that kind.

40. Within three months of soil disturbance works being completed the Consent Holder shall provide a works completion report to Waikato District Council to confirm that the methods outlined in the CSMP were enforced for the period required, and that the measures were successful in ensuring the potential risks were adequately managed. The works completion report shall be completed by a suitably qualified and experienced practitioner and include, but not be limited to:
- (a) Confirmation that the methods described in the CSMP were followed;
  - (b) A summary of the works undertaken including:
    - (i) summary of the earthworks methodology followed;
    - (ii) description of the deposition of soil reused on the site (if any) including location and volume;
    - (iii) volume of soil removed (if any) from the site;
  - (c) Details of all soil samples taken, tabulated analytical results and interpretation of results;
  - (d) Details of any unexpected contamination encountered during the works and actions taken in respect of this; and
  - (e) Copies of disposal receipts for any material removed from the site.

## **Dust**

41. The Consent Holder shall ensure that the site shall be managed in such a way that particulate matter resulting from activities authorised by this consent do not cause an objectionable or offensive effect beyond the boundaries of the site to the satisfaction of Waikato District Council's Team Leader Monitoring.

### Advice Note:

For the purposes of this condition, the Waikato District Council Monitoring Team will consider an effect that is objectionable or offensive to have occurred if any appropriately experienced officer of the Waikato District Council determines so after having regard to:

- (a) The frequency, intensity, duration, location and effect of dust emissions(s); and/or
  - (b) Receipt of complaints from neighbours or the public; and/or
  - (c) Where relevant written advice from an experienced officer of the Waikato Regional Council or the Waikato District Health Board has been received
42. Should an emission of particulate matter occur that has an objectionable or offensive effect, the Consent Holder shall inform the Waikato District Council within 24 hours of the incident and provide a written report to the Waikato District Council within five days of being notified of the incident. The report shall specify:
- (a) The cause or likely cause of the event and any factors that influenced its severity;
  - (b) The nature and timing of any measures implemented by the consent holder to avoid, remedy or mitigate any adverse effects; and
  - (c) The steps to be taken in future to prevent recurrence of similar events.

## **Odour**

43. The Consent Holder shall ensure that the site shall be managed in such a way that activities authorised by this consent do not cause an objectionable or offensive odour effect beyond the boundaries of the site to the satisfaction of Waikato District Council's Team Leader Monitoring.

### Advice Note:

For the purposes of this condition, the Waikato District Council Monitoring Team will consider an effect that is objectionable or offensive to have occurred if any appropriately experienced officer of the Waikato District Council determines so after having regard to:

- (a) The FIDOL factors described within the 'Good Practice Guide for Assessing and Managing Odour' prepared by the Ministry for the Environment; and/or
  - (b) Receipt of complaints from neighbours or the public; and/or
  - (c) Where relevant written advice from an experienced officer of the Waikato Regional Council has been received
44. Should an emission occur that has an objectionable or offensive odour effect, the Consent Holder shall inform the Waikato District Council within 24 hours of the incident and provide a written report to the Waikato District Council within five days of being notified of the incident. The report shall specify:
- (a) The cause or likely cause of the event and any factors that influenced its severity;
  - (b) The nature and timing of any measures implemented by the consent holder to avoid, remedy or mitigate any adverse effects; and
  - (c) The steps to be taken in future to prevent recurrence of similar events.

## **Archaeological**

45. In the event of any archaeological site or waahi tapu being discovered or disturbed while undertaking works to give effect to the conditions of this consent, the works in the area shall cease immediately, and WWT, TKMT, Heritage New Zealand Pouhere Taonga and the Waikato District Council shall be notified within 48 hours.
46. Works may recommence with the written approval of the Waikato District Council. Such approval shall be given after the Waikato District Council has considered:
- (a) Tangata Whenua interests and values particularly those by WWT and TKMT; and
  - (b) The Consent Holder's interests; and
  - (c) Any Heritage New Zealand Pouhere Taonga authorisations; and
  - (d) Any archaeological or scientific evidence.
47. In the event of any human remains or archaeological items being exposed while undertaking works to give effect to conditions of this consent, the Consent Holder shall ensure works in that area cease immediately. The Police, Heritage New Zealand Pouhere Taonga, and

Kaumataua representing WWT and TKMT shall be contacted and work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained.

## Cultural

48. Prior to accepting clean and managed fill to the site, the Consent Holder shall draft a Maatauranga Maaori Environmental Management Plan (“MMEMP”) together with TKMT and WWT, respectively. The MMEMP shall include, but will not be limited to providing:
- (a) For cultural monitoring during consented works; and
  - (b) For input from TKMT and WWT into the Consent Holder’s management plans, assessments of strategies, and associated changes or reviews, including:
    - (i) the Rehabilitation Management Plan;
    - (ii) the Ecological Management Plan;
    - (iii) the Bat Management Plan;
    - (iv) the Stormwater Assessment; and
    - (v) the Landscape and Visual Mitigation Strategy.
  - (c)
  - (d) A process to amend the MMEMP.

*Advice Note: For the avoidance of doubt, there shall be one MMEMP which will either be collaborative between TKMT and WWT OR comprise of two separate sections within the MMEMP, one section drafted with TKMT and one drafted with WWT.*

49. If, within three (3) months of the commencement of this consent, TKMT and/or WWT have not confirmed a MMEMP to be submitted to the Waikato District Council, the Consent Holder may accept clean and managed fill to the site and otherwise undertake all activities authorised by this resource consent. This does not preclude later completion of a MMEMP in accordance with condition 48, and certification under condition 50, to support ongoing operations.

*Note: All preparatory and establishment works as authorised in AUTH144475.01.01, AUTH144475.02.01, AUTH144475.05.01 and AUTH144475.06.01 are not dependent on an MMEMP being confirmed or certified. Acceptance of clean and managed fill to site aligns with the commencement (opening) of commercial operations on site.*

50. The MMEMP shall be certified in writing by the Waikato District Council acting in a technical certification capacity and the Consent Holder shall undertake all activities authorised by this consent in accordance with the MMEMP once it is certified.
51. Any changes proposed to the MMEMP shall be made in accordance with the amendment process identified in the MMEMP, and confirmed in writing by the Consent Holder following consultation with Waikato District Council and the Waikato Regional Council prior



to the implementation of any changes proposed.

Advice Note:

Waikato District Council certification of the MMEMP is to ensure that the intent of Condition 48 has been met and that the content of the MMEMP is consistent with the condition requirements.

### **Complaints Procedure**

52. The Consent Holder shall establish and publicise a local telephone number so that members of the public have a specified and known point of contact to raise any matters of concern that may arise during operation of the managed fill facility.
53. The Consent Holder shall maintain and keep a complaint register for substantiated complaints about the operation of the managed fill facility received by the consent holder in relation to traffic, noise, dust or other environmental effects of the activity. The register shall record, where this information is available, the following:
  - (a) The date, time and duration stated by the complainant as to when the incident (if possible, specify nature of incident e.g. dust nuisance) was detected;
  - (b) The location of the complainant when the incident was detected;
  - (c) The weather conditions and wind direction at the site when the event/incident allegedly occurred;
  - (d) The possible cause of the incident;
  - (e) Any corrective action taken by the Consent Holder in response to the complaint, including time of that corrective action; and
  - (f) Any other relevant information.
54. The complaints register shall be available to the Council at all reasonable times upon request. Complaints received by the Consent Holder that may imply non-compliance with the conditions of this consent shall be forwarded to the Waikato District Council, Team Leader Monitoring within 48 hours of the complaint being received.

### **Review Condition**

55. The Waikato District Council may, by giving notice to the Consent Holder of its intention to do so under section 128 of the Resource Management Act 1991, review any or all of the conditions of this consent six months after the date of the commencement of this consent and at one yearly intervals thereafter for any of the following purposes:
  - (a) To review the effectiveness of the conditions of this consent in avoiding, remedying, or mitigating any adverse effect on the environment that may arise from the exercise of this consent and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions. In particular, adverse effects in relation to:
    - (i) Noise arising from filling activities; and

- (ii) Visual impacts; and
  - (iii) Nuisance dust; and
  - (iv) Hours of operation; and
  - (v) Ecological effects; and
  - (vi) Landscape and amenity effects; and
  - (vii) Cultural effects; and
  - (viii) The performance and success of any rehabilitation.
- (b) To address any adverse effects on the environment which have arisen from the exercise of this consent that were not anticipated at the time of granting this consent, including addressing any issues arising out of complaints.

- (c) To review the adequacy of, and necessity for, any of the monitoring programmes or management plans that are part of the conditions of this consent.
- (d) To require the Consent Holder, if necessary and appropriate, to adopt the best practicable option(s) to avoid, remedy or mitigate any adverse effects on the surrounding environment.

The Council will undertake the review in consultation with the Consent Holder and the Consent Holder shall pay the actual and reasonable costs of the review.

**Annexure B-2 – Agreed WRC conditions – Clean version**

## GLOSSARY OF TERMS

### Organisational Names

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WRC	Waikato Regional Council
WDC	Waikato District Council
TKMT	Te Kauri Marae Trust
WWT	Waahi Whaanui Trust
GMF	Gleeson Managed Fill Ltd
FA2	Fill Area 2
FA3	Fill Area 3
FA4	Fill Area 4
MfE	Ministry for the Environment
IANZ	International Accreditation New Zealand
WasteMINZ	Waste Management Institute New Zealand

### Legislative Terms

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RMA	Resource Management Act 1991
ANZ	Australia / New Zealand Guidelines
NES-CS	Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
HAIL	Hazardous Activities and Industries List

### Management Plans

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SFMP	Site and Fill Management Plan
ESCP	Erosion and Sediment Control Plan
AMP	Adaptive Management Plan
SAP	Sampling and Analysis Plan
CTMP	Chemical Treatment Management Plan
AsbMP	Asbestos Management Plan
AsbAMP	Asbestos Air Monitoring Programme
DMP	Dust Management Plan
CSMP	Contaminated Site Management Plan (FA3)
ASSMP	Acid Sulphate Soils Management Plan
MSMP	Marine Sediments Management Plan
EMP	Ecological Management Plan
BMP	Bat Management Plan
FMP	Fish Management Plan
MMEMP	Maatauranga Maaori Environmental Management Plan
RMP	Rehabilitation Management Plan

### Other Terminology

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WAC	Waste Acceptance Criteria
SPLP	Synthetic Precipitation Leaching Procedure
SQEP	Suitably Qualified and Experienced Practitioner
Ha	Hectares
M <sup>3</sup>	Cubic Meters
M <sup>2</sup>	Square Meters
XRF	X-Ray Fluorescence
TPH	Total Petroleum Hydrocarbons
TBT	Tributyltin
C&D	Construction and Demolition materials
GPS	Global Positioning System
SRP	Sediment Retention Pond
BPO	Best Practicable Outcomes
CLG	Community Liaison Group

**RESOURCE CONSENT  
CERTIFICATE**

**Resource Consent:** AUTH144475.01.01

**File Number:** 61 76 85A

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

Gleeson Managed Fill Limited  
17 Aerovista Place  
Wiri  
Auckland 2104

(hereinafter referred to as the Consent Holder)

**Consent Type:** Land Use Consent

**Consent Subtype:** Land - disturbance

**Activity authorised:** Earthworks and vegetation clearance within high-risk erosion areas associated with the overburden, cleanfill and managed fill disposal Areas 2, 3 and 4 and ancillary activities.

**Location:** Gleeson Quarries, Riverview Rd, Huntly

**Map reference:** NZTM 1790250.1500 E 5837271.0300 N

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 (RMA) and will expire after 35 years.

**Subject to the conditions overleaf:**

## CONDITIONS

1. This consent is subject to compliance with Schedule One – General Conditions.

### Winter Works

2. The earthworks authorised by this resource consent shall not be carried out during the winter period, being 1st May to 30th September inclusive, in any year that this consent is current unless authorised by the Waikato Regional Council.
3. The Consent Holder shall ensure that earthworks and soil disturbance areas (not including Managed Fill disposal areas) 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 managed fill and overburden disposal and any other works necessary to maintain and rehabilitate the site. It does not include managed fill disposal, overburden disposal and handling and recontouring of the managed fill site which is authorised under AUTH144475.02.01 and AUTH144475.03.01*

4. 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 (if works are programmed to start before 1 October) and by 1st April each year thereafter, and shall be in the form of amendments to the approved Erosion and Sediment Control Plan ("**ESCP**") – Schedule One, General Conditions.
5. At least 10 working days prior to the commencement of activities within Fill Area 3 under this resource consent, the Consent Holder shall submit to Waikato Regional Council an updated Contaminated Site Management Plan ("**CSMP**"). Prior to submitting the CSMP to the Waikato Regional Council, the CSMP shall be submitted to the Waikato District Council for certification prior to the commencement of works in FA3. A copy of the certified CSMP shall be provided to the Waikato Regional Council. Any future changes to the CSMP shall be reviewed and certified in writing by the Waikato District Council acting in a technical certification capacity prior to the changes being implemented.

**Advice Note:** *A draft CSMP relating to FA3 only was provided during the application process to both support the regional earthworks application and to the Waikato District Council to support the application for land disturbance works under the NES-CS. The draft CSMP is titled 'Contaminated Site Management Plan, Proposed Huntly Managed Fill*

*- Fill Area 3', prepared by EHS Support, dated 1 September 2021 (WRC doc # 21810518).*

6. All establishment works shall be carried out in accordance with the CSMP.

### **Advice Notes - General**

- In accordance with s.125 RMA, this consent shall lapse 5 years after the date on which it was granted unless it has been given effect to before the end of that period.
- This 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 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 a review and assessment of compliance with the conditions of the consents.
- Note that pursuant to s.332 of the RMA, 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 the Consent Holder intends 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 the Consent Holder the right to continue exercising this consent after it expires in the event that the Consent Holder's application is not processed prior to this consent's expiry.



**RESOURCE CONSENT  
CERTIFICATE**

**Resource Consent:** AUTH144475.02.01

**File Number:** 61 76 85A

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

Gleeson Managed Fill Limited  
17 Aerovista Place  
Wiri  
Auckland 2104

(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 Areas 2, 3 and 4

**Location:** Gleeson Quarries, Riverview Rd, Huntly

**Map reference:** NZTM 1790250.1500 E 5837271.0300 N

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 (RMA) and will expire after 35 years.

**Subject to the conditions overleaf:**

## CONDITIONS

- I. This consent is subject to compliance with Schedule One – General Conditions.

### 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 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 a review and assessment of compliance with the conditions of the consents.
- Note that pursuant to s.332 of the RMA, 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 the Consent Holder intends 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 the Consent Holder the right to continue exercising this consent after it expires in the event that the Consent Holder's application is not processed prior to this consent's expiry.

