



## **APPENDIX F**

Suggested Waikato Regional Council  
Consent Conditions

# RESOURCE CONSENT CERTIFICATE

**Resource Consent:** XXXXXXXXXX

**File Number:** XXXXXXXXXX

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

Beacon Hill Contracting Limited  
(hereinafter referred to as the Consent Holder)

**Consent Type:** Land Use Consent

**Consent Subtype:** Land – Soil Disturbance

**Activity authorised:** To undertake earthworks in a high-risk erosion area association with a sand quarry

**Location:** 599 Oreipunga Road, Horahora

**Consent duration:** This consent will commence on the date of decision notification  
and will expire on XX XXX 20XX (20-year Duration).

**Subject to the conditions overleaf:**

## General

1. Earthwork activities shall be carried out in general accordance with the “Resource Consent Application and Assessment of Environmental Effects: Oreipunga Road - Sand Quarry” document dated XX XXX XXXX prepared by Mitchell Daysh Limited and supporting information, including plan 11191-C-001 REV A in Schedule One of this consent.
2. Except as specifically provided for by other conditions of the applicable consents, all activities to which the consents relate shall be undertaken in general accordance with the resource consent conditions below and the information contained in the resource consent application.
3. The consent holder shall be responsible for all contracted operations related to the exercise of this resource consent and must ensure that all relevant staff and contractors are made aware of the conditions of this resource consent and ensure compliance with those conditions.

## Consent Holder Representative

4. The consent holder shall appoint a representative(s) prior to commencement of any works authorised by this resource consent, who shall be the Waikato Regional Council’s principal contact person in regard to matters relating to this consent. The consent holder shall inform the Waikato Regional Council of the representative’s name and how they can be contacted prior to this 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 of the new representatives name and how they can be contacted.

## Pre-Construction Site Meetings – Stages 2 and 4

5. Prior to works commencing in stages 2 and 4, the consent holder shall arrange and conduct a pre-construction site meeting and invite, with a minimum of 5 working days’ notice, the Waikato Regional Council, the site representative(s) nominated under condition 4 of this consent, the contractor and any other party representing the consent holder prior to any sand quarrying work authorised by this consent commencing in stages 2 and 4.

**Advice note:** *In the case that any of the invited parties, other than the site representative does not attend this meeting, the consent holder will have complied with this condition, provided the invitation requirement is met.*

## Groundwater

6. All excavations associated with sand quarrying shall not intercept the local unconfined aquifer water table.

## Site Management Plan

7. The consent holder shall provide the Waikato Regional Council with a "Site Management Plan" (SMP). The SMP shall be approved in writing by the Waikato Regional Council acting in a technical certification capacity prior to any quarry related earthworks occurring in a high-risk erosion area following the granting of this consent and/or prior to any tree removal activities occurring following the granting of this consent. The SMP shall include, but may not be limited to the following:

- (a) Erosion and sediment control plans prepared in accordance with *“Erosion and Sediment Control – Guidelines for Soil Disturbing Activities”* (Technical Report No. 2009/02 – dated January 2009) or any subsequent updates;
  - (b) Land stability measures;
  - (c) Site staging plans;
  - (d) Bat management plans;
  - (e) Lizard management plans;
  - (f) Maintenance, monitoring, and inspection procedures;
  - (g) Specific dust control measures to ensure that dust emissions are kept to a practicable minimum inclusive of recommendations for access road maintenance;
  - (h) Procedures to review the SMP in order to ensure compliance with the resource consent conditions.
  - (i) The contact number of the site manager.
8. The Consent Holder shall operate the site in accordance with the approved SMP. The SMP shall be reviewed and updated at least once every five years from the exercise of this consent. Any changes to the SMP shall be approved in writing by the Waikato Regional Council acting in a technical certification capacity.

