

UNDER THE Resource Management Act 1991

IN THE MATTER OF A Joint Application by Hirock Limited to
Palmerston North City Council LU 6962 and
Manawatu - Whanganui Regional Council
APP-2022203991.00 to Expand Linton
Quarry

STATEMENT OF EVIDENCE OF EMMA NICOLE HILDERINK-JOHNSON

INTRODUCTION

1. My full name is Emma Nicole Hilderink-Johnson. I am a Senior Planner at Good Earth Matters Consulting Limited, based in Palmerston North. I hold a Bachelor of Applied Science (Natural Resource Management) from Massey University (2003), and I have 19 years' experience as a Planner in New Zealand and Australia, primarily in consenting roles with local authorities and now with 7 years in consulting. I am an Associate Member of the New Zealand Planning Institute.
2. I have been engaged by Hirock Limited (the Applicant) to provide planning advice in relation to the Application for consent to expand Linton Quarry (the Proposal). I was responsible for the drafting and lodgement of the Resource Consent Application and Assessment of Environmental Effects (the Application).
3. I have been involved throughout the Application process since late 2020. I am familiar with the application site and environs and have visited the site multiple times during the development of the Application for resource consent, most recently on 27 March 2023. I attended the pre-hearing meeting on 5 May 2023.
4. In preparing this statement of evidence I have read the section 42A RMA report prepared by Ms Natasha Adsett, the Reporting Officer for the consent authorities; all submissions received in respect of the Application; and associated documents provided within the Hearing Documents bundle including the notification report.

CODE OF CONDUCT

5. I confirm that I have read the Expert Witnesses Code of Conduct contained in the Environment Court of New Zealand Practice Note 2023. My evidence has been prepared in compliance with that Code in the same way as I would if giving evidence in the Environment Court.
6. My qualifications are set out above. I confirm that my evidence is within my area of expertise except where I state that I am relying upon the specified evidence of another person, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

STRUCTURE OF EVIDENCE

7. The Application is supported by an Assessment of Environmental Effects prepared by me together with and referenced by a suite of specialist reports. My evidence addresses:
 - Background.
 - The proposal and consents being applied for.
 - The Applicant's approach to consultation and notification.
 - The Applicant's response to submissions received.
 - Joint Witness Statements and specialist reports.
 - The S42A RMA report including the recommended conditions of consent should consent be granted.
8. There are no substantive challenges to, or disagreements within, the information in the specialist reports on Landscape and Visual Effects, Erosion and Sediment Control, Ecology, Geotechnical, and Water Quality and Aquatic Ecology, as reflected in the respective authors Joint Witness Statements. The authors of those reports will either be present at the hearing or will be available to answer questions should any questions be raised in the course of the hearing.
9. There remain substantive challenges to, by way of concerns of submitters, the information contained in the specialist reports on noise and vibration, dust, and traffic, and disagreement between Applicant and Council experts on noise and dust matters. Hence, evidence has been provided by the respective authors of these reports, who will present at the hearing.

10. To avoid duplication, I do not repeat matters that I consider have been adequately addressed in the section 42A report, noting that there is a high level of agreement between myself and the Reporting Office in regard to the planning assessment of the proposal. Similarly, I will refer to the contents of the Application where appropriate.

BACKGROUND

11. Demand for aggregate produced at Linton Quarry has outpaced production and Hirock seek to meet the high demand for aggregate from customers such as Greater Wellington Regional Council, Horizons Regional Council and KiwiRail, while seeking to significantly improve the way Linton Quarry operates.
12. The purpose of this Application is fourfold and includes:
 - updating the consent to match current production demand;
 - provision for future growth;
 - provision for restoration and protection of indigenous vegetation on the site; and
 - formalising an existing discharge of treated washwater and stormwater.
13. Suitable aggregate supplies are often scarce due to natural supply as well as land uses which preclude extraction and quarrying activities. Expanding the quarry pit and allowing an increase in quarry operation to meet current high levels of demand represents an efficient use of an existing, long-established quarry, providing a highly sought after product currently not available elsewhere in the lower North Island. Finding an alternative quarry site would not be an efficient use of the existing natural resources and physical infrastructure that exist at Linton Quarry. Land-based quarrying provides a preferred alternative to river gravel extraction, an activity with complex environmental and cultural impacts.
14. Linton Quarry is the largest supplier of rock protection products for nearby regional and district councils and is the main ballast supplier to KiwiRail. It is the only supplier in the area with 100% broken faces, which makes the product preferred as it outperforms alluvial equivalents. Linton Quarry is one of the few remaining genuine rip rap quarries in the lower North Island, capable of supplying rip rap, armour and river protection rock, and therefore is a resource of strategic importance.