**RESOURCE CONSENT  
CERTIFICATE**

**Resource Consent:** AUTH144475.03.01

**File Number:** 61 76 85A

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

Gleeson Managed Fill Limited  
17 Aerovista Place  
Wiri  
Auckland 2104

(hereinafter referred to as the Consent Holder)

**Consent Type:** Discharge Permit

**Consent Subtype:** Land - solid waste

**Activity authorised:** To discharge Cleanfill and Managed Fill to Land at Fill Areas 2, 3 and 4

**Location:** Gleeson Quarries, Riverview Rd, Huntly

**Map reference:** NZTM 1790250.1500 E 5837271.0300 N

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 (RMA) and will expire after 35 years.

**Subject to the conditions overleaf:**

## CONDITIONS

1. This consent is subject to compliance with Schedule One – General Conditions.
2. The maximum volume of fill (all types) shall not exceed the volumes and areas set out in the following table:

Fill Area	Size (ha)	Fill Volume (m <sup>3</sup> )
2	4.5	717,000
3	4.34	478,500
4	5.21	800,000
Total	14.05	1,995,500

### Fill Acceptance

3. Managed fill and cleanfill material accepted for disposal pursuant to this consent shall comply with the Fill Acceptance requirements listed in Schedule 3 and Condition 14 (below), being the Waste Acceptance Criteria “WAC” for Contaminant Concentrations.
4. This consent only authorises the disposal of construction and demolition fill that result from site construction and/or demolition activities, providing those wastes are listed as “Acceptable Wastes” in Schedule 3 of this consent.
5. Contaminants not listed in the WAC, but that fall within wastes listed as “Acceptable Wastes” in Schedule 3 of this consent shall undergo Synthetic Precipitation Leaching Procedure “SPLP” testing, requiring that:
  - (a) The SPLP concentration should not exceed 100x the ANZ guideline for 95% protection; and
  - (b) For pesticides for which no ANZ guideline is available, the SPLP concentration should not exceed 20x the Queensland proposed aquatic ecosystem protection guideline values for pesticides (Department of Environment and Science – 2018).
6. At least 20 working days prior to initially accepting material containing any contaminant as described in Condition 5 above, the Consent Holder shall submit to Waikato Regional Council, for approval in a technical certification capacity, a Site and Fill Management Plan “**SFMP**” to be certified in writing by the Waikato Regional Council prior to any such materials being accepted at the fill sites. Changes to the SFMP submitted under this condition shall be reviewed and certified in writing by the Waikato Regional Council prior to the changes being made.

The acceptance and management of any additional acceptable waste containing contaminants not listed in the WAC but complying with conditions

4 and 5 above shall be in general accordance with the relevant certified Management Plan.

7. Fill listed as "Prohibited" in Schedule 3 shall not be accepted.

*Advice Note: The Consent Holder may apply to amend the list of Acceptable Wastes, at any time following the commencement of this consent, pursuant to s127 of the Resource Management Act 1991.*

8. Any soil removed from Fill Area 3 during the construction of the fill area will be tested at a rate of no less than one sample per 500m<sup>3</sup> of material disturbed or at the frequency specified in the Contaminated Site Management Plan "CSMP" (required by AUTH144475.01.01), whichever is more frequent. All excavated fill material shall be disposed of at an appropriate facility.

**Advice Note:** *Construction activities at Fill Area 3 occur on land which is subject to historic imported coal mine overburden deposits listed on the Hazardous Activities and Industries List (HAIL) E7.*

9. All fill acceptance procedures will be undertaken in accordance with the certified Site and Fill Management Plan "SFMP" as required by Schedule One. The purpose of the SFMP is to set out the procedures for meeting the limits and requirements of the consent conditions. If there is conflict between the conditions of consent and the SFMP the conditions of consent shall prevail.

### **Fill Quality**

10. The Consent Holder shall maintain a site logbook (which may be digital or hard copy) to identify all loads entering the site, recording the number of trucks and estimated volume, the source and type of material deposited and the location of deposition. This site log shall be provided to Council annually, by 30 April (for the period 1 April to 31 March), for each year that this consent is exercised, or within 5 working days of any written request to do so.
11. Fill originating from any sites where there is evidence to suggest that an activity outlined on the Ministry for the Environment's Hazardous Activities

and Industries List has been, or is currently being, carried out, shall only be accepted by the Consent Holder:

- (a) Where those sites have been sampled and tested in accordance with Contaminated Land Management Guideline Number 5 – Site Investigation and Analysis of Soils, Ministry for the Environment, Revised 2021 (or any subsequent updates), by a suitably qualified and experienced practitioner; and
  - (b) Where the results of those investigations have been provided to the Consent Holder and reviewed by the Site Manager for compliance with the Waste Acceptance Criteria specified in this resource consent; and
  - (c) Soil Sampling Verification reports shall be retained to be provided upon request to Waikato Regional Council.
12. Random XRF analysis of imported managed fill shall be undertaken upon arrival to site in accordance with the Site and Fill Management Plan.
  13. Random analytical testing of all imported fill material (excluding overburden) shall be undertaken for the chemical parameters listed in Table 1 Condition 14 at a rate of no less than one sample per 500 m<sup>3</sup> of imported fill material.
  14. Analytical Soil Testing Verification records shall be retained to be provided upon request to Waikato Regional Council.

**Advice Note:** *On arrival at site, random analytical testing at a rate of no less than one sample per 500 m<sup>3</sup> is required for all fill (excluding overburden sourced from the adjacent quarry) imported to the site including fill that has been pre-tested. This is to ensure that the lab results are specific to the fill accepted at the site and that testing has been undertaken to the approved protocol and for the full suite of parameters.*

15. The analytical testing shall demonstrate that chemical parameter concentrations in the imported fill are at or below the WAC (Table 1) for the Maximum Waste Acceptance Criteria (> 2 m) (mg/kg); the SPLP Leachability Limits (mg/L); and the Maximum Truckload Fill Concentrations Shallow (<2 m) Cleanfill (mg/kg). All imported fill that exceeds the Shallow Waste Acceptance Criteria shall be placed at a depth greater than 2.0 metres from the identified finished landform levels.

**Table 1. Waste acceptance criteria. "WAC"**

<b>Contaminant Type</b>	<b>Parameter<sup>1</sup></b>	<b>Maximum Waste Acceptance Criteria (&gt; 2 m) (mg/kg)</b>	<b>SPLP Leachability Limits (mg/L)</b>	<b>Maximum Truckload Fill Concentrations Shallow (&lt;2 m) Cleanfill (mg/kg)</b>
<b>Elements</b>	Arsenic	100	-	12
	Boron	45 (260)	2	45
	Cadmium	7.5	-	0.65
	Chromium	400	-	55
	Copper	280 (325)	0.14	45
	Mercury	1.5	-	0.45
	Nickel	65 (320)	1.1	35
	Lead	250(1,000)	0.34	65
	Thallium	23	-	1
	Zinc	400 (2,000)	0.8	180
<b>BTEX Compounds</b>	Benzene	0.2	-	0.0054
	Toluene	1.0	-	1.1
	Ethylbenzene	1.1	-	1.0
	Total xylenes	0.61	-	0.61
<b>Polycyclic Aromatic Hydrocarbons (PAH)</b>	Benzo-a-pyrene (eq)	20	-	0.0054
	Naphthalene	7.2	-	0.013
<b>Total Petroleum Hydrocarbons (TPH)</b>	C <sub>7</sub> -C <sub>9</sub>	120	-	120
	C <sub>10</sub> -C <sub>14</sub>	300 (1,400)	-	58
	C <sub>15</sub> -C <sub>36</sub>	20,000	-	-
<b>Others</b>	DDT and isomers	8.4	-	0.7
	Aldrin	0.7	-	-
	Dieldrin	0.7	-	-
	Tributyltin	6 <sup>2</sup>	0.3 <sup>2</sup>	
<b>Asbestos</b>				

**Notes:**

1. All values in mg/kg unless otherwise stated.
2. For soils or sediments containing tributyltin (TBT) both total and SPLP testing are required, and the test results must meet both criteria before waste can be accepted.

**Advice Note:** Any changes to the Waste Acceptance Criteria will require an application pursuant to s127 RMA.

**Advice Note:** For concentrations of boron above 45 mg/kg, copper above 280 mg/kg, lead above 250 mg/kg, nickel above 65 mg/kg and zinc above 400 mg/kg in fill materials will require Synthetic Precipitation Leaching Procedure (SPLP) testing to be carried out on the fill materials prior to acceptance into the landfill, to demonstrate that elevated concentrations of these elements will not mobilise under conditions likely to be present in the fill area. The in-brackets value is the maximum concentration that can be accepted if SPLP results are satisfactory.

16. The Consent Holder shall engage an independent, suitably qualified and experienced person to undertake a technical review and written report assessing the Consent Holder's level of compliance with the conditions of this resource consent. The report shall be provided to the Waikato Regional Council by 30 April on an annual basis and shall be provided to the Waikato Regional Council at the same time as it is provided to the Consent Holder. The report shall include:
- (a) An assessment of the Consent Holder's compliance with the conditions of this resource consent; and
  - (b) An assessment of the accuracy of the fill testing frequency and compliance with the maximum Waste Acceptance Criteria; and
  - (c) The results of testing of the fill material; and
  - (d) A compilation of all water sampling results for the previous 12-month period and assessment of compliance with the water quality conditions of resource consent AUTH144475.04.01; and
  - (e) Any recommendations to address any identified issues of non-compliance with this consent.
17. All material deposited at the site shall, subject to also meeting the Waste Acceptance Criteria, be restricted to:
- (a) materials such as clay, soil and rock and other inert materials such as concrete, brick or demolition materials which are free of combustible materials and are not subject to biological or chemical break down
  - (b) inert construction and demolition (C&D) materials including glass and rock fibres and less than 5% timber. Soil and C&D materials can contain minor amounts of electrical wiring, plastics and plasterboard as an acceptable material (less than 0.5% of the waste matrix);
  - (c) asbestos containing materials in accordance with the Asbestos Management Plan "AsbMP"
  - (d) No prohibited material outlined within Schedule 3 and the Site and Fill Management Plan "SFMP" shall be accepted into the managed fill
  - (e) Fill accepted shall not exceed pH 10
18. Material deposition authorised by this consent shall be as appended in Schedule 3 to these conditions.



19. All fill loads shall be inspected before being deposited on site. The load shall be exposed, and spotters or plant operators fully trained in inspection and rejection procedures shall be used to verify the deposited material meets the acceptance criteria as set out in the most recently certified SFMP.
20. If a spotter or plant operator identifies a load that is clearly non-compliant in terms of vegetative composition, foreign material composition, coloured liquids, or strong odour, the material shall not be accepted to site until evidence of compliance is achieved.
21. After being accepted to site, if any imported fill is found to exceed the relevant specified WAC, it shall be removed to a suitably consented off-site disposal facility within two weeks of receiving laboratory test results confirming unacceptability.
22. A Suitably Qualified and Experienced Practitioner "SQEP" shall be at the active fill area no less than two separate days per year to audit the fill acceptance practices on site. The SQEP shall supervise the collection of samples and shall have the samples tested by an accredited laboratory for the following analytes:
  - a) Total Recoverable Arsenic
  - b) Total Recoverable Boron
  - c) Total Recoverable Cadmium
  - d) Total Recoverable Chromium
  - e) Total Recoverable Copper
  - f) Total Recoverable Lead
  - g) Total Recoverable Zinc
  - h) TPH
  - i) BTEX
23. The sampling results shall be provided to the Waikato Regional Council within 5 working days of the results becoming available.

**Advice Note:** *Guidance on the interpretation of a suitably qualified and experienced practitioner is provided in the Ministry for the Environment's Users' Guide – National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health, April 2012.*

24. The full loads of imported fill subject to sampling, both the routine 500m<sup>3</sup> random load sampling and the twice yearly SQEP random load sampling, shall be quarantined in accordance with the SFMP procedures and only deposited at the fill sites after test results confirm the fill does not exceed the Waste Acceptance Criteria.
25. The Consent Holder shall engage a SQEP to undertake 'end-of-life' composite sampling of each fill site, which will include both the top two (2) metre cleanfill layer and the below two (2) metre managed fill prior to closure works

and aftercare of the respective site to confirm the fill site complies with the Waste Acceptance Criteria as relevant to its intended end use. The samples shall be analysed by an accredited laboratory for the full suite of contaminants listed in Condition 22 and the test results shall be provided to the Waikato Regional Council within five working days of the results becoming available.

### **Asbestos Management and Monitoring**

26. At least 20 working days prior to initially accepting asbestos containing materials, the Consent Holder shall submit to Waikato Regional Council, for approval in a technical certification capacity, an updated Asbestos Management Plan "AsbMP" which includes an Asbestos Air Monitoring programme "AsbAMP". The AsbMP shall be certified in writing by the Waikato Regional Council prior to asbestos containing materials being accepted at the fill sites. Any changes to the AsbMP shall be reviewed and certified in writing by the Waikato Regional Council prior to the changes being made.
27. The acceptance, management and containment of asbestos at the site shall be in general accordance with the certified Asbestos Management Plan.
28. All asbestos waste and/or asbestos contaminated fill material disposed of at the site shall be disposed of in accordance with the conditions below.
29. No asbestos waste or asbestos contaminated fill material shall be disposed of within the top two (2) metres of the final contours of the site.
30. All asbestos contaminated fill material shall be received in a covered truck or skip.
31. A water cart shall be utilised to ensure that prior to disposal, loads containing asbestos contaminated fill material are dampened to avoid the discharge to air of asbestos fibres during handling.
32. The dampened asbestos water and/or asbestos contaminated fill material shall be deposited in an excavated hole suitably large enough to contain the material and shall be capped immediately to a minimum depth of 0.2 metre using locally sourced fill material and covered as per the AsbMP.
33. Care shall be taken to ensure that the wrapping or containerisation of any received asbestos waste is not damaged during handling and disposal.

34. A hand-held GPS system shall be utilised to log the location and level of the asbestos disposal area within the filling operation.
35. A record shall be kept of the volume, location and level of all asbestos waste and/or asbestos contaminated fill material disposed of at the site and made available to Waikato Regional Council on request and reported on annually (before 31 May).
36. Asbestos air monitoring shall be undertaken in general accordance with the certified Asbestos Air Monitoring Programme.

#### **Monitoring, sampling and testing**

37. All operational activities relating to cleanfill, managed fill, sediment and water quality shall be overseen by a SQEP.
38. Records of sampling and testing, analytical results, and any consequential actions must be kept by the Site Manager and made available to Waikato Regional Council upon request.
39. Subject to compliance with the conditions of this consent, all monitoring of surface water, subsoil drainage and sediment discharges from the site is to be undertaken in accordance with the Site and Fill Management Plan "SFMP" and surface water Sampling and Analysis Plan "SAP", as specified in Schedule One – General Conditions and the conditions of resource consent AUTH 144475.04.01, until such time as the fill activities on site have ceased and the site has been rehabilitated.