### **Erosion and Sediment Control**

9. Earthworks shall be undertaken in accordance with the measures detailed in the document titled *“Erosion and Sediment Control – Guidelines for Soil Disturbing Activities”* (Technical Report No. 2009/02 – dated January 2009) or any subsequent updates.
10. The consent holder shall be responsible for ensuring the structural integrity and maintenance of all construction earthworks and for the provision of additional erosion and sediment controls that become necessary to control erosion as a result of the exercise of this consent.
11. The area of open and disturbed land (excluding any access and haul roads and any processing and stockpiling areas) shall not exceed three hectares at any one time as a result of the exercise of this resource consent.

### **Land Stability**

12. There shall be no excavation within 20m of the northern gully edge adjacent and north of Stage 2.
13. Final batter slopes in all stages shall be no steeper than 2.5H:1V.
14. Maximum final batter heights shall be 10m while two batters can be separated by a 10m horizontal bench.

### **Dust**

15. 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 application area being that land described as LOT 1 DPS 80319 BLK VIII MAUNGATAUTARI SD.

**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.*

16. The area of open and disturbed land (excluding any access and haul roads and stockpiling areas) shall not exceed three hectares at any one time as a result of the exercise of this resource consent.

17. All activities authorised by this consent shall ensure that dust emissions are kept to a practicable minimum. At least 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;
- (b) The use of dust stabilisation systems (water, water plus additives or mulch);
- (c) The stabilisation of disturbed land which is currently not being worked;
- (d) The re-grassing of completed surfaces;
- (e) The maintenance of all access routes; and
- (f) Keeping the total area of exposed soil to no more than three hectares at all times.

18. All areas of bare earth shall be re-vegetated or re-grassed as soon as practicable.

19. The consent holder shall enforce a 20 kph speed limit on all unsealed access roads.

## **Ecological Management**

### Birds

20. Prior to any tree clearance or alteration in the period September – February (inclusive) in any year, the consent holder must engage a suitably qualified and experienced ecologist to undertake a nesting bird survey. The purpose of the nesting bird survey is to identify any vegetation being used by native bird as nesting habitat. This includes both arboreal and ground nests.

21. Should the nesting bird survey identify a native bird nest, a fifteen (15) metre exclusion zone must be demarcated with flagging tape and avoided until the chicks have fledged.

22. A period of no greater than two (2) working days can be allowed to elapse between the nesting bird survey and the vegetation clearance / alteration taking place.

### Lizards

23. Prior to the commencement of any tree removal works, the consent holder must submit and have certified by Council, a Lizard Management Plan (LMP) prepared by a suitably qualified and experienced ecologist/herpetologist. The LMP Plan must be designed so as to achieve the following two objectives:

- The population of each species of native lizard present on the site at which tree clearance is to occur must be maintained or enhanced, either on the same site or at an appropriate alternative site; and

- The habitat(s) that lizards are transferred to (either on site or at an alternative site, as the case may be) will support viable native lizard populations for all species present predevelopment.
24. A suitably qualified and experienced ecologist/herpetologist to oversee the implementation of the Lizard Management Plan (LMP) must certify that the lizard related works have been carried out according to the certified LMP within two weeks of completion of the tree clearance works.
25. All works on site must comply with the certified Lizard Management Plan.
26. Upon completion of works, all findings resulting from the implementation of the Lizard Management Plan must be recorded by a suitably qualified and experienced ecologist/herpetologist approved by the Council on an Amphibian/Reptile Distribution Scheme (ARDS) Card (or similar form that provides the same information) which must be sent to Council.

**Advice Note:**

*All native lizards are absolutely protected under the Wildlife Act 1953 under which it is an offence to disturb, harm, or remove them without a permit from the Minister of Conservation.*

**Bats**

27. Prior to the commencement of any tree removal works, the Consent Holder must submit and have certified by Council, a Bat Management and Monitoring Plan (BMMP). The BMMP shall be prepared by a suitably qualified ecologist and shall include standard best practice tree felling protocol. Certification shall be against the conditions of this consent and the following BMMP objective:
- To set out the procedures to be implemented by the Consent Holder to avoid and mitigate the effects on long-tailed bats from the removal of any vegetation and/or trees that are potential bat roost habitat.