15. Sourcing aggregate near its end use reduces carbon emissions from road transport, reduces the need for maintenance of the roading network, improves traffic flow, supports the local economy through employment and construction opportunities, and enables a more cost-effective product by reducing transportation costs.

PROPOSAL

16. The Site is extensively described in the Assessment of Environmental Effects submitted with the Application and that description has been adopted by the Council's S42A RMA Report. For the purpose of brevity, I do not repeat that description other than confirming that the site is 44 ha in size and contains an existing quarry (24.24 ha) and is legally described as Lot 1 DP 410502 located at 167-251 Kendalls Line, Linton.
17. I am not aware of any aspect of the site and surrounding environment that has changed since the Assessment of Environmental Effects was prepared.
18. The comprehensive consent application comprises the following activities:
 - Production volume increase (current demand with an allowance for some growth)
 - Traffic increase (an increase in traffic movements to match current demand levels, with an allowance for some growth)
 - Quarry pit expansion
 - Overburden disposal (including imported cleanfill)
 - Removal of a grove of nikau palms
 - Re-vegetation of the unnamed tributary of the Kahuterawa Stream
 - Restoration (buffer planting and weed and pest control) of the pukatea-tawa-māhoe-(tītoki)-(nīkau) forest
 - Washwater and stormwater discharges to an unnamed tributary of the Linton Drain.
19. The Applicant is seeking the following consents from the Palmerston North City Council (PNCC) and the Manawatu-Whanganui Regional Council (Horizons).
 - Land use consent for the expansion and operation of the existing quarry from Palmerston North City Council (a discretionary activity under District Plan Rule 9.8.3).

- Land use consent for land disturbance associated with the quarry activity, from Manawatu-Whanganui Regional Council, (a Discretionary Activity under One Plan Rule 13-7).
 - Discharge permits for the discharge of treated wash water, stormwater and cleanfill, from Manawatu-Whanganui Regional Council (a discretionary activity under One Plan Rule 14-30).
20. This consent application is intended to replace the previous consents granted by Palmerston North City Council in 1997 (H29/310-312/PLN) to establish the Linton Quarry and in 2007 (2022277) to expand the Linton Quarry.
21. I concur with the description of activities and the consents sought, as detailed in Sections D and E of Ms Adsett's s42A RMA report.

SUMMARY OF EFFECTS ASSESSMENT

22. I agree with Ms Adsett that the Application, including the S92 RMA further information responses and technical assessments in respect of noise, landscape, biodiversity, air quality and traffic effects, and the draft erosion and sediment control and dust management plans and the monitoring plans for water quality and biodiversity matters provide sufficient information so that the level of effects can be determined and appropriate conditions can be identified to ensure the activities are carried out without causing significant adverse effects.
23. I agree with Ms Adsett's conclusion in her effects assessment, that the quarry expansion and operation activities will have potential or actual effects that can be mitigated to levels where they can be considered minor, subject to appropriate conditions of consent and management plans in place.

CONSULTATION AND NOTIFICATION

24. While consultation is not required under the RMA, the Applicant undertook pre- and post-lodgement consultation, as outlined in section 6.2 of the Application. This included:
- A pre-lodgement meeting in April 2021 with Kendalls Line residents;
 - Informal discussions between the Applicant and residents pre- and post-lodgement;

- Meetings with Waka Kotahi New Zealand Transport Agency regarding SH57/Kendalls Line intersection on 3 October 2022 and 18 May 2023;
 - Consultation with Palmerston North City Council's Roading Department regarding Kendalls Line road maintenance, resulting in a Memorandum of Understanding (PNCC/Hirock Limited); and
 - Consultation and two site visits with Rangitāne o Manawatu between 2021 and 2023, resulting the Linton Quarry Mana Enhancing Agreement (Best Care (Whakapai Hauora) Charitable Trust/Hirock Limited).
25. The Application was notified on a limited basis on 20 February 2023, as summarised in Section F on page 16 of the S42A RMA report.