#### **Sediment Retention Pond "SRP" Sampling**

40. Representative sampling of the accumulated sediment within the sediment ponds shall be undertaken prior to disposal during regular maintenance and prior to the decommissioning of a pond.
41. Samples collected from the sediment in the sediment ponds shall be tested at an IANZ accredited laboratory. Only sediment that meets the Waste Acceptance Criteria may be disposed of within the site.

#### **Site Security**

42. The Consent Holder shall ensure that appropriate site security is maintained at all times to ensure that no dumping of unauthorised material occurs.

## Closure of Fill Site

43. The final land shape and capping of the managed fill will be determined by engineering design and the proposed end use of the site. The fill sites shall undergo closure works and aftercare in accordance with the most up to date technical publication endorsed by Ministry of Environment for Cleanfill and Managed Fill sites. The cover and revegetation should promote sound land management and conservation, prevent hazards and protect amenity. The final cover/capping details will be determined as part of the engineered fill requirements and included in the Rehabilitation Management Plan "RMP" (Schedule One – General Conditions) for certification by the Waikato Regional Council. The determination of the closure and cover requirements will demonstrate consistency with permitted land-use activities in the Waikato District Plan and consider the following technical publication (or any subsequent update):

- *Technical Guidelines for Disposal to Land, Waste Management Institute New Zealand (WasteMINZ), October 2022*

## Groundwater

44. The Consent Holder shall engage a groundwater specialist to undertake a hydrogeological investigation in FA2 prior to works commencing in FA2. These investigations will include (but not be limited to) the following methodologies:

- (a) Install three (3) bores to measure shallow groundwater depths/levels (if encountered); and
- (b) If shallow groundwater is encountered, carry out field permeability tests; and
- (c) Assess the hydraulic gradient, continuity, and inflow of the shallow groundwater (if encountered); and
- (d) Provide a technical memo and recommendations to WRC.

45. In addition to condition 44 above, should a shallow aquifer or continuous zone of saturation be identified during construction of FA2 which is vulnerable to leachate from the imported fill, drainage shall be installed to divert and discharge this water before filling commences, or an alternative option for managing effects on groundwater shall be submitted to WRC for approval in a technical certification capacity prior to implementation of that option.

## **Acid Sulphate Soils (ASS)**

46. At least 20 working days prior to initially accepting material containing acid sulphate soils, the Consent Holder shall submit to Waikato Regional Council, for approval in a technical certification capacity, an Acid Sulphate Soils Management Plan "ASSMP". Any changes to the ASSMP shall be reviewed and certified in writing by the Waikato Regional Council prior to the changes being adopted on site.
47. All acid sulphate soils shall be tested and treated in accordance with the ASSMP before being deposited into Fill Areas 2, 3 and 4.

## **Marine Sediments**

48. At least 20 working days prior to initially accepting material containing marine sediments, the Consent Holder shall submit to Waikato Regional Council, for approval in a technical certification capacity, a Marine Sediments Management Plan "MSMP" to be certified in writing by the Waikato Regional Council prior to any such materials being accepted at the fill sites. The MSMP shall include but not be limited to, the following:
  - (a) pre-delivery dewatering methodology;
  - (b) sampling methodology;
  - (c) a list of relevant contaminants for laboratory analysis; and
  - (d) treatment methodology.
49. Any changes to the MSMP shall be reviewed and certified in writing by the Waikato Regional Council prior to the changes being made.
50. All marine sediments shall be sampled and analysed by an accredited laboratory for the relevant suite of contaminants (including acid sulphate analysis) and treated in accordance with the Marine Sediment Management Plan "MSMP" before being deposited into Fill Areas 2, 3 and 4. All marine sediments received will need to meet the Waste Acceptance Criteria (WAC) for the site before being accepted by the site.

## Advice Notes - General

- In accordance with section 125 RMA, this consent shall lapse 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 inspections 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 a review and assessment of compliance with the conditions of the 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 the Consent Holder 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 the Consent Holder the right to continue exercising this consent after it expires in the event that the Consent Holder's application is not processed prior to this consent's expiry.

**RESOURCE CONSENT  
CERTIFICATE**

**Resource Consent:** AUTH144475.04.01

**File Number:** 61 76 85A

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

Gleeson Managed Fill Limited  
17 Aerovista Place  
Wiri  
Auckland 2104

(hereinafter referred to as the Consent Holder)

**Consent Type:** Discharge permit

**Consent Subtype:** Water - stormwater

**Activity authorised:** To discharge stormwater and treated water in association with Fill Area's 2, 3 and 4

**Location:** Gleeson Quarries, Riverview Rd, Huntly

**Map reference:** NZTM 1790250.1500 E 5837271.0300 N

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 (RMA) and will expire in 35 years.

**Subject to the conditions overleaf:**

## CONDITIONS

1. This consent is subject to compliance with Schedule One – General Conditions.
2. Prior to the commencement of any stormwater discharge to the receiving environment, the discharge contaminant criteria and receiving water trigger limits for each of the contaminants listed in Condition 7 shall be set out within an updated Sampling and Analysis Plan "SAP" and must be consistent with the discharge contaminant criteria and receiving water criteria specified in Schedule 4 to this resource consent. The SAP shall be provided to Council within 20 working days from the completion of testing. The discharge of stormwater shall only commence after the Waikato Regional Council has reviewed and given written certification of the SAP.
3. The pH of any discharge from sediment retention devices to any watercourse must not be less than 5.5 or greater than 9.
4. Sediment retention ponds "SRPs" must be designed and operated to achieve the following performance targets:
  - a) Greater than 90% average treatment efficiency across a rainfall trigger event based on inflow and outflow turbidity monitoring; and
  - b) Discharge clarity of greater than 100mm measured by black disc.
5. To demonstrate compliance with Conditions 3 and 4, the Consent Holder shall:
  - (a) install and operate automated continuous turbidity samplers at the inlet and outlet of each operational sediment retention pond; and
  - (b) undertake site monitoring of each operation fill site and manually record pH, turbidity and clarity of the inlet and outlet flows of each operational sediment retention pond in response to the following rainfall trigger events:
    - (i)  $\geq 15$ mm in one hour
    - (ii)  $\geq 25$ mm in any 24-hour period; and
  - (c) meet all other requirements of the Adaptive Management Plan "AMP" required by Condition 14.
6. In addition to the above, surface water samples shall be collected from the discharge points at the end of the treatment system (DS1, DS3 and DS5) 5 times per year, and from the downstream sampling points (DS2 and DS5) identified in the SAP on a two-monthly basis, excepting times when there are no discharges, until such time as the fill activities on site have ceased and the site has undergone closure and afterworks.



7. Surface water samples shall be submitted to an accredited laboratory for analysis of the following contaminants:
  - (a) Dissolved Aluminium (20 MWCO filter); and
  - (b) Dissolved Arsenic; and
  - (c) Dissolved Boron; and
  - (d) Dissolved Cadmium; and
  - (e) Dissolved Chromium; and
  - (f) Dissolved Copper; and
  - (g) Dissolved Lead; and
  - (h) Dissolved Nickel;
  - (i) Dissolved Thallium;
  - (j) Dissolved Zinc; and
  - (k) Total petroleum hydrocarbons (TPH).
8. Flowrates will also be measured and recorded at the time that samples are collected.
9. Within 5 working days of the receipt of water sampling results, the Consent Holder shall ensure that all results of the analysis along with Flowrates are forwarded to Waikato Regional Council.
10. In the event that any result for a contaminant (dissolved fraction in Condition 7) exceeds the water quality criteria as specified in Schedule Four or the certified SAP:
  - (a) the Consent Holder shall engage a suitably qualified and experienced practitioner "SQEP" to undertake verification sampling of deposited fill at the fill site; and the following contingency measures shall be undertaken:
    - (i) Repeat monitoring within a 10-working day period or the next stormwater run-off event. If water quality is within the trigger levels continue routine compliance monitoring frequency; and
    - (ii) If repeat monitoring confirms trigger level exceedance(s), then a review of the Erosion and Sediment Control Plan "ESCP" and Site and Fill Management Plan "SFMP" shall be undertaken by a SQEP to determine what corrective actions need to be applied to avoid further trigger level exceedance(s). The outcomes of this review shall be provided to Waikato Regional Council.

### **Chemical Treatment Management Plan**

11. At least 20 working days prior to the commencement of activities under this resource consent the Consent Holder shall provide the Waikato Regional Council with a draft Chemical Treatment Management Plan "CTMP". The CTMP shall be submitted to the Waikato Regional Council, acting in a technical certification capacity, for approval in writing. The CTMP shall include, as a minimum:

- (a) An analysis identifying which devices require flocculation this analysis taking into account:
    - (i) The soil's reactivity to flocculants based on soil tests; and
    - (ii) The size of the contributing catchment that the pond is treating; and
    - (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) and maintenance (including post storm) procedures
  - (d) A record system, containing:
    - (i) Details of optimum dosage (including assumptions); and
    - (ii) Results of any initial flocculation trial; and
    - (iii) A spill contingency plan; and
    - (iv) Contact details of the person responsible for the operation and maintenance of the flocculation; and
    - (v) Treatment systems; and
    - (vi) The organisational structure to which this person shall report.
12. 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 the proposed changes.
13. Unless site specific analysis provides evidence to the contrary, all sediment retention ponds shall be chemically treated in accordance with the CTMP.

#### **Surface Water Quality - Sampling and Analysis Plan (SAP)**

14. At least 20 working days prior to the importation of cleanfill and managed fill to the site, the Consent Holder shall submit to Waikato Regional Council, for approval in a technical certification capacity, an updated Sampling and Analysis Plan "SAP". The SAP shall include:
- (a) A plan that identifies the locations of water sampling points; and
  - (b) Details of how the sub-soil drainage water will be stored, tested, treated and disposed of; and
  - (c) A table of the contaminants the water samples will be tested for and the respective maximum concentration limits for each contaminant. The table will as a minimum include the contaminants listed in Condition 7; and
  - (d) The water testing regime and sampling frequency which will be no less than as prescribed in the conditions of this consent; and
  - (e) The identified process and timeline from collecting the samples through to laboratory analysis; and

- (f) Contingency measures in the event of water quality criteria exceedances.
  - (g) Reporting requirements, including frequency.
15. Any changes to the SAP shall be reviewed and certified in writing by the Waikato Regional Council prior to the changes being made.
16. The SAP shall be updated on an annual basis by a SQEP to ensure the plan is up to date and consistent with any changes in legislation and guidelines.

**Advice Note:** *An additional resource consent for water take could be required prior to the storage and disposal of the subsoil drainage water.*

### **Adaptive Management Plan**

17. At least 20 working days prior to the commencement of filling, an updated Adaptive Management Plan "AMP" shall be submitted to the Waikato Regional Council for written approval in a technical certification capacity. The objective of the AMP is to provide a process to ensure that the downstream effects of the filling activities remain within the range assessed as acceptable under this consent. It will provide procedures for monitoring of the site and the downstream receiving environment that is additional to the day-to-day monitoring of erosion and sediment control measures necessary to ensure compliance with this consent and Schedule One.
18. The updated AMP shall include, but not be limited to, the following:
- (a) Methodology to monitor and quantify the efficiency of sediment retention ponds.
  - (b) The Methodology used for monitoring of water quality and stream health at locations downstream of each sediment retention pond (and upstream where achievable) including a plan and aerial imagery showing the monitoring locations.
  - (c) Trigger rainfall events of 15mm/hr and 25mm/24 hours for site monitoring (in addition to day-to-day erosion and sediment control device monitoring and maintenance).
  - (d) A monitoring and contingency response programme to be implemented in response to rainfall trigger events (as defined in c), including response thresholds for turbidity (90% sediment retention pond efficiency), clarity (100mm) and pH (5.5 to 9.0).
  - (e) Realtime, continuous automated turbidity monitoring of the inflow and outflow of sediment retention ponds, and continuous automated monitoring of outflow discharge water volumes of sediment retention ponds.
  - (f) Trigger event-based recording of turbidity and pH for the duration of the consent.
  - (g) Trigger event-based sampling of inflows and outflows and analysis for turbidity, and pH for the duration of the consent.
  - (h) Event based inspection and sampling of the immediate receiving environment.

- (i) Details of the person or bodies that will hold responsibility for the on-site implementation of the AMP.
  - (j) Procedures and timeframes for reporting the monitoring results to the Waikato Regional Council.
  - (k) Criteria for the discharge from the site which is consistent with the conditions of this resource consent, including trigger levels, as well as a management programme and mitigation/compensation actions which outline the response if discharge criteria are exceeded.
  - (l) Quarterly biological monitoring of macroinvertebrate indicators at downstream sampling locations.
  - (m) Visual monitoring of the intermittent stream below Fill Area 2 for scour/erosion.
  - (n) Visual monitoring of the reaches of the intermittent stream below Fill Areas 3 and 4 that are located within the Consent Holder's property for scour/erosion.
  - (o) Responses if stream channel erosion is identified that is attributable to the operation of a fill site.
19. Any proposed revisions of the AMP must be submitted the Waikato Regional Council, acting in a technical certification capacity, for certification prior to formalising and implementing the revised AMP.
20. If a SQEP representing Waikato Regional Council considers changes are required to be made to the AMP as identified within the site reporting, the Waikato Regional Council may request that the AMP be updated to address these matters. If a request is made, the revised AMP shall be submitted to the Waikato Regional Council for certification, who will be acting in a technical certification capacity, within five working days of the request for written approval prior to implementation.

**Advice Note:** *The AMP is a live document and updates are expected to address any unforeseen circumstances or changes in the earthworks and filling methodology as the site responds through its adaptive monitoring regime to ensure the potential for sediment discharges are minimised.*

21. The Consent Holder shall make available all monitoring results and data required by the AMP upon the request of the Waikato Regional Council.

### **Subsoil Drainage Water – Fill Area 3**

22. Water discharged from the sub-soil drains in FA3 will be sampled and tested for pH, boron, copper, lead and zinc. If the results exceed the Level 1 criteria (relevant to a minimum pond volume of 470 m<sup>3</sup> and maximum discharge volume of 30 m<sup>3</sup>) or Level 2 criteria (relevant to a minimum pond volume of 750 m<sup>3</sup> and maximum discharge volume of 30 m<sup>3</sup>) then the water will be either treated on-site to meet these criteria or removed off-site for disposal.

Parameter	Trigger Values (mg/L)	
	Level 1 Criteria	Level 2 Criteria
Total boron	1.0	5.0
Total copper	0.5	1.25
Total lead	0.1	0.25
Total zinc	0.1	1.55
pH	6-9	6-9

**Advice Note:** The Consent Holder may utilise a benchtop spectrophotometer (as defined in the SAP) to use ultra-violet to visible light to quickly measure the concentration of metals etc to determine if subsoil drainage water is of acceptable quality to be either treated within the stormwater retention pond, used on-site for dust suppression, further treated on site before discharge, or removed for disposal.