In particular the BMMP shall include:

- (a) A tree removal protocol prepared by a qualified bat ecologist that sets out the monitoring procedures to be implemented for the removal of any vegetation and/or trees that are identified as potential bat roosts. This can be achieved through acoustic surveys, direct observation of trees prior to their removal, and by managing the time (month) of removal;
- (b) Details of ongoing monitoring and reporting of bat activity where occupied bat roosts are discovered;
- (c) Proposal for minimising disturbance from construction activities near any discovery of active roosts until the bat ecologist confirms they are vacant; and
- (d) Methods for the replacement of any actual and potential bat roosts that are removed as part of the proposal.

The tree removal protocol set out in the BMMP shall be implemented for the removal of any vegetation and/or trees that are identified as potential bat roosts by a suitably qualified ecologist.

**Complaints Register**

28. The consent holder shall maintain and keep a register of complaints regarding all aspects of operations at the site related to the exercise of this consent, received by the consent holder. The register shall record:

- (a) the date, time and duration of the event/incident that has resulted in a complaint;
- (b) the location of the complainant when the event/incident (if possible, specify nature of incident e.g. dust nuisance) was detected;
- (c) the possible cause of the event/incident;
- (d) the weather conditions and wind direction at the site when the event/incident allegedly occurred;
- (e) any corrective action undertaken by the consent holder in response to the complaint;
- (f) any other relevant information.

The register shall be available to the Waikato Regional Council at all reasonable times. Complaints received by the consent holder that may indicate non-compliance with the conditions of this resource consent shall be forwarded to the Waikato Regional Council within 5 days of the complaint being received.

### **Activity Setbacks**

29. Activities authorised by this resource consent shall comply with the following setbacks:

- (a) At least 10 metres from any natural wetland or surface water body;
- (b) At least 30 metres from any other property not owned by the Consent Holder; and
- (c) Outside any Significant Natural Area containing indigenous vegetation at the time of granting of this consent.

### **Rehabilitation**

30. The rehabilitation of land to which this land use consent relates shall be undertaken by the consent holder to the satisfaction of the Waikato Regional Council. The objectives of rehabilitation of the land shall be to ensure that:

- (a) the area of bare soil/earthen surfaces is kept to a minimum at all times;
- (b) it requires no more management than that required in adjacent catchments which are unaffected by this activity;
- (c) the land cover is generally consistent with the adjacent areas unaffected by this activity; and
- (d) the quality of the water discharging from the rehabilitated land is consistent with the discharge from adjacent catchments unaffected by overburden stripping works.

### **Mitigation and Restoration**

31. The consent holder shall provide the Waikato Regional Council with a "Mitigation and Restoration Plan" (MRP), within 45 working days following the granting of this consent. The MRP shall be prepared in consultation with representatives from Ngāti Korokī Kahukura and Ngāti Hauā and shall be certified by the Waikato Regional Council. The objective of the MRP is to set out mitigation and restoration planting plans, including timetable and nature of progressive mitigation planting, to achieve betterment for the Waikato River and associated catchment. In this respect, the MRP shall include the following related information;

- (a) Species to be planted, where they are to be planted, density of planting, sourcing of plants and fertilising;
- (b) Site preparation for planting;
- (c) An approximate timeline for planting; and

- (d) Ongoing maintenance procedures including the replacement of any dead plants.

### **Annual Report**

32. The consent holder shall provide to the Waikato Regional Council an annual report, by 31 March, for each year that this consent is exercised. The annual report shall include but not be limited to;
- (a) An assessment of the consent holder's compliance with the conditions of resource consents AUTHXXXXXX.01.01 and AUTHXXXXXX.01.02 and any recommendations to address any identified non-compliances;
  - (b) Quarry development plans for the next 12 months;
  - (c) The location and areas of land to be rehabilitated over the next 12 months; and
  - (d) A detailed description including photographs of mitigation or restoration works undertaken and ongoing maintenance of the plants.