SUBMISSIONS

26. In total, four submissions were received in respect of the Application, three opposing the Applicant, and one neutral. A correction to Table 3: Summary of Submissions, in Section G of the S42A RMA report, in their submission, D and K Underwood confirmed that they do not wish to be heard. I agree that submitters issues raised are correctly summarised in Table 4 of the S42A RMA report.

PRE-HEARING

27. The Applicant sought to engage with submitters, to ensure their concerns were understood and addressed through further information or conditions where possible, hence a pre-hearing meeting was held on 5 May 2023.
28. The minutes of the pre-hearing meeting dated 17 May 2023 confirms the matters discussed. Following the pre-hearing meeting, in order to better understand the submitters concerns, the Applicant undertook further assessments of:
- Dust from quarry activities, including from quarry traffic;
 - Vibration from quarry trucks; and
 - Safety improvements to the Kendalls Line/SH57 intersection.
29. Technical reports on dust and vibration and concept plans for the intersection improvements were circulated to submitters and the Councils on 2 June 2023 (via the joint Reporting Officer).

RESPONSE TO SUBMISSIONS

30. In response to submitters concerns about traffic noise, vibration and dust, the Applicant provides the following response:

Traffic Noise

31. The Applicant proposes to mitigate traffic noise from quarry trucks travelling along Kendalls Line, by way of consent conditions (Condition Nos. 4, 7, 19-22, and 26, Appendix A of my evidence), to:

- Limiting hours of operation to 07:00 to 17:00 hrs, Monday to Friday and 07:00 to 15:00 hrs on Saturdays;
- Provide acoustic fencing to those residents who will experience quarry traffic noise exceeding 55 LAeq(1hr) at the dwelling façade;
- Install 'no-engine breaking' signage along Kendalls Line;
- Install signage to reduce truck speed to 50km/hr along Kendalls Line; and
- Update their Truck Driver Induction manual for the Linton Quarry so that employees and customers are made aware of the speed and breaking limitations.

Quarry Truck Vibration

32. The Applicant sought expert advice on vibration from trucks on public roads from Marshall Day Acoustics who have confirmed that the proposed increase in heavy truck movements is unlikely to cause vibration damage to adjoining properties, and therefore no additional mitigations are being offered in this regard.

Quarry Truck Dust

33. In response to submitter concerns about an increase in dust from quarry trucks, the Applicant engaged K2 Environmental Limited to carry out background dust monitoring at two properties along Kendalls Line to provide an understanding of the ambient dust environment. The Applicant has provided a Dust Management and Monitoring Plan (DMMP) setting out how dust from quarry traffic along Kendalls Line will be managed and monitored. The DMMP includes:

- Compliance limits and triggers for assessing nuisance dust;
- Identifies mitigation options should nuisance dust be experienced; and
- Describes the complaints process.

34. Consent conditions (Condition Nos. 37-50, Appendix A) have been proposed to manage dust effects from quarry trucks, should consent be granted.

Traffic Safety

35. In response to submitter concerns about traffic safety at the intersection of Kendalls Line and SH57, the Applicant has prepared a concept plan to widen the seal along a portion of Kendalls Line. Consent conditions (Condition No. 4-13, Appendix A) have been proposed to manage traffic safety effects at the intersection, should consent be granted.

JOINT WITNESS STATEMENTS

36. Joint witness statements have been provided to the Commissioner following expert conferencing on ecology, geotechnical considerations, erosion and sediment control, landscape and visual effects, water quality and aquatic ecology, and traffic. The Reporting Officer provides an accurate summary of each of these matters in the effects assessment in section H of her S42A RMA report.
37. The joint witness statements have a high level of agreement and recommended consent conditions have been included in Appendix A to the S42A RMA report and agreed to by the Applicant, should consent be granted.
38. I do not intend to repeat these assessments, other to provide a discussion on areas of disagreement in the joint witness statement on Water Quality and Aquatic Ecology and provide an update on Traffic matters that have been progressed since the joint witness statements were prepared and the S42A RMA report was issued.