#### **Down Gradient Municipal Drinking Water Supply**

23. If an event of the type described below occurs, the Consent Holder shall notify, as soon as reasonably practicable, the Waikato District Council, Te Kauri Marae Trust and Waahi Whaanui Trust, , the Resource Use Directorate of the Waikato Regional Council and Waikato Regional Council, advising the nature of the event and the nature of the potential significant adverse effect on water quality that may result. The types of events subject to this condition are:
- (a) those arising directly from the activity itself, for example, spillage of chemicals/contaminants and uncontrolled sediment laden water discharging from the site.
  - (b) those arising because of any other event, for example, unusually heavy rainfall resulting in poor quality water that does not meet the consented acceptance criteria for contaminants discharging from the site.
24. The surface water testing and sampling frequency specified in this resource consent shall be undertaken for at least the duration of each active fill site. On capping and closure of each fill site, the consent holder may apply to the Waikato Regional Council by way of an update to the SAP to reduce the water sampling programme frequency to no less than six monthly for the duration of the consents and until such time as it is deemed that resource consent is no longer required for the fill site discharges, that the discharges meet the permitted activity standards.

## **Advice Notes - General**

- In accordance with s.125 RMA, this consent shall lapse 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 inspections 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 a review and assessment of compliance with the conditions of the consents.
- Note that pursuant to s.332 of the RMA, 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 the Consent Holder 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 the Consent Holder the right to continue exercising this consent after it expires in the event that the Consent Holder's application is not processed prior to this consent's expiry.

**RESOURCE CONSENT  
CERTIFICATE**

**Resource Consent:** AUTH144475.05.01

**File Number:** 61 76 85A

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

Gleeson Managed Fill Limited  
17 Aerovista Place  
Wiri  
Auckland 2104

(hereinafter referred to as the Consent Holder)

**Consent Type:** Water Permit

**Consent Subtype:** Take and divert

**Activity authorised:** To take and divert groundwater and divert stormwater all in association with Fill Areas 2, 3 and 4

**Location:** Gleeson Quarries, Riverview Rd, Huntly

**Map reference:** NZTM 1790250.1500 E 5837271.0300 N

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 (RMA) and will expire in 35 years.

**Subject to the conditions overleaf:**

## **CONDITIONS**

1. This consent is subject to compliance with Schedule One – General Conditions.
2. Any water take authorised by this resource consent shall be a zero net take or comply with permitted activity standards and rules in the latest operative version of the Waikato Regional Plan.
3. The activities authorised by this consent shall at all times comply with the standards of resource consent AUTH144475.04.01 which authorises discharges from the site.
4. The Consent Holder shall ensure diversion of clean water shall be in accordance with the ESCP as required by Schedule One – General Conditions.
5. 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).
6. The Consent Holder shall control and divert stormwater which is not affected by filling activities away from areas disturbed by filling activities.
7. The Consent Holder shall ensure that any water diversions authorised by this consent are carried out in a manner that minimises erosion.
8. The Consent Holder shall ensure that scour protection is constructed in any outlet structures.
9. The Consent Holder shall ensure that any water diversion channels are maintained in good working order and are kept clear of obstructions at all times.
10. 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 20 millimetres within the preceding 24-hour period. A record shall be maintained of the date, time and any maintenance undertaken in association with this condition and this record shall be forwarded to the Waikato Regional Council upon request.



## **Advice Notes - General**

- In accordance with s.125 RMA, this consent shall lapse 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 a review and assessment of compliance with the conditions of the consents.
- Note that pursuant to s.332 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 the Consent Holder intends 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 the Consent Holder the right to continue exercising this consent after it expires in the event that the Consent Holder's application is not processed prior to this consent's expiry.

**RESOURCE CONSENT  
CERTIFICATE**

**Resource Consent:** AUTH144475.06.01

**File Number:** 61 76 85A

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

Gleeson Managed Fill Limited  
17 Aerovista Place  
Wiri  
Auckland 2104

(hereinafter referred to as the Consent Holder)

**Consent Type:** Water Permit

**Consent Subtype:** Diversion

**Activity authorised:** To undertake stream diversions, reclamation of streams and associated bed disturbance in association with filling Areas 2, 3 and 4.

**Location:** Gleeson Quarries, Riverview Rd, Huntly

**Map reference:** NZTM 1790250.1500 E 5837271.0300 N

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 (RMA) and will expire after 35 years

**Subject to the conditions overleaf:**

## **CONDITIONS**

1. This consent is subject to compliance with Schedule One – General Conditions.
2. The infilling and disturbance of any artificial wetland and natural stream within the fill footprints is to occur gradually from the top of the gully systems (if applicable) to enable fish to move downstream naturally, and to minimise the fish capture and translocation activities required.
3. All works authorised by this resource consent shall be undertaken in accordance with the approved Ecological Management Plan “EMP” and Fish Management Plan “FMP” (Schedule One, General Conditions).
4. On completion of each fill site the ‘end of life’ SRP below each fill site will be enhanced and converted to an offset wetland comprising indigenous vegetation and open water, representative of the indigenous vegetation and open water communities of the infilled wetlands within each fill area.

### **Advice Notes - General**

- In accordance with s.125 RMA, this consent shall lapse 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 a review and assessment of compliance with the conditions of the consents.

- Note that pursuant to s.332 of the RMA, 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 the Consent Holder 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 the Consent Holder the right to continue exercising this consent after it expires in the event that the Consent Holder's application is not processed prior to this consent's expiry.

**RESOURCE CONSENT  
CERTIFICATE**

**Resource Consent:** AUTH144475.07.01

**File Number:** 61 76 85A

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

Gleeson Managed Fill Limited  
17 Aerovista Place  
Wiri  
Auckland 2104

(hereinafter referred to as the Consent Holder)

**Consent Type:** Discharge Permit

**Consent Subtype:** Land - stormwater

**Activity authorised:** To discharge treated stormwater to land and/or water within 100 metres of a natural induced wetland

**Location:** Gleeson Quarries, Riverview Rd, Huntly

**Map reference:** NZTM 1790250.1500 E 5837271.0300 N

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 (RMA) and will expire after 35 years.

**Subject to the conditions overleaf:**

## CONDITIONS

1. This consent is subject to compliance with Schedule One – General Conditions and AUTH144475.04.01.
2. The bed profile and hydrological regime of identified natural wetlands shall remain in original or improved condition and not be degraded by the activities authorised under this resource consent. To verify compliance with this requirement, the Consent Holder shall maintain a record by taking photographs of any natural induced wetland within 100 metres of any groundwater or stormwater discharge point prior to the commencement of activities under this resource consent and on an annual basis thereafter for the duration of the resource consent. The consent holder shall provide the photographs to the Waikato Regional Council on an annual basis as part of the Annual Compliance Report, Condition 65, Schedule One – General Conditions.

## SCHEDULE ONE – GENERAL CONDITIONS

The granting of resource consent numbers AUTH144475.01.01, AUTH144475.02.01, AUTH144475.03.01, AUTH144475.04.01, AUTH144475.05.01, AUTH144475.06.01 and AUTH144475.07.01 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.

- I. 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 being the updated Assessment of Environmental Effects ("AEE"), version dated 12 July 2022, prepared by Paua Planning (WRC doc 24343573) and all associated appendices.

### **Pre-Start**

2. The Consent Holder shall appoint a representative(s) prior to the exercise of this resource consent who shall be the Waikato Regional Council's, Waahi Whaanui Trust's "WWT" and Te Kauri Marae Trust's "TKMT" principal contact person(s) in regard to matters relating to this resource consent. The Consent Holder shall inform the Waikato Regional Council, Waikato-Tainui, WWT and TKMT of the representative's name and how they can be contacted, prior to this resource consent being exercised. Should that person(s) change during the term of this resource consent, the Consent Holder shall immediately inform the Waikato Regional Council and shall also give written notice to the Waikato Regional Council, Waikato-Tainui, WWT and TKMT of the new representative's name and how they can be contacted.
3. Prior to exercising this consent, 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 Waikato Regional Council. The monitoring team shall comprise of SQEPs and will be available to meet with the Waikato Regional Council monitoring personnel at agreed intervals, to review monitoring and compliance issues. The objectives of the monitoring team are to:
  - (a) Oversee the implementation of all Management Plans and conditions required by these consents; and
  - (b) Undertake or oversee changes and updates to Management Plans to reflect best practicable outcomes "BPO"; and
  - (c) Undertake or commission reports, memos or correspondence with Waikato Regional Council as required; and
  - (d) Ensure records of the managed fill operation are robust and comply with condition and management plan requirements; and
  - (e) Must include an erosion and sediment SQEP.

4. The Consent Holder shall notify WWT and TKMT in writing at least 10 working days prior to any soil disturbance occurring and invite WWT and TKMT to act as cultural monitors to observe all topsoil removal at the site on an ongoing basis as each stage of works progresses.
5. The Consent Holder shall arrange and conduct a pre-construction site meeting and invite, with a minimum of 20 working days' notice, the Waikato Regional Council, WWT, TKMT, the site representative(s) nominated under Conditions 2 and 3, the contractor, and any other party representing the Consent Holder prior to any work authorised by this consent commencing on site.
6. All management plans submitted to council for certification shall be reviewed by Council's SQEP and certification provided to the Consent Holder within ten (10) working days. Any minor changes to the MSMP shall be reviewed and certified in writing by the Waikato Regional Council within five (5) working days of being submitted to Council.

#### **Fill Stability**

7. The separation distance between the edge/toe of Fill Area 3 and the northern most property boundary shall be no less than 28 metres.
8. The Consent Holder shall engage a Chartered Professional Engineer who specialises in geotechnical engineering, or a Professional Engineering Ecologist ("geo-professional") to inspect the active 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 consents. Annual fill stability reporting on the active fill site shall be undertaken by the nominated geo-professional until completion with final completion reports provided for rehabilitated sites. Annual reporting shall include recommendations to identify and address any issues found.
9. 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.
10. Any fill material must be placed to minimise the risk of land instability. In the event of land instability occurring during construction, fill placement shall immediately cease (with the exception of emergency works to stabilise instability), and the supervising geo-professional shall assess the instability and provide written design recommendations to mitigate the instability. Fill placement shall not resume until directed by the geo-professional.
11. The consent holder shall notify Waikato Regional Council, TKMT and WWT of any land instability events within 24 hours of them occurring, and the Consent Holder shall provide written reports prepared by the supervising geo-professional relating to any instability events to Waikato Regional Council, TKMT and WWT within 7 days of receipt of those reports.



12. The fill site design, construction and fill placement are to follow geotechnical best practice and be in general accordance with the following documents:
  - (a) 74-GQ-01 (Huntly Quarry Disposal Sites – Fill Site 3 – Geotechnical Design Report Rev A), prepared by GAIA Engineers Limited, dated July 2021;
  - (b) 23-GQ-01 (Huntly Quarry Disposal Sites – Fill Site 2- Geotechnical Design Report Rev B), prepared by GAIA Engineers Limited, dated April 2020; and
  - (c) A geotechnical design report is to be prepared for Fill Site 4 as required by Condition 15 below.
  
13. Geotechnical site inspections shall be as per the construction specifications included in reports set out in Condition 12 (a)-(c) above which must include the noted hold points and inspection requirements. Inspection frequency shall be determined by the stage of construction and corresponding nature of earthworks, but shall be no less than annually, and the supervising geotechnical engineer shall provide a written report to Waikato Regional Council on adherence with recommendations in the Gaia Engineers design reports referenced above and with any subsequent Geotechnical recommendations.
  
14. The supervising geotechnical engineer shall review the results of the testing and technical monitoring carried out in accordance with the recommendations and construction specification outlined in the Gaia Engineers Ltd. design reports set out in Condition 12 (a)-(c) above. Monitoring and testing include displacement monitoring and fill compaction and construction monitoring. Monitoring results are to be made available to Waikato Regional Council upon written request.
  
15. Prior to the commencement of any works associated with the construction of Fill Site 4 a geotechnical design report, prepared by a Geo-professional, must be submitted to Waikato Regional Council for technical certification. The Waikato Regional Council shall engage an independent Geo-professional to review the geotechnical design report. Works must not commence in Fill Area 4 until the design report has been certified by the Waikato Regional Council.
  
16. The Consent Holder must notify the Waikato Regional Council if the contractor constructing the fill sites changes or if the Geo-professional changes at any point of the construction and/or filling of each site for the duration of these resource consents.

### **Community Liaison Group**

17. Within 6 months of the commencement of this consent, the Consent Holder shall establish a Community Liaison Group (CLG) by inviting a maximum of **2** representatives for each of the following:
  - (a) The Huntly community; and

- (b) Waikato Regional Council; and
- (c) Waikato District Council; and
- (d) WWT;
- (e) TKMT; and
- (f) any other key stakeholders as determined appropriate by the Consent Holder or the Waikato Regional Council.

18. The function of the CLG is to provide a line of communication between the Consent Holder, the wider community and key stakeholders for the duration of the consent.
19. The Consent Holder shall facilitate CLG meetings at a frequency no less than 6 months for the first 2 years and then at a lesser frequency if agreed with the CLG.

**Advice Note:** *The CLG is not a decision-making group, but a forum for the dissemination of information from the Consent Holder and provides the opportunity to comment on consent compliance and provide recommendations for changes to operations, monitoring and adaptive management.*

*Representatives of the community may be sourced via Local Community Board, Submitters to the Consent, or by local advertisement.*

### **Rehabilitation Management Plan**

20. At least 6 months prior to a fill site ceasing to receive material, the Consent Holder must submit to Waikato Regional Council, for approval in a technical certification capacity, a Rehabilitation Management Plan "RMP" for the Fill Area where works are to cease.
21. The RMP shall include, but not be limited to, the following matters:
- (a) Identification of the final (future) landform once fill operations have ceased and each fill area capped; and
  - (b) 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; and
    - (ii) on-going management strategy for weed and pest control; and
    - (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, construction procedures and stability of the final landform, including the maintenance of flows to the downstream stream channels and natural wetlands; and
  - (d) Measures to avoid the over compaction of soils; and

- (e) Stormwater drainage/soakage of the final landform; and
  - (f) Ecological enhancements; and
  - (g) Reporting and review outcomes; and
  - (h) The achievement of the minimum fill site cover and capping requirements as set out in the conditions of resource consent AUTH144475.03.01; and
  - (i) As-builts for subsoil drainage; and
  - (j) Any ongoing monitoring following site closure including water quality criteria and wetland ecological performance criteria.
22. The Consent Holder shall undertake the mitigation and rehabilitation of the filling area in accordance with approved RMP and under the supervision of persons with appropriate restoration and rehabilitation experience.
23. The Consent Holder shall review and update the RMP every 3 years and within 6 months of any decision to cease filling operations at the site. Any changes (excluding changes to contact person and contact details etc.) to the RMP must only be made with the written approval of the Waikato Regional Council.