### **Tangata Whenua**

33. In the event of any archaeological site or waahi tapu being discovered or disturbed while undertaking earthworks or any sand quarry related or ancillary activities, the activity shall cease immediately in the area of the discovery, and Tangata Whenua, Heritage New Zealand and the Waikato Regional Council shall be notified within 48 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;
  - (b) The consent holders interests;
  - (c) Any Heritage New Zealand authorisations; and
  - (d) Any archaeological or scientific evidence.

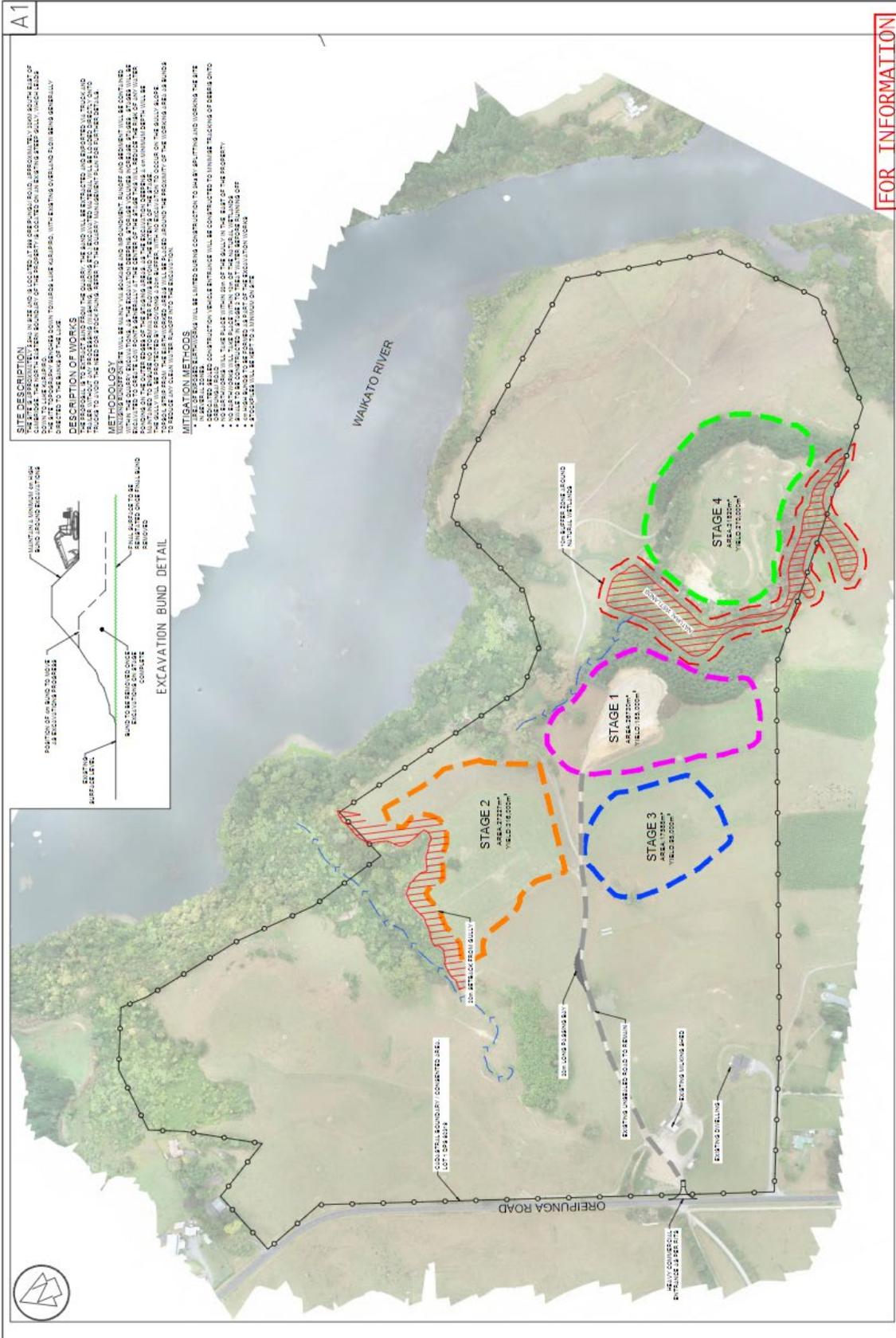
### **Review**

34. The Waikato Regional Council may, between 1 April and 30 June 2022, and between 1 April to 30 June every three years thereafter serve notice on the consent holder under section 128(1) of the Resource Management Act 1991, of its intention to review the conditions of this resource consent for the following purposes:
- (a) To review the effectiveness of the conditions of 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; or
  - (b) If necessary and appropriate, to require the holder of this resource consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment; or
  - (c) To review the adequacy of and the necessity for monitoring undertaken by the consent holder; or
  - (d) To take account of any changes to the Waikato Regional Plans or Policies.

### **Administration**

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

**SCHEDULE ONE:**

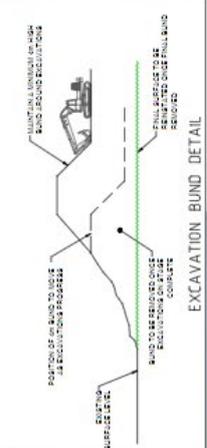


**SITE DESCRIPTION**  
 THE SITE IS SITUATED IN THE NORTH-EAST CORNER OF THE SAND QUARRY, APPROXIMATELY 500M SOUTH-EAST OF THE WAIKATO RIVER. THE SITE IS CURRENTLY USED AS A SAND QUARRY AND IS SURROUNDED BY A FENCE. THE SITE IS CURRENTLY USED AS A SAND QUARRY AND IS SURROUNDED BY A FENCE. THE SITE IS CURRENTLY USED AS A SAND QUARRY AND IS SURROUNDED BY A FENCE.

**DESCRIPTION OF WORKS**  
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**METHODOLOGY**  