Water Quality and Aquatic Ecology

39. Following expert conferencing, a Joint Witness Statement on Water Quality and Aquatic Ecology has been provided by Ms Marieke Soeter, (Good Earth Matters Consulting Limited) for the Applicant and Mr Eric Fa'anoi, for Horizons Regional Council.
40. There was disagreement on the frequency of the discharge from the stormwater retention pond to the unnamed tributary of the Linton Drain. Mr Fa'anoi considers the discharge could be more continuous in nature than intermittent, as the Applicant has the ability to pump stormwater from the base of the quarry pit to the stormwater retention pond, independent of wet weather. Ms Soeter does not agree, and considers the discharge will be intermittent, with extended periods without discharge from the sediment retention pond, due to the significant storage capacity of the quarry pit and because water is a valuable resource at the quarry, being the only water supply at the site. I agree with

Ms Soeter's assessment and reasoning that the discharge will be intermittent, rather than continuous.

41. There was also disagreement between the experts on the extent to which Dissolved Reactive Phosphorus would be discharge from the site, and the magnitude of effect of such discharge on the receiving environment. It is Ms Soeter's opinion that DRP is not a contaminant of concern due to the level of on-site treatment proposed, including flocculation, the low volume of aggregate crushing and overburden disposal, and the likely significant DRP input from the existing adjacent rural land that the unnamed tributary flows through. Mr Fa'anoi disagrees with this assessment.
42. Irrespective, the Applicant agrees to DRP monitoring for 24 months to confirm the expected low level of DRP contribution to the surrounding environment. Detailed monitoring and review conditions have been recommended at Appendix A of Ms Adsett's S42A report, with the Applicant agreeing to those conditions, should consent be granted.

Traffic

43. Following expert conferencing, a Joint Witness Statement on Traffic Impact Assessment has been provided by Mr Joseph Philips (Beca Limited), for the Applicant and Ms Harriet Fraser (Harriet Fraser Traffic Engineering & Transportation Planning), on behalf of Palmerston North City Council.
44. There were no items in disagreement and an agreed set of consent conditions have been recommended and agreed to by the Applicant, should consent be granted.
45. An additional matter was raised by submitters at the pre-hearing meeting, regarding trucks turning left from SH57 into Kendalls Line, crossing the centre line. The Applicant has consulted with PNCC and Waka Kotahi on possible solutions to improve the flow of traffic and it has been agreed the most practical option is to widen the road seal on the southern side of Kendalls Line from the driveway of No. 6 Kendalls Line towards the state highway, along with vegetation trimming and new road markings. Waka Kotahi have provided an updated written approval based on the concept plan, attached at Appendix B.
46. Mr Phillips has provided a statement of evidence on transportation and will appear at the hearing.

NOISE AND DUST EFFECTS

47. There remains substantive disagreement between Applicant and Council experts on noise matters and a disagreement on dust matters. Hence, evidence has been provided by these experts, who will present at the hearing. I provide planning evidence on each of these items below.

Noise

48. Marshall Day Acoustics prepared a noise assessment on behalf of the Applicant, and this was peer-reviewed by Mr Nigel Lloyd (Acousafe Consulting and Engineering Limited), on behalf of PNCC. There remain disagreements between the acoustic experts regarding the assessment of quarry traffic noise, noise mitigation for Kendalls Line receivers, and the requirement for a Noise Management Plan. Mr Jon Farren, Marshall Day Acoustics has provided expert evidence on noise and vibration and will be present at the hearing.

Truck Vibration

49. Mr Farren has provided an assessment of vibration levels generated by trucks on roads. Vibration from trucks travelling on roads is typically generated when the truck encounters a pothole, corrugation or other irregularity. On a well-maintained road, Mr Farren considers in this evidence, it likely that most vibration measurements will be below 0.3 mm/s (PPV) which is the level that vibration is generally considered as perceptible in residential environments.
50. All quarry trucks previously surveyed by Marshall Day Acoustics on local roads, with posted speed limits of 80 to 100 km/h, were below 1mm/s (PPV) which is the threshold where complaints are typically received and substantially below 5 mm/s (PPV) threshold for cosmetic damage to buildings (DIN 41507¹). On this basis, subject to Kendalls Line being well-maintained, and with a courtesy speed limit of 50 km/h for quarry traffic, the potential for adverse vibration effects arising from the proposed increase in truck movements from the quarry is considered to be minor and no particular mitigations are required in this regard.