#### **Site and Fill Management Plan**

24. At least 20 working days prior to accepting clean or managed fill to the site (excluding overburden from the quarry), the Consent Holder shall submit an updated Site and Fill Management Plan "SFMP" to Waikato Regional Council for written approval acting in a technical certification capacity.
25. The objective of the SFMP is to set out practices and procedures to be undertaken to manage the receipt and disposal of fill at the site and to comply with the conditions of this consent.
26. The SFMP shall include, but not be limited to the following matters:
- (a) Procedures to record the name and address of contractors dumping fill at the site; and
  - (b) The specific location of the fill placement areas (including asbestos and marine sediment disposal); and
  - (c) Acceptance criteria for fill to be disposed on site (including sampling requirements); and
  - (d) A description of operational procedures and monitoring that will be implemented to prevent unauthorised material from entering the site; and
  - (e) A description of operational procedures and monitoring that will be implemented for the acceptance, handling, and disposal of asbestos; and
  - (f) Contingency measures for containing and managing unacceptable waste; and
  - (g) Specific design details, construction, and certification procedures to ensure long term stability of fill areas; and

- (h) The testing regime to confirm that all material received on site complies with the acceptance criteria; and
  - (i) Description of stormwater management system (including design specification, location, and management of all structures); and
  - (j) Procedures for improving and/or reviewing the SFMP; and
  - (k) Procedures for undertaking verification sampling of fill deposited across the active landfill areas if required by AUTH144475.04.01 (in the event stormwater discharge quality exceeds consented criteria) and by AUTH144475.03.01 (prior to closure of each fill site); and
  - (l) Procedures for fill screening methods for the elemental composition by portable X-ray fluorescence as required by AUTH144475.03.01; and
  - (m) Provision for approval of geotechnical design changes for each Fill Area to be certified by the Waikato Regional Council before design changes are implemented.
27. The Consent Holder shall operate the site in accordance with all the approved Management Plans including the SFMP. Any changes to the SFMP other than minor amendments must only be made with the written certification of an authorised officer the Waikato Regional Council.
28. The SFMP shall be updated on an annual basis by a SQEP to ensure the plan is up to date and consistent with any changes in legislation and guidelines.

### **Ecology**

29. At least ten (10) working days prior to accepting managed fill to the site (excluding overburden from the quarry), (excluding 'g' and 'h' below which are subject to extended timeframes) the Consent Holder shall submit an updated Ecological Management Plan "EMP" to the Waikato Regional Council for certification, to confirm that the activities undertaken in accordance with the EMP will achieve the EMP's objectives and compliance with the relevant consent conditions. Any subsequent review of the EMP 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.

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

- (a) Identification of appropriate methodologies and monitoring procedures to ensure all mitigation measures undertaken are effective; and
- (b) The planting and fencing proposed including the number of plants required, timing and ongoing reporting and monitoring; and
- (c) Provision for weed and/or pest control; and

- (d) 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; and
  - (e) A Fish Management Plan, including a translocation plan; and
  - (f) Mechanism and timing for covenanting of ecological areas as identified in Schedule Two and Conditions 35 and 36 below.
  - (g) At least 6 months prior to the cessation of fill placement within a Fill Area, the Consent Holder shall submit to Waikato Regional Council, for approval in a technical certification capacity, an enhancement and planting plan to progressively convert the sediment retention pond within the Fill Area where works are to cease to an offset wetland ("Wetland Enhancement and Planting Plan") that is representative of the in-filled wetland on a like-for-like basis (of similar or better composition and extent); and
  - (h) Advice on the value of the bond for remediation; and
  - (i) Any other monitoring requirements.
30. The Bat Management Plan shall be implemented and be compliant with best management practice for artificial roost management as outlined in: *New Zealand Bat Recovery Group Advice Note – The Use of Artificial Bat Roosts. 18 October 2021*. The acoustic surveys shall be conducted in the appropriate season, predator exclusion bands surrounding artificial roosts shall be inspected annually and adjusted as needed for 15 years, and the bat reserve shall be subject to appropriate legal protection in perpetuity.
31. Prior to works commencing on site, the Consent Holder shall submit an updated Fish Management Plan "FMP" to the Waikato Regional Council for certification. Any subsequent review of the FMP shall also be submitted to the Waikato Regional Council for written approval acting in a technical certification capacity.
32. The Consent Holder shall undertake all ecological mitigations in accordance with the Ecological Mitigation Strategy as appended to these conditions of consent (Schedule Two) , and Maatauranga Maaori Environmental Management Plan.

### **Ecological Mitigation Monitoring Report**

33. 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 EMP, Bat Management Plan, Fish Management Plan and macroinvertebrates monitoring which have been undertaken within the preceding 12-month period. The report 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; and
  - (b) Details and outcomes of any aquatic and terrestrial ecological monitoring; and
  - (c) Details and outcomes of any plant or animal pest control works including any follow up monitoring of pests.

34. 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**

35. At least 6 months prior to a fill site ceasing to receive material, the Consent Holder must establish and register on the land title, a legal mechanism (herein referred to as a "covenant") containing appropriate requirements to legally protect in perpetuity the 3.9ha Ecological Restoration Area to be restored as per the approved EMP and Schedule Two of this resource consent. The covenant shall also set out that clearance of vegetation, grazing of stock and earthworks within the covenant area is prohibited.
36. At least six months prior to a Fill Area ceasing to receive material, the Consent Holder shall establish and register on the land title, a legal mechanism (herein referred to as a "covenant") containing appropriate requirements to legally protect in perpetuity the SRP and offset wetlands and all enhanced natural wetland areas below the Fill Area where works are to cease, as per the approved EMP and Schedule Two of this resource consent. The covenant shall also set out that clearance of vegetation, grazing of stock and earthworks within the covenant area is prohibited.
37. The Consent Holder shall provide draft covenant documents as required to satisfy the requirements of conditions 35 and 36 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.

### **Cultural**

38. Prior to accepting clean and managed fill to the site, the Consent Holder shall draft a Maatauranga Maaori Environmental Management Plan ("MMEMP") together with TKMT, and WWT, respectively. The MMEMP shall include, but will not be limited to, providing:
- (a) For cultural monitoring during consented works; and
  - (b) For input from TKMT and WWT into the Consent Holder's Management Plans and associated Plan changes or reviews, including:
    - (i) the Rehabilitation Management Plan;
    - (ii) the Ecological Management Plan and associated Ecological Mitigation Monitoring Report;
    - (iii) the Bat Management Plan;
    - (iv) the Fish Management Plan;
    - (v) the Wetland Enhancement and Planting Plan;
    - (vi) the Erosion and Sediment Control Management Plan;
    - (vii) the Dust Management Plan;
  - (c) For engagement by TKMT and WWT in water quality, macroinvertebrates and air discharge monitoring;
  - (d) For participation by TKMT and WWT in the Community Liaison Group;
  - (e) A process to amend the MMEMP.

*Advice Note: For the avoidance of doubt, there shall be one MMEMP which will either be collaborative between TKMT and WWT OR comprise of two separate sections within the MMEMP, one section drafted with TKMT and one drafted with WWT*

39. If, within three (3) months of the commencement of this consent, TKMT and/or WWT have not confirmed a MMEMP to be submitted to the Waikato Regional Council, the Consent Holder may accept clean and managed fill to the site and otherwise undertake all activities authorised by this resource consent. This does not preclude later completion of a MMEMP in accordance with condition 38, and certification under condition 40, to support ongoing operations.

*Note: All preparatory and establishment works as authorised in AUTH144475.01.01, AUTH144475.02.01, AUTH144475.05.01 and AUTH144475.06.01 are not dependent on an MMEMP being confirmed or certified. Acceptance of clean and managed fill to site aligns with the commencement (opening) of commercial operations on site.*

40. 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 MMEMP once it is certified.
41. Any changes proposed to the MMEMP shall be made in accordance with the amendment process identified in the MMEMP, and confirmed in writing by the Consent Holder following consultation with Waikato District Council and the Waikato Regional Council 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 38 has been met and that the content of the MMEMP is consistent with the condition requirements.*

#### **Erosion and Sediment Control Plan**

42. At least ten (10) working days prior to the establishment of erosion and sediment control measures and the commencement of filling at each fill site, the Consent Holder shall provide the Waikato Regional Council with a revised Erosion and Sediment Control Plan "ESCP" and any associated ancillary soil disturbance activities. The objective of the ESCP shall be to minimise sediment discharges from the site to the extent practicable.
43. The ESCP 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:
- (a) 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; and

- (b) Analysis and identification of measures necessary to maintain hydrological characteristics of surface water runoff immediately downstream of the site (peak flow and volume) during the filling stage that are generally consistent with the pre-existing condition of the site or other land use of the site that is permitted under the Waikato District Plan.
  - (c) Confirmation and illustration that clean water diversions will maintain flows to the any remaining sections of stream and / or induced natural wetland downstream of a sediment retention pond.
  - (d) The design criteria and dimensions of all key erosion and sediment control structures, including sizing of diversion channels and bunds, and sediment retention pond emergency spillways, in accordance with HIRDS RCP6.0 values; also including those measures identified in (b) and (c) above; and
  - (e) A site plan of a suitable scale to identify:
    - (i) The location of waterways; and
    - (ii) Any 'no go' and/or buffers areas to remain undisturbed adjacent to watercourses (including wetlands); and
    - (iii) Areas of cut and fill; and
    - (iv) All key erosion and sediment control structures; and
    - (v) The boundaries and area of catchment contributing to all stormwater impoundment structures; and
    - (vi) The locations of all specific discharge points to the environment; and
    - (vii) Any other relevant site information; and
  - (f) Construction timetable for the erosion and sediment control works; and
  - (g) Timetable and nature of progressive site rehabilitation and re-vegetation proposed; and
  - (h) Maintenance, monitoring and reporting procedures; and
  - (i) Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or failure of any key erosion and sediment control structures; and
  - (j) Procedures and timing for review and/or amendments of the ESCP; and
  - (k) Identification and contract details of personnel responsible for the operation and maintenance of all key erosion and sediment control structures.
44. The ESCP 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 certified ESCP.
45. Any changes proposed to the ESCP 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.
46. All disturbed or cut vegetation, soil or debris shall be deposited or placed in a position where it will not enter any water body or cause diversion, damming or erosion of any



waterway.

47. 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.
48. The outfalls and immediate downstream flow paths of clean water diversion outlets and sediment retention pond outlets shall be stabilised to prevent erosion.

49. 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.
50. 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 ESCP. 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 As Built Certification Statements shall include, at a minimum, the following:
- (a) Confirmation of contributing catchment areas; and
  - (b) The location, capacity, and design of each structure; and
  - (c) Position of inlets and outlets; and
  - (d) Stability of structures; and
  - (e) Measures to control erosion; and
  - (f) Any other relevant matters.

**Advice Note:** *An example template and the information required for the As Built Certification Statement can be found on the Waikato Regional Council website [www.waikatoregion.govt.nz/earthworks](http://www.waikatoregion.govt.nz/earthworks).*

### **Dust Management Plan**

51. At least 10 working days prior to accepting clean or managed fill to the site under this resource consent, the Consent Holder shall submit to Waikato Regional Council for approval, in a technical certification capacity, an updated Dust Management Plan "DMP". The DMP shall be approved in writing by the Waikato Regional Council, and any changes to the DMP shall be reviewed and certified by the Waikato Regional Council, acting in a technical certification capacity, prior to the changes being made.
52. The maximum area of unstabilised exposed ground at the active fill site shall be no greater than 3 hectares at any one time. Minimising exposed areas will reduce dust discharges and erosion and sediment discharges.

53. All activities authorised by this consent shall ensure that dust emissions are kept to a practicable minimum, so that there shall be no particulate matter as a result of the activities authorised by this resource consent that causes an objectionable or offensive effect beyond the boundary of the site. At a minimum, the following measures shall be implemented:
- (a) The use of water sprays to suppress dust from fill areas from access roads and from other disturbed land, on an as required basis; and
  - (b) The use of dust stabilisation systems (water, water plus additives or mulch); and
  - (c) The stabilisation of disturbed land which is currently not being worked; and
  - (d) The re-grassing of completed surfaces; and
  - (e) The maintenance of all access routes; and
  - (f) The use of a truck wheel wash; and
  - (g) Keeping the total area of exposed soil to a practicable minimum at all times.
54. Should an emission of particulate matter occur that has an objectionable or offensive effect beyond the boundary of the site, the Consent Holder shall inform the Waikato Regional Council within 24 hours of the incident and provide a written report to the Waikato Regional Council within 5 days of being notified of the incident. Should the Consent Holder be informed by the Waikato Regional Council of such an emission, the Consent Holder shall provide a written report within 5 days. In both cases the report shall specify:
- (a) The cause(s) or likely cause(s) of the event and any factors that influenced its severity; and
  - (b) The nature and timing of any measures implemented by the Consent Holder to avoid, remedy or mitigate any adverse effects; and the steps to be taken in future to prevent recurrence of similar events; and
  - (c) The steps planned to be taken to prevent reoccurrence of similar events.
55. PM<sub>10</sub> monitoring shall be undertaken, if required in writing by the Waikato Regional Council, after determining there has been adverse effects of an objectionable or offensive nature, due to discharge of particulate matter beyond the boundary.

**Advice Note:** *For the purpose of this resource consent, the Waikato Regional Council will consider an effect that is objectionable or offensive to have occurred if any appropriately experienced officer of the Waikato Regional Council deems it so after having regard to:*

- (a) *The frequency, intensity, duration, amount, effect and location of the suspended or particulate matter; and/or*
- (b) *Receipt of complaints from neighbours or the public: or*
- (c) *Relevant written advice or a report from an Environmental Health Officer of a territorial authority or health authority.*

56. In the event that monitoring of PM<sub>10</sub> is required, the Consent Holder shall ensure that the concentrations of suspended particulate in ambient air arising from authorised activities at or beyond the boundary of the site does not exceed 80 µg/m<sup>3</sup> as a 24 hour average.
57. The Consent Holder shall record the following in a daily log:
- (a) Records of any PM<sub>10</sub> monitoring; and
  - (b) Details on any dust control equipment malfunctions and any remedial actions taken; and
  - (c) Details on any visible emission of dust and the source; and
  - (d) Wind direction; and
  - (e) The frequency of water cart usage and the volume of water applied; and
  - (f) The volume of water used for dust suppression other than water cart usage; and
  - (g) The date and signature of the person entering the information; and
  - (h) Details of dust complaints received; and
  - (i) Actions taken in response to dust complaints received.
58. Records shall also be made available to the Waikato Regional Council within 5 working days upon request.
59. Earthworks and filling at Fill Area 3 and 4 shall cease when winds from the west and south-south-west exceeds a windspeed of 10 m/s.
60. The consent holder shall operate and maintain a meteorological station on the site to measure and record the air temperature, wind direction and wind velocity on a continuous basis (at no less than 10-minute intervals).
61. A recommendation on the location of the meteorological station shall be made by a suitably qualified and experienced practitioner to ensure that it is positioned in a suitably representative location with respect to the managed fill operation. Details on the finalised location shall be submitted to the Waikato Regional Council for written approval acting in a technical certification capacity.
62. A suitable anemometer or equivalent measurement device capable of measuring wind speeds at a resolution of no greater than 0.1 m/s and capable of measuring wind direction at a minimum wind speed of no greater than 0.1 m/s, shall be referenced to true north and located at least 6 metres above ground and where practicable, free of influence from trees and other buildings or structures.
63. The meteorological data shall be retained for the duration of the resource consent and data in excel or csv file format provided for any period to Waikato Regional Council within 48 hours of a request.