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**MITIGATION METHODS**  
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**FOR INFORMATION**

<p><b>COGSWELL</b>                  CONSULTANTS                  100 OREIPUNGA ROAD                  WAIKATO, NEW ZEALAND</p>	CLIENT: MARK ANDREE-WILTENS REF: 1191	PROJECT: SAND QUARRY 590 OREIPUNGA ROAD	TITLE: EROSION AND SEDIMENT CONTROL PLAN	SCALE: 1:5000 (A1) 1:1000 (A2) DATE: 10.09.21 DRAWN BY: [Name] CHECKED BY: [Name]
	1. THIS PLAN IS A PART OF THE EROSION AND SEDIMENT CONTROL PLAN FOR THE SAND QUARRY. IT IS TO BE USED IN CONJUNCTION WITH THE OTHER PLANS IN THE SET. 2. THE CLIENT ACCEPTS THE RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED. 3. THE CONSULTANT ACCEPTS THE RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED. 4. THE CONSULTANT ACCEPTS THE RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED.			

# RESOURCE CONSENT CERTIFICATE

**Resource Consent:** XXXXXXXXXXXX

**File Number:** XXXXXXXXXXXX

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

Beacon Hill Contracting Limited  
(hereinafter referred to as the Consent Holder)

**Consent Type:** Water Permit

**Consent Subtype:** NESFW

**Activity authorised:** Diversion and discharging stormwater outside of but within 100m of a natural wetland associated with the construction, operation and maintenance of sand quarry pits in Stages 1 and 4 of Schedule One of this consent.

**Location:** 599 Oreipunga Road, Horahora

**Consent duration:** This consent will commence on the date of decision notification and will expire on XX XXX 20XX (15-year Duration).

**Subject to the conditions overleaf:**

1. All excavations associated with sand quarrying shall not intercept the local unconfined aquifer water table.
2. All machinery shall be operated in a manner which ensures that spillage of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance.