¹ *DIN 4150-3:2016 Vibrations In Buildings - Part 3: Effects On Structures*

Quarry Noise

51. Both acoustic experts agree that noise from the quarry itself will comply with the District Plan noise limits for the Rural Zone (*R9.11.1 Noise*), with the exception of one sensitive receiver at 150 Kendalls Line. The Application was notified to the owners/occupiers of 150 Kendalls Line, with no submission received. A set of consent conditions has been developed through the course of pre-hearing meetings to mitigate noise from the quarry and Mr Farren will present evidence separately on his recommended consent conditions. Additionally, I provide below a summary of the conditions/aspects of the noise conditions that are not agreed between myself and the Reporting Officer and provide my comment as to the changes required to the Reporting Officers' noise conditions (shown also in the track changes version of conditions in Appendix A) however I summarise below the conditions that are not yet agreed upon.

- The reference to construction noise, in the condition setting noise limits for quarry activities, should be deleted, as there is a standalone condition on noise from construction activities. (NEW Condition 14, Appendix A of my evidence).
- The condition setting noise limits for quarry activities at No. 150 Kendalls Line, should be modified to accommodate the higher predicted noise levels at 150 Kendalls Line and the reference to construction noise should be deleted (NEW Condition 15, Appendix A of my evidence).
- Condition 14 should be deleted. Mr Farren does not consider that land without an existing dwelling requires protection from noise as there is no resulting noise effects. If a future rural residential dwelling was to be established as-of-right closer to the quarry, the dwelling would be protected by proposed NEW Condition 14.
- There is no need for a specific Noise Management Plan (NMP) on the basis that the site has been established for a long period of time and both the compliance monitoring provided by the Applicant, and Mr Farren's assessment shows recent quarry operations comply at the nearest dwellings (with the exception of one dwelling). Instead, he recommends the Quarry Management Plan be updated with noise management and monitoring requirements.
- Annual noise monitoring is unnecessary. This is because the quarry has been operating for several decades, there is no substantial change to the noise generating activities on-site and there have been no complaints about quarry noise from neighbours, noting the nearest receiver at 150 Kendalls Line had previously provided written approval to an earlier iteration of the consent application to expand

the quarry. Mr Farren recommends one round of noise monitoring after the consent is granted, and if and when any justified noise complaints are received.

52. I agree with Mr Farren's recommended changes to consent conditions for these reasons.

Traffic Noise

53. Both experts consider that noise impacts of quarry trucks on Kendalls Line residents should be assessed, and that noise from traffic is the submitters' key concern.

54. They agree that there are no relevant performance standards in the District Plan controlling traffic noise on existing roads. This is because roads are a permitted activity pursuant to Section 9 Rural Zone (*R9.5.1(v) Permitted Activities*) and the District Plan explicitly excludes limits for noise emitted from a road (*R9.11.1 Noise*) and (*R6.2.6.2 d. Exclusions from noise control rules*). They also agree there is no relevant New Zealand Noise Standard that applies to quarry traffic.

55. District Plan *R9.11.2 Noise Insulation: Road Traffic Noise* signals an acceptable level of traffic noise in specific circumstances. Road-traffic sound levels must not exceed 57 dB LAeg(24hr) outside the most affected part of a new habitable building within a specified setback from a State Highway. The onus on the sensitive receiver to demonstrate compliance with this rule. However, Mr Farren does not consider this rule to be directly applicable in this instance as it applies to new habitable rooms next to State Highways where a higher traffic noise environment could be reasonably anticipated. Furthermore, the rule does not explicitly consider noise amenity in outdoor areas, which he considers to be relevant in this instance.

56. Both acoustic experts agree that quarrying is Discretionary activity, with an assessment criterion that requires the consideration of noise effects of quarrying on the amenity values of the adjacent residential uses (*R9.8.3 Quarrying, including the removal of sand, shingle, soil or other material, and oil and gas exploration activities*), and therefore noise from quarrying activities including quarry trucks on local roads, should be assessed.

57. I agree with the assessment of District Plan Sections 6 General Rules and 9 Rural Zone by Mr Farren and Mr Lloyd, that there are no noise limits for traffic on roads within the District Plan nor a relevant New Zealand Noise Standard that applies to quarry traffic.