64. The anemometer shall be calibrated annually, with the documentation of the calibration retained and appended to the annual report and also provided within one week of a request from the Waikato Regional Council.

### **Annual Compliance Report**

65. The Consent Holder shall provide to the Waikato Regional Council, TKMT, WWT and to the Community Liaison Group an Annual Compliance Report, by 31 March, for each year that this consent is exercised. The Annual Compliance Report is to provide an assessment of the Consent Holder's compliance with the conditions of resource consents AUTH144475.01.01, AUTH144475.02.01, AUTH144475.03.01, AUTH144475.04.01, AUTH144475.05.01, AUTH144475.06.01 and AUTH144475.07.01 and make any recommendations to address any identified instances of non-compliance. The Annual Compliance report shall also address the following:
- (a) Laboratory results from compliance monitoring of soils received to site; and
  - (b) Laboratory results from monitoring of subsurface and surface water discharges from the site; and
  - (c) Details of any loads turned away; and
  - (d) Daily/Weekly Log Books of fill placement and volumes; and
  - (e) An assessment of the monitoring results against relevant criteria to ensure that the operation of the facility is not having a more than minor effect on the receiving environment; and
  - (f) Details of any actions undertaken to address any issues identified during monitoring or operation of the fill facility; and
  - (g) Details of any complaints received, and any management of mitigation actions undertaken to address those complaints; and
  - (h) Details of any revisions to the *Site and Fill Management Plan*, or any other documentation associated with the management of the site; and
  - (i) Any air quality monitoring records; and
  - (j) A copy of the most up to date and certified table of Waste Acceptance Criteria under AUTH144475.03.01/SFMP; and
  - (k) A copy of the current table of discharge water quality limits for each of the contaminants tested under AUTH144475.04.01/SAP.

### **Management Plan Review**

66. The Consent Holder shall review all Management Plans associated with the site every 5 years that this consent is current. The review shall assess whether management practices are resulting in compliance with the conditions of these consents, and whether the objectives of the Management Plans are being met through the actions and methods undertaken. The review shall result in any amendments that are necessary to better achieve the objectives of the Management Plans.

67. A copy of the review and any changes to the Management Plans from that review shall be provided to Waikato Regional Council with the Annual Compliance Report for every fifth year.

### **Archaeological Accidental Discovery**

68. In the event of any archaeological site or waahi tapu being discovered or disturbed while undertaking earthworks or ancillary activities, the activity shall cease immediately in the area of the discovery and the WWT, TKMT, Heritage New Zealand Pouhere Taonga and the Waikato Regional Council shall be notified within 24 hours. Works may recommence with the written approval of the Waikato Regional Council. Such approval shall be given after the Waikato Regional Council has considered:
- (a) Tangata whenua interests and values, particularly those of WWT and TKMT; and
  - (b) The Consent Holder's interests; and
  - (c) Any Heritage New Zealand Pouhere Taonga authorisations; and
  - (d) Any archaeological or scientific evidence.
69. In the event of any human remains or archaeological items be exposed while undertaking works to give effect to conditions of this consent, the Consent Holder shall ensure works in that area cease immediately. The Police, Heritage New Zealand Pouhere Taonga, and Kaumatua representing WWT and TKMT shall be contacted and work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained.

### **Bond**

70. Prior to the placement of fill material in each individual Fill Area authorised via AUTH144475.02.01 (overburden) and AUTH144475.03.01 (clean and managed fill), the Consent Holder shall provide and maintain, in favour of the Waikato Regional Council, a bond to enable:
- (a) Restoration (including contouring, drainage, and revegetation) of filling areas and disturbed areas to a standard such that the activities and works authorised by this consent no longer require resource consent; and
  - (b) Operation and maintenance of treatment systems on the site to ensure that discharges meet the resource consent requirements while restoration on the site is being completed; and
  - (c) Compliance with all the conditions of this consent and to enable any adverse effects on the environment resulting from the Consent Holder's activities and not authorised by resource consent to be avoided, remedied, or mitigated.
  - (d) The fill sites are to be rehabilitated in accordance with the Rehabilitation Management Plan.
71. The quantum of the bond shall be no less than \$250,000 and shall be staged according to completion of each active fill area and associated ecological mitigations and restorations, as well as be sufficient to cover:

- (a) the estimated costs (including any contingency necessary) of the activities outlined in Condition 70; and
- (b) All works outlined in Schedule Two and the associated EMP.

72. The bond shall be in a form approved by the Waikato Regional Council and shall, subject to these conditions, be on the terms and conditions required by the Waikato Regional Council.
73. 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 Waikato Regional Council. 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.
74. The bond amount shall be fixed within 12 months of commencement of this consent and every fifth anniversary thereafter by the Waikato Regional Council or more frequently if otherwise agreed between the Consent Holder and the Waikato Regional Council. The amount of the rehabilitation bond shall be advised in writing to the Consent Holder at least one month prior to the review date.
75. Should the Consent Holder not agree with the amount of the bond fixed by the Waikato Regional Council 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 Waikato Regional Council advising that the amount of the rehabilitation bond is disputed, such notice to be given by the Consent Holder within two weeks of notification of the amount of the rehabilitation 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 Institution 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 Waikato Regional Council 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.
76. If the decision of the arbitrator is not made available by the 30th day referred to above, then the amount of the bond shall be the sum fixed by the Waikato Regional Council, until such time as the arbitrator does make his/her decision. At that stage the new amount shall apply. The Consent Holder shall not exercise this consent if the variation of the existing bond or new bond is not provided in accordance with this condition.
77. 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 Waikato Regional Council a variation of the existing bond or a new bond for the amount fixed on review by the Waikato Regional



Council. 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.

### **National Grid Electricity Transmission Lines**

78. All machinery and mobile plant operated in association with the works shall maintain a minimum clearance distance of 4 metres from the conductors (wires) of the HAMMER-B National Grid transmission lines at all times.

**Advice Note:** *It is the Consent Holder's responsibility to ensure that all land use activities, including the construction of new buildings/structures, earthworks, fences, any operation of mobile plant and/or persons working near exposed line parts shall comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) or any subsequent revision of the code.*

### **Review**

79. The Waikato Regional Council may, in 2025 and every two years thereafter, serve notice on the Consent Holder under s.128(1) of the RMA, of its intention to review the conditions of this resource consent for the following purposes:
- (a) To review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment from the exercise of this resource consent and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions;
  - (b) If necessary and appropriate, to require the Consent Holder to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment due to the placement of managed fill and any subsequent contaminated stormwater discharges;
  - (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 Plans or Policies.

### **Administration**

80. The Consent Holder shall pay the Waikato Regional Council any reasonable administrative charge fixed in s.36 of the RMA, or any charge prescribed in accordance with regulations made under s.360 of the RMA.

**Schedule Two – Ecological Mitigation Schedules and Locality of Ecological Restoration Areas**

<b>Mitigation Area</b>	<b>Mitigation Action</b>	<b>Mitigation/Restoration For</b>	<b>Timeframe</b>	<b>Notes</b>
<b>Restoration Area 3.9ha gully</b>	14,552m <sup>2</sup> of Terrestrial pioneer planting	Loss of indigenous vegetation/fauna habitat in FA2 and FA4 (3328m <sup>2</sup> )	Completed. Works outlined in the Ecological Mitigation Monitoring Report (Envoco, 2022).	14,552m <sup>2</sup> terrestrial planting, including riparian and wetland buffer planting, completed July 2022.
	Planting to restore exotic/degraded wetland habitat	Artificial Wetland loss (quality) FA2 570m <sup>2</sup>	Planting completed, area subject to ongoing maintenance and monitoring as part of EMP.	Areas of low-lying pasture adjacent to natural wetland has been planted with indigenous wetland plants (415m <sup>2</sup> ). Completed July 2022.
	Mechanism for covenanting restoration area	Overall loss of ecological values	Within 6 months of commencement of activities under this consent.	To be surveyed according to fence line.
	Pest plant and animal control	Loss of fauna habitat all fill areas	Ongoing. Works outlined in the Ecological Mitigation Monitoring Report (Envoco, 2022).	Includes periodic monitoring of pest animals and vegetation.
	14,552m <sup>2</sup> of terrestrial enrichment planting	Loss of indigenous vegetation/fauna habitat in FA2 and FA4 (3328m <sup>2</sup> ).	Minimum 3 years after pioneer planting when there is sufficient shelter/canopy cover, within planting season (May - September).	Species planted include later-successional species that represent vegetation lost and that also represent historic ecosystem type.
	Fish, macroinvertebrate, habitat and water quality monitoring	n/a	Annual	Methods as per the updated EMP (Envoco, 2023)
	Installation of fish ladders and monitoring at perched culverts	n/a	Monitoring to be undertaken before and after installation of the fish ladders.	Will connect Restoration Area to downstream environments and facilitate fish movement.
<b>Natural wetlands below</b>	Restoration of natural	Constructed Wetland loss	Planting plan and works	Planting plan to be included

Mitigation Area	Mitigation Action	Mitigation/Restoration For	Timeframe	Notes
<b>Fill areas</b>	wetlands below FA2 and FA4 (pest plant control, planting)	(quality) in FA2 and FA4 (150m <sup>2</sup> ).	(including fencing) to be carried out within 12 months after the granting of consent.	in updated Ecological Management Plan (EMP).
	Mechanism for covenanting induced natural wetlands below FA2 and FA4	Overall loss of ecological values.	Within 6 months of deciding to cease the filling operation within an individual Fill Area.	To be surveyed according to fencing.
<b>Sediment Retention Ponds (SRP's)</b>	Conversion of FA2 SRP into indigenous offset wetland habitat	Offset Wetland loss (quantity) in FA2 (570m <sup>2</sup> )	Enhancement and planting plan (including fencing) within 6 months of fill area becoming operational, restoration works to be completed within 12 months once fill operations have ceased	Pond area approximately 1,200m <sup>2</sup> . Planting plans for all SRP's to be developed in consultation with Southern Skies and iwi, and approved by council prior to starting works.
	Conversion of FA3 SRP into indigenous offset wetland habitat	Offset Wetland loss (quantity) in FA3 (815m <sup>2</sup> previously compensated for; SRP conversion is additional)	Enhancement and planting plan (including fencing) within 6 months of fill area becoming operational, restoration works to be completed within 12 months once fill operations have ceased	Pond area approximately 1,200m <sup>2</sup> .
	Conversion of FA4 SRP into indigenous offset wetland habitat, based on Enhancement and Planting Plan	Offset Wetland loss (quantity) in FA4 (484m <sup>2</sup> )	Enhancement and planting plan (including fencing) within 6 months of fill area becoming operational, restoration works to be completed within 12 months once fill operations have ceased	Pond area approximately 1,200m <sup>2</sup> .
	Mechanism for covenanting SRP's in FA's 2, 3 and 4	Overall loss of ecological values	Within 6 months of deciding to cease the filling operation within an individual Fill Area	To be surveyed according to fencing.

Mitigation Area	Mitigation Action	Mitigation/Restoration For	Timeframe	Notes
<b>Pekapeka/Bat Reserve</b>	Mechanism for covenanting Bat Reserve	Overall loss of ecological values	Underway – required by FA5 consent	Covenanted area to be delineated with fence.
	Creation of chainsaw hollows/artificial roost boxes	Potential effects on pekapeka (long-tailed bats)	Prior to removal of roost trees within FA4, in accordance with Bat Management Plan (BMP).	5 chainsaw hollows/roost boxes required for FA5, so more will be required depending on what activity is in FA4 (how many roost trees).
	Pest animal control in 1.5ha bat reserve	Loss of bat habitat (FA4)	Monitoring and maintenance of all bat boxes and predator-exclusion bands must be carried out annually for 15 years following installation to determine if bats are using them. The condition of each bat box should also be monitored at the same time, and replacement and maintenance must occur as required. Replacement and maintenance of boxes and predator-exclusion bands should occur as required between 1 September and 1 November each year	Refer BMP – to be updated prior to commencement of works in FA4.
<b>On-site mitigation</b>	Fish salvage and relocation from artificial wetlands and watercourses within fill areas	Avoiding adverse effects on indigenous fish within fill areas	Prior to reclamation of artificial wetlands/ watercourses	Refer to AUTH144475.06.01, Condition 2 Refer to Fish Management Plan (Wildlands 2022)

# Locality Map of Ecological Restoration Area



**SCHEDULE THREE – ACCEPTABLE AND PROHIBITED WASTES**

<b>ACCEPTABLE WASTES</b>	
<b>1. Cleanfill Material Definition</b>	
Material that when buried will have no adverse effect on people or the environment. Cleanfill material includes virgin natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of: <ul style="list-style-type: none"> <li>• combustible, putrescible, degradable or leachable components</li> <li>• hazardous substances</li> <li>• products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices.</li> <li>• materials that may present a risk to human or animal health such as medical and veterinary waste, asbestos or radioactive substances liquid waste.</li> </ul>	
<b>2. Construction and Demolition Fill</b>	
Construction and Demolition fill as defined and listed as acceptable materials in Section 4.2 of the Cleanfill Guidelines. The material will include soil, rock, concrete, bricks, and inert C&D material. Inert C&D will mostly include glass and rock fibres and less than 5% timber. Soil and C&D can contain minor amounts of electrical wiring, plastics, and plasterboard as an acceptable material (less than 0.5% of the waste matrix).	
<b>Material</b>	<b>Discussion</b>
Bricks and Masonry Blocks	Inert – will undergo no degradation.
Ceramics	Inert.
Concrete – un-reinforced	Inert material.
Concrete –reinforced	Including exposed reinforcing rods of less than 1 meter in length
Fibre cement building products	Inert material comprising cellulose fibre, Portland cement and sand. Care will be taken to ensure that the product does not contain asbestos, which is unacceptable.
Glass	Inert, and poses little threat to the environment. May pose a safety risk if placed near the surface in public areas, or if later excavated. The safety risk on excavation should become immediately apparent, so glass is considered acceptable provided it is not placed immediately adjacent to the finished surface.
Road sub-base	Inert.
Soils, rock, gravel, sand, clay, etc.	Acceptable if free of contamination. Vetting procedures will be implemented through the Site and Fill Management Plan
Tiles (clay, concrete or ceramic)	Inert.
<b>3. Asbestos in soil and asbestos contaminated material (ACM)</b>	
The demolition material will include ACM such as: <ul style="list-style-type: none"> <li>• asbestos-cement sheet cladding, roofing, and drainage pipes</li> <li>• backing material for floor tiles and vinyl sheets</li> <li>• insulation board for thermal protection (e.g., around fireplaces)</li> <li>• textured ceilings and sprayed-on wall surfaces.</li> </ul>	

- lagging for insulation around pipes, heaters, and hot water cylinders
- asbestos-cement sheet cladding, roofing, and drainage pipes
- backing material for floor tiles and vinyl sheets
- insulation board for thermal protection

All asbestos soils and ACM shall be accepted, tested, treated, and disposed as outlined in the certified Asbestos Fill Management Plan.

**4. Peat**

Naturally occurring material. Peat forms from the build-up of partially rotted plant material in wet environments Note that some peat soils do contain sulphides and therefore some peat soils will need to be managed as acid sulphate soils and treated before they can be accepted.

**5. Acid sulphate soils and marine sediments**

All identified acid sulphate soils and marine sediments shall be accepted, tested, treated, and disposed as outlined in the certified Acid Sulphate Soil Management Plan and Marine Sediment Management Plan.

**6. Managed Fill**

Material that meets the Waste Acceptance Criteria outlined in Table 1 of AUTH APP144475.03.01

All materials shall be accepted, tested, treated, and disposed as outlined in the approved Site and Fill Management Plan.

**PROHIBITED WASTES**

- Any material that exceeds the accepted criteria listed in approved Waste Acceptance Criteria.
- No chipboard, will be accepted as part of the Construction and Demolition fill
- No green waste – (Vegetation, bark and wood chips) any material that is compostable / biodegradable that could cause leachate.
- No material from gas works will be accepted.
- Animal carcasses or animal waste
- Containers, sealed drums, and gas cylinders
- Bulk liquids or liquid wastes
- Tyres
- Medical and Veterinary Waste
- Coal Ash Waste
- Lead acid batteries (lead acid batteries can be recycled in New Zealand).
- Used oil.
- Explosive, flammable, oxidising or corrosive substances - as defined under the HSNO Act.
- PCB wastes.
- Persistent Organic Pollutants wastes (as defined by the Stockholm Agreement).
- Viscous materials-liquids/tars/paints and painted material.
- Drums or containers containing hazardous chemicals (including agrichemicals, solvents, petroleum compounds or toxic chemicals (as defined under the HSNO Act)).
- Household Hazardous Waste.
- Municipal solid waste and domestic refuse.
- Paper, cardboard, and fabrics
- Electrical components, cabling, and insulation
- Biosolids from municipal or industrial wastewater treatment plants
- Radioactive substances
- Motor vehicle bodies, engines or parts



## SCHEDULE FOUR – WATER QUALITY PARAMETERS

Table One: Water quality parameters and proposed trigger values for stormwater discharge at Sampling location DS1, DS3 and DS4.

Parameter	Proposed Trigger values (mg/L)	Source and Rationale
Dissolved Aluminium (20K MWCO)	0.980 <sup>1</sup>	US EPA CMC. Intermittent discharge and Colloidal alumino-silicates may give high values
Dissolved Arsenic	0.01 <sup>2</sup>	MoH (2018) Drinking Water Standards
Dissolved Boron	0.940 <sup>3</sup>	ANZG (2018) 95% Guidelines. High Background values
Dissolved Cadmium	0.0008 <sup>1</sup>	ANZG (2018) 80% Guidelines. Allows for dilution
Dissolved Chromium (based on Cr(III))	0.57 <sup>1</sup>	US EPA CMC. Intermittent discharge
Dissolved Copper	0.0251 <sup>5</sup>	ANZG (2018) 80% Guidelines. Allows for dilution
Dissolved Lead	0.0056 <sup>4</sup>	ANZG (2018) 90% Guidelines. Allows for dilution and protection of drinking water.
Dissolved Nickel	0.013 <sup>4</sup>	ANZG (2018) 90% Guidelines and Protection of Drinking water
Dissolved Thallium	0.00003 <sup>4</sup>	ANZG (2018) 95% Guidelines. High Background values
Dissolved Zinc	0.031	Confirmed as being non-toxic by Whole Effluent Toxicity testing of the stream water collected from sampling location.
Total petroleum hydrocarbons (TPH)	15 <sup>6</sup>	MfE (1989) Petroleum Guidelines. To avoid visible sheens
pH	>5.5 (6.0 for storage tank Fill 3 underdrain) pH units	
<p>Note: Dissolved aluminium shall be measured using 20K MWCO ultra-filtration method to remove colloidal aluminium from clay particles.</p> <ol style="list-style-type: none"> <li>1. US EPA CMC (for aluminium the lowest CMC has been used with a water hardness of 100 mg/L, DOC equal 1 mg/L and pH 7)</li> <li>2. MoH (2018) Drinking water standards</li> <li>3. ANZG (2018) 95% ecosystem protection guideline value</li> <li>4. ANZG (2018) 90% ecosystem protection guideline value</li> <li>5. ANZG (2018) 80% ecosystem protection</li> <li>6. Based upon MfE (1989) Environmental Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand recommendation of 15 mg/L.</li> </ol>		

Table Two: Water quality parameters and proposed trigger values for downstream receiving water quality at DS2 and DS5.

Parameter	Proposed Trigger values (mg/L)	Source and Rationale
Dissolved Aluminium (20K MWCO)	0.080 <sup>1</sup>	ANZG (2018) 90% Guidelines. Background may be elevated during storm conditions.
Dissolved Arsenic	0.024 <sup>2</sup>	ANZG (2018) 95% Guidelines.
Dissolved Boron	0.940 <sup>2</sup>	ANZG (2018) 95% Guidelines.
Dissolved Cadmium	0.0002 <sup>2</sup>	ANZG (2018) 95% Guidelines.
Dissolved Chromium (as Chromium VI)	0.006 <sup>1</sup>	ANZG (2018) 90% Guidelines. Background may be elevated.
Dissolved Copper	0.0014 <sup>2</sup>	ANZG (2018) 95% Guidelines.
Dissolved Lead	0.0034 <sup>2</sup>	ANZG (2018) 95% Guidelines.
Dissolved Nickel	0.011 <sup>2</sup>	ANZG (2018) 95% Guidelines.
Total petroleum hydrocarbons (TPH)	5 <sup>3</sup>	33% of the MfE (1989) Petroleum Guidelines. To avoid visible sheens on the surface of the water.

Note: Dissolved aluminium shall be measured using 20K MWCO ultra-filtration method to remove colloidal aluminium from clay particles.

1 = Based upon ANZG (2018) 90% ecosystem protection

2 = Based upon ANZG (2018) 95% ecosystem protection

3 = Based upon MfE (1999) Environmental Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand recommendation of 15 mg/m<sup>3</sup>

L = litre

m<sup>3</sup> = cubic metre

MfE = Ministry for the Environment

mg = milligram

mg/L = milligram per litre

mg/m<sup>3</sup> = milligram per cubic metre

TPH = total petroleum hydrocarbons

Table Three: Proposed trigger values for discharging Underdrain Storage Tank (FA3)

Parameter	Proposed Trigger values (mg/L)	
	Level 1 Criteria	Level 2
Total Boron	1.0	5.0
Total Copper	0.5	1.25
Total Lead	0.1	0.25
Total Zinc	0.6	1.55

Note:

mg/L = milligram per litre

## **Appendix B – Consent condition comparison table**

## APPENDIX B - CONSENT CONDITION TABLE

All amendments are shown using underline for additions and strikethrough for deletions. All amendments are also shown as **yellow highlight** for ease of reference.<sup>1</sup>

WAIKATO DISTRICT COUNCIL	
Condition	Agreed amendment
<p>5. The Consent Holder shall engage with Waahi Whaanui Trust ("WWT") and ensure that WWT is notified in writing at least 10 working days prior to any soil disturbance occurring and are invited to act as cultural monitors to observe all topsoil removal at the site on an ongoing basis as each stage of works progresses.</p>	<p>5. The Consent Holder shall engage with Waahi Whaanui Trust ("WWT") <b>and Te Kauri Marae Trust ("TKMT")</b> and ensure that WWT <b>and TKMT</b> <del>is</del> <b>are</b> notified in writing at least 10 working days prior to any soil disturbance occurring and are invited to act as cultural monitors to observe all topsoil removal at the site on an ongoing basis as each stage of works progresses.</p>
<p>6. The Consent Holder shall arrange and conduct a pre-construction site meeting and invite, with a minimum of 10 working days notice, the Waikato District Council, WWT, the contractor, and any other party representing the Consent Holder prior to any work authorised by this consent commencing on site.</p>	<p>6. The Consent Holder shall arrange and conduct a pre-construction site meeting and invite, with a minimum of 10 working days notice, the Waikato District Council, WWT, <b>TKMT</b>, the contractor, and any other party representing the Consent Holder prior to any work authorised by this consent commencing on site.</p>
<p>45. In the event of any archaeological site or waahi tapu being discovered or disturbed while undertaking works to give effect to the conditions of this consent, the works in the area shall cease immediately, and WWT and the Waikato District Council shall be notified within 48 hours. Such approval shall be given after the Waikato District Council has considered:</p> <p>(a) Tangata Whenua interests and values;</p> <p>(b) The Consent Holder's interests; and</p> <p>(c) Any archaeological or scientific evidence.</p>	<p>45. In the event of any archaeological site or waahi tapu being discovered or disturbed while undertaking works to give effect to the conditions of this consent, the works in the area shall cease immediately, and WWT, <b>TKMT, Heritage New Zealand Pouhere Taonga</b> and the Waikato District Council shall be notified within 48 hours.</p> <p>46. <b>Works may recommence with the written approval of the Waikato District Council.</b> Such approval shall be given after the Waikato District Council has considered:</p> <p>(a) Tangata Whenua interests and values <b>particularly those of WWT and TKMT; and</b></p> <p>(b) The Consent Holder's interests; and</p>

<sup>1</sup> The parties have also agreed that minor corrective amendments be made to various conditions to address cross-referencing and terminology as well as the insertion of a glossary at the beginning of the resource consent to assist with interpretation. This table does not reflect these minor corrective amendments and all amendments can be seen in Annexure A to the draft Consent Order.

	<p>(c) Any Heritage New Zealand Pouhere Taonga authorisations; and</p> <p>(d) Any archaeological or scientific evidence.</p>
<p>46. In the event of any human remains or archaeological items be exposed while undertaking works to give effect to conditions of this consent, the Consent Holder shall ensure works in that area cease immediately. The Police, New Zealand Historic Places Trust, and Kaumatua representing the local Tangata Whenua shall be contacted and work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained.</p>	<p>47. In the event of any human remains or archaeological items be exposed while undertaking works to give effect to conditions of this consent, the Consent Holder shall ensure works in that area cease immediately. The Police, Heritage New Zealand Pouhere Taonga Historic Places Trust, and Kaumatua representing local Tangata Whenua WWT and TKMT shall be contacted and work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained.</p>
<p>47. Prior to the commencement of works authorised by this consent the Consent Holder shall draft a Maatauranga Maaori Environmental Monitoring Plan (MMEMP). The MMEMP shall include but will not be limited to:</p> <ul style="list-style-type: none"> <li>(a) Cultural monitoring during topsoil removal; and</li> <li>(b) Invitation to Waahi Whanui Trust to view and comment on the Closure and Rehabilitation plan; and</li> <li>(c) Invitation to Waahi Whanui Trust to engage over water quality and ecological monitoring; and</li> <li>(d) Invitation to WWT to view and comment on the EMP and BMP; and</li> <li>(e) Invitation to WWT to view and comment on the Dust Management Plan and air discharge monitoring; and</li> <li>(f) Invitation to WWT to be involved in the Community Liaison Group.</li> </ul> <p>The draft MMEMP shall be provided to the Waahi Whanui Trust with an invitation to review from a cultural mindset prior to submitting the MMEMP to the Waikato District Council.</p>	<p>48. Prior to accepting clean and managed fill to the site, the Consent Holder shall draft a Maatauranga Maaori Environmental Monitoring Management Plan ("MMEMP") together with TKMT, and WWT, respectively. The MMEMP shall include, but will not be limited to, providing:</p> <ul style="list-style-type: none"> <li>(a) For Cultural monitoring during topsoil removal consented works; and</li> <li>(b) For Invitation to WWT input from TKMT and WWT into the Consent Holder's Management Plans, assessment of strategies and associated Plan changes or reviews, including: <ul style="list-style-type: none"> <li>(i) to view and comment on the Closure and the Rehabilitation Management Plan;</li> <li>(ii) the Ecological Management Plan;</li> <li>(iii) the Bat Management Plan;</li> <li>(iv) the Stormwater assessment; and</li> <li>(v) the Landscape and Visual Mitigation Management Strategy.</li> </ul> </li> <li>(c) Invitation to Waahi Whanui Trust to engage over water quality and ecological monitoring; and</li> <li>(d) Invitation to WWT to view and comment on the EMP and BMP; and</li> </ul>

	<p>(e) <del>Invitation to WWT to view and comment on the Dust Management Plan and air discharge monitoring; and</del></p> <p>(f) <del>Invitation to WWT to be involved in the Community Liaison Group</del></p> <p>(c) <u>A process to amend the MMEMP.</u></p> <p><del>The draft MMEMP shall be provided to the WWT with an invitation to review from a cultural mindset prior to submitting the MMEMP to the Waikato Regional Council.</del></p> <p><u>Advice Note: For the avoidance of doubt, there shall be one MMEMP which will either be collaborative between TKMT and WWT OR comprise of two separate sections within the MMEMP, one section drafted with TKMT and one drafted with WWT.</u></p>
<p>48. If WWT decline to review or do not respond within twenty (20) working days of receiving the draft MMEMP, then condition 47 above and conditions 49 and 50 below shall be voided.</p>	<p>49. <u>If, within three (3) months of the commencement of this consent, TKMT and/or WWT decline have not confirmed a to review or do not respond within twenty (20) working days of receiving the draft MMEMP to be submitted to the Waikato District Council, then condition 31 above and conditions 33 and 34 below shall be voided the Consent Holder may accept clean and managed fill to the site and otherwise undertake all activities authorised by this resource consent. This does not preclude later completion of a MMEMP in accordance with condition 48, and certification under condition 50, to support ongoing operations.</u></p> <p><u>Note: All preparatory and establishment works as authorised in AUTH144475.01.01, AUTH144475.02.01, AUTH144475.05.01 and AUTH144475.06.01 are not dependent on an MMEMP being confirmed or certified. Acceptance of clean and managed fill to site aligns with the commencement (opening) of commercial operations on site.</u></p>
<p>49. 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 MMEMP once it is certified.</p>	<p>50. The MMEMP shall be certified in writing by the Waikato District Council acting in a technical certification capacity and the Consent Holder shall undertake all activities authorised by this consent in accordance with the <u>certified MMEMP once it is certified.</u></p>
<p>50. Any changes proposed to the MMEMP shall be confirmed in writing by the Consent Holder following consultation with WWT, WDC and the Waikato Regional Council prior to the implementation of any changes proposed.</p>	<p>51. Any changes proposed to the MMEMP shall be <u>made confirmed in writing by the Consent Holder following in accordance with the amendment process identified in the MMEMP, and confirmed in writing by the Consent Holder</u></p>

following consultation with **WWT**, Waikato District Council and the Waikato Regional Council prior to the implementation of any changes proposed.