58. The District Plan contains the following assessment criteria (a. and c.) for quarrying activities -
- a. *The extent to which any adverse effects on the safe and efficient operation of the roading network from the traffic movements generated by activities are avoided, remedied or mitigated.*
 - c. *The extent to which the effects of noise, dust and other environmental disturbances on the amenity values of the area, particularly on adjacent residential uses can be avoided, remedied or mitigated.*
59. In terms of the first criterion, the Applicant need only demonstrate 'safe and efficient operation of the roading network', there is no reference to traffic noise. Criterion c. requires an assessment of the effects of noise on amenity values of the area, particularly on adjacent residential uses. In my opinion, quarry trucks travelling to and from the quarry represent typical quarrying activities, albeit in this instance the majority of trucks travelling to and from the quarry are not owned by the Applicant, rather they are quarry customers.
60. Where there are no relevant rules in the District Plan or New Zealand Noise Standards, *R6.2.6.2 Exclusions from Noise Control Rules* specifies that vehicles being driven on a road shall be controlled by S16 and S17 RMA, i.e., the Applicant has a duty to avoid unreasonable noise and avoid, remedy or mitigate effects on the environment, regardless of whether an activity is permitted or otherwise.
61. The District Plan at Section 6.4.2 by provides guidance on how noise sources that fall outside the scope of the Standards and zonal controls (such as off-site road noise), are to be assessed.

"Examples include an activity (such as a supermarket) that may generate significant truck volumes that would result in an increase in off-site road noise to the surrounding area, or a dog kennel that may result in significant noise from dogs barking. In both examples the specific source of noise falls outside the scope of the Standards and therefore cannot be assessed under the zonal controls, however the activity itself which generates the noise source is likely to require the submission of a resource consent application to enable the Council to assess the potential effects of the activity. In these cases, the effects from the noise source may be required to be included within an assessment of environmental effects. Where a noise assessment is required then this should be undertaken by a suitably qualified and experienced acoustical engineer. If consent is granted the noise

source may be subject to control through conditions (i.e. restriction of hours of operations)."

62. In my opinion, an assessment of the reasonableness of noise (S16 RMA) is the key consideration for quarry traffic along Kendalls Line.
63. Mr Farren has assessed the amenity effects of noise from quarry activities, including quarry traffic. He has assessed the existing noise environment, including nearby traffic on SH57, and in the absence of a noise limit for traffic noise in the District Plan, or an applicable New Zealand Noise Standard, Mr Farren has identified a daytime noise limit for trucks on a public road that he considers to be acceptable in the context of providing appropriate residential amenity for rural residential dwellings along Kendalls Line. The proposed limit is 55 dB LAeq(1hr) at the dwelling façade, where 50 dB LAeq(1hr) represents the onset of moderate annoyance outside of dwellings, and 55 dB LAeq(1hr) represents onset of serious disturbance, based on the World Health Organisation Guideline Values for Community Noise.
64. Mr Farren has identified several properties which would experience noise levels at or above 55 dB LAeq(1hr) and has recommended a 1.8 metres high, close boarded wooden fence be provided along the boundary of these properties. Mr Farren considers this to be the most appropriate type of acoustic mitigation as it would serve to reduce noise levels experienced within the dwellings as well as outdoor living areas to 50 dB LAeq(1hr). No. 11, No. 33 and No. 150 Kendalls Line have been identified for noise mitigation, however the actual number of dwellings would be confirmed by noise survey, should the consent be granted.
65. Mr Lloyd appears to accept Mr Farren's recommended traffic noise limit, however he considers because there are other dwellings missing out on noise mitigation, by one, two or three decibels difference, mitigation should be offered to all dwellings within 50 metres from the centre of Kendalls Line.
66. Mr Farren does not agree that noise attenuation is required for properties experiencing less than 55 dB LAeq(1hr) at the façade of the dwelling, and he also does not agree with Mr Lloyd's 'distance from road' approach for the following reasons:
 - A noise level is preferred as an objective reference for designing the noise mitigation required; and
 - An objective noise level also provides a mechanism to evaluate the effectiveness of any installed mitigation, should that be necessary.

67. In my opinion the District Plan has identified in *R9.11.2 Noise Insulation: Road Traffic Noise*, a threshold of 57 db with a 24hr average, after which road traffic noise becomes unreasonable for residential dwellings in the Rural Zone