**WAIKATO REGIONAL COUNCIL**

Resource consent AUTH144475.04.01

20. If an event of the type described below occurs, the Consent Holder shall notify, as soon as reasonably practicable, the Waikato District Council and the Resource Use, and Waikato Regional Council, advising the nature of the event and the nature of the potential significant adverse effect on water quality that may result. The types of events subject to this condition are:

...

23. If an event of the type described below occurs, the Consent Holder shall notify, as soon as reasonably practicable, the Waikato District Council, **Te Kauri Marae Trust and Waahi Whaanui Trust** ~~and the Resource Users, the Resource Use Directorate of the Waikato Regional Council~~ and Waikato Regional Council, advising the nature of the event and the nature of the potential significant adverse effect on water quality that may result. The types of events subject to this condition are:

...

Schedule 1 – General conditions

2. The Consent Holder shall appoint a representative(s) prior to the exercise of this resource consent who shall be the Waikato Regional Council's and the Waahi Whaanui Trust's "WWT" principal contact person(s) in regard to matters relating to this resource consent. The Consent Holder shall inform the Waikato Regional Council, Waikato-Tainui and WWT of the representative's name and how they can be contacted, prior to this resource consent being exercised. Should that person(s) change during the term of this resource consent, the Consent Holder shall immediately inform the Waikato Regional Council and shall also give written notice to the Waikato Regional Council, Waikato-Tainui and the WWT of the new representative's name and how they can be contacted.

2. The Consent Holder shall appoint a representative(s) prior to the exercise of this resource consent who shall be the Waikato Regional Council's ~~and the~~, Waahi Whaanui Trust's "WWT" **and Te Kauri Marae Trust's "TKMT"** principal contact person(s) in regard to matters relating to this resource consent. The Consent Holder shall inform the Waikato Regional Council, Waikato-Tainui ~~and~~ WWT **and TKMT** of the representative's name and how they can be contacted, prior to this resource consent being exercised. Should that person(s) change during the term of this resource consent, the Consent Holder shall immediately inform the Waikato Regional Council and shall also give written notice to the Waikato Regional Council, Waikato-Tainui, ~~and the~~ WWT **and TKMT** of the new representative's name and how they can be contacted.

4. The Consent Holder shall notify WWT in writing at least 10 working days prior to any soil disturbance occurring and invite WWT to act as cultural monitors to observe all topsoil removal at the site on an ongoing basis as each stage of works progresses.

4. The Consent Holder shall notify WWT **and TKMT** in writing at least 10 working days prior to any soil disturbance occurring and invite WWT **and TKMT** to act as cultural monitors to observe all topsoil removal at the site on an ongoing basis as each stage of works progresses.

5. The Consent Holder shall arrange and conduct a pre-construction site meeting and invite, with a minimum of 20 working days' notice, the Waikato Regional Council, WWT, the site representative(s) nominated under Conditions 2 and 3, the contractor, and any other party

5. The Consent Holder shall arrange and conduct a pre-construction site meeting and invite, with a minimum of 20 working days' notice, the Waikato Regional Council, WWT, **TKMT**, the site representative(s) nominated under Conditions 2 and 3, the contractor, and any other party representing the

<p>representing the Consent Holder prior to any work authorised by this consent commencing on site.</p>	<p>Consent Holder prior to any work authorised by this consent commencing on site.</p>
<p>9. The consent holder shall notify Waikato Regional Council of any land instability events within 24 hours of them occurring, and the Consent Holder shall provide written reports prepared by the supervising geo-professional relating to any instability events to Waikato Regional Council within 7 days of receipt of those reports</p>	<p>11. The consent holder shall notify Waikato Regional Council, <b>TKMT and WWT</b> of any land instability events within 24 hours of them occurring, and the Consent Holder shall provide written reports prepared by the supervising geo-professional relating to any instability events to Waikato Regional Council, <b>TKMT and WWT</b> within 7 days of receipt of those reports.</p>
<p>14. Within 6 months of the commencement of this consent, the Consent Holder shall establish a Community Liaison Group (CLG) by inviting a maximum of <b>2</b> representatives for each of the following:</p> <ul style="list-style-type: none"> <li>(a) The Huntly community; and</li> <li>(b) Waikato Regional Council; and</li> <li>(c) Waikato District Council; and</li> <li>(d) Tangata whenua; and</li> <li>(e) any other key stakeholders as determined appropriate by the Consent Holder or the Waikato Regional Council.</li> </ul> <p>The function of the CLG is to provide a line of communication between the Consent Holder, the wider community and key stakeholders for the duration of the consent.</p> <p>The Consent Holder shall facilitate CLG meetings at a frequency no less than 6 months for the first 2 years and then at a lesser frequency if agreed with the CLG.</p> <p><b>Advice Note:</b> <i>The CLG is not a decision-making group, but a forum for the dissemination of information from the Consent Holder and provides the opportunity to comment on consent compliance and provide recommendations for changes to operations, monitoring and adaptive management.</i></p> <p><i>Representatives of tangata whenua shall be from the WWT, representative marae, Waikato Tainui, or all three.</i></p>	<p>17. Within 6 months of the commencement of this consent, the Consent Holder shall establish a Community Liaison Group (CLG) by inviting a maximum of <b>2</b> representatives for each of the following:</p> <ul style="list-style-type: none"> <li>(a) The Huntly community; and</li> <li>(b) Waikato Regional Council; and</li> <li>(c) Waikato District Council; and</li> <li>(d) <del>Tangata Whenua</del> <b>WWT</b>; and</li> <li>(e) <b>TKMT</b>; and</li> <li>(f) any other key stakeholders as determined appropriate by the Consent Holder or the Waikato Regional Council.</li> </ul> <p>18. The function of the CLG is to provide a line of communication between the Consent Holder, the wider community and key stakeholders for the duration of the consent.</p> <p>19. The Consent Holder shall facilitate CLG meetings at a frequency no less than 6 months for the first 2 years and then at a lesser frequency if agreed with the CLG.</p> <p><b>Advice Note:</b> <i>The CLG is not a decision-making group, but a forum for the dissemination of information from the Consent Holder and provides the opportunity to comment on consent compliance and provide recommendations for changes to operations, monitoring and adaptive management.</i></p>



<p><i>Representatives of the community may be sourced via Local Community Board, Submitters to the Consent, or by local advertisement.</i></p>	<p><del>Representatives of tangata whenua shall be from the WWT, representative marae, Waikato Tainui, or all three.</del></p> <p><i>Representatives of the community may be sourced via Local Community Board, Submitters to the Consent, or by local advertisement.</i></p>
<p>26. The Consent Holder shall undertake all ecological mitigations in accordance with the Ecological Mitigation Strategy as appended to these conditions of consent (Schedule Two).</p>	<p>32. The Consent Holder shall undertake all ecological mitigations in accordance with the Ecological Mitigation Strategy as appended to these conditions of consent (Schedule Two), <u>and Maatauranga Maori Environmental Management Plan.</u></p>
<p>31. Prior to accepting clean and managed fill to the site, the Consent Holder shall draft a Maatauranga Maaori Environmental Monitoring Plan ("MMEMP"). The MMEMP shall include, but will not be limited, to:</p> <ul style="list-style-type: none"> <li>(a) Cultural monitoring during topsoil removal; and</li> <li>(b) Invitation to WWT to view and comment on the Closure and Rehabilitation plan; and</li> <li>(c) Invitation to WWT to engage over water quality monitoring; and</li> <li>(d) Invitation to WWT to view and comment on the EMP; and</li> <li>(e) Invitation to WWT to view and comment on the Dust Management Plan and air discharge monitoring; and</li> <li>(f) Invitation to WWT to be involved in the Community Liaison Group.</li> </ul> <p>The draft MMEMP shall be provided to the WWT with an invitation to review from a cultural mindset prior to submitting the MMEMP to the Waikato Regional Council.</p>	<p>38. Prior to accepting clean and managed fill to the site, the Consent Holder shall draft a Maatauranga Maaori Environmental <u>Monitoring Management Plan ("MMEMP") together with TKMT, and WWT, respectively.</u> The MMEMP shall include, but will not be limited to, <u>providing:</u></p> <ul style="list-style-type: none"> <li>(a) <u>For Cultural monitoring during topsoil removal consented works;</u> and</li> <li>(b) <u>For Invitation to WWT input from TKMT and WWT into the Consent Holder's Management Plans and associated Plan changes or reviews, including:</u> <ul style="list-style-type: none"> <li>(i) <u>to view and comment on the Closure and the Rehabilitation Management Plan; and</u></li> <li>(ii) <u>the Ecological Management Plan and associated Ecological Mitigation Monitoring Report;</u></li> <li>(iii) <u>the Bat Management Plan;</u></li> <li>(iv) <u>the Fish Management Plan;</u></li> <li>(v) <u>the Wetland Enhancement and Planting Plan;</u></li> <li>(vi) <u>the Erosion and Sediment Control Management Plan;</u></li> <li>(vii) <u>the Dust Management Plan;</u></li> </ul> </li> <li>(c) <u>For engagement by TKMT and Invitation to WWT to engage over in water quality, macroinvertebrates and air discharge monitoring; and</u></li> </ul>

	<p><del>(d) Invitation to WWT to view and comment on the EMP; and</del></p> <p><del>(e) Invitation to WWT to view and comment on the Dust Management Plan and air discharge monitoring; and</del></p> <p>(d) Invitation For participation by TKMT and to WWT to be involved in the Community Liaison Group;</p> <p>(e) A process to amend the MMEMP.</p> <p>The draft MMEMP shall be provided to the WWT with an invitation to review from a cultural mindset prior to submitting the MMEMP to the Waikato Regional Council.</p> <p><i>Advice Note: For the avoidance of doubt, there shall be one MMEMP which will either be collaborative between TKMT and WWT OR comprise of two separate sections within the MMEMP, one section drafted with TKMT and one drafted with WWT</i></p>
<p>32. If WWT decline to review or do not respond within twenty (20) working days of receiving the draft MMEMP, then condition 31 above and conditions 33 and 34 below shall be voided</p>	<p>39. If, within three (3) months of the commencement of this consent, TKMT and/or WWT decline have not confirmed a to review or do not respond within twenty (20) working days of receiving the draft MMEMP to be submitted to the Waikato Regional Council, then condition 31 above and conditions 33 and 34 below shall be voided the Consent Holder may accept clean and managed fill to the site and otherwise undertake all activities authorised by this resource consent. This does not preclude later completion of a MMEMP in accordance with condition 3138, and certification under condition 3340, to support ongoing operations.</p> <p><i>Note: All preparatory and establishment works as authorised in AUTH144475.01.01, AUTH144475.02.01, AUTH144475.05.01 and AUTH144475.06.01 are not dependent on an MMEMP being confirmed or certified. Acceptance of clean and managed fill to site aligns with the commencement (opening) of commercial operations on site.</i></p>
<p>33. 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 MMEMP once it is certified.</p>	<p>40. 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 once it is certified.</p>

<p>34. Any changes proposed to the MMEMP shall be confirmed in writing by the Consent Holder following consultation with WWT, Waikato District Council and the Waikato Regional Council prior to the implementation of any changes proposed.</p>	<p>41. Any changes proposed to the MMEMP shall be <del>made confirmed in writing by the Consent Holder in accordance with the amendment process identified in the MMEMP, and confirmed in writing by the Consent Holder</del> following consultation with <del>WWT</del> Waikato District Council and the Waikato Regional Council prior to the implementation of any changes proposed.</p>
<p>57. The Consent Holder shall provide to the Waikato Regional Council and to the Community Liaison Group an Annual Compliance Report, by 31 March, for each year that this consent is exercised. The Annual Compliance Report is to provide an assessment of the Consent Holder's compliance with the conditions of resource consents AUTH144475.01.01, AUTH144475.02.01, AUTH144475.03.01, AUTH144475.04.01, AUTH144475.05.01, AUTH144475.06.01 and AUTH144475.07.01 and make any recommendations to address any identified instances of non-compliance. The Annual Compliance report shall also address the following:</p> <p>...</p>	<p>65. The Consent Holder shall provide to the Waikato Regional Council, <del>TKMT, WWT</del> and to the Community Liaison Group an Annual Compliance Report, by 31 March, for each year that this consent is exercised. The Annual Compliance Report is to provide an assessment of the Consent Holder's compliance with the conditions of resource consents AUTH144475.01.01, AUTH144475.02.01, AUTH144475.03.01, AUTH144475.04.01, AUTH144475.05.01, AUTH144475.06.01 and AUTH144475.07.01 and make any recommendations to address any identified instances of non-compliance. The Annual Compliance report shall also address the following:</p> <p>...</p>
<p>60. In the event of any archaeological site or waahi tapu being discovered or disturbed while undertaking earthworks or ancillary activities, the activity shall cease immediately in the area of the discovery and the WWT, Heritage New Zealand Pouhere Taonga and the Waikato Regional Council shall be notified within 24 hours. Works may recommence with the written approval of the Waikato Regional Council. Such approval shall be given after the Waikato Regional Council has considered:</p> <ul style="list-style-type: none"> <li>(a) Tangata whenua interests and values; and</li> <li>(b) The Consent Holder's interests; and</li> <li>(c) Any Heritage New Zealand Pouhere Taonga authorisations; and</li> <li>(d) Any archaeological or scientific evidence.</li> </ul>	<p>68. In the event of any archaeological site or waahi tapu being discovered or disturbed while undertaking earthworks or ancillary activities, the activity shall cease immediately in the area of the discovery and the WWT, <del>TKMT,</del> Heritage New Zealand <del>Pouhere</del> Taonga and the Waikato Regional Council shall be notified within 24 hours. Works may recommence with the written approval of the Waikato Regional Council. Such approval shall be given after the Waikato Regional Council has considered:</p> <ul style="list-style-type: none"> <li>(a) Tangata whenua interests and values, <del>particularly those of WWT and TKMT;</del> and</li> <li>(b) The Consent Holder's interests; and</li> <li>(c) Any Heritage New Zealand <del>Pouhere</del> Taonga authorisations; and</li> <li>(d) Any archaeological or scientific evidence.</li> </ul>
<p>NA</p>	<p>69. <del>In the event of any human remains or archaeological items be exposed while undertaking works to give effect to conditions of this consent, the Consent Holder shall ensure works in that area cease immediately. The Police, Heritage New Zealand Pouhere Taonga, and Kaumatua representing WWT and TKMT shall be contacted and work shall not recommence in the</del></p>

	affected area until any necessary statutory authorisations or consents have been obtained.
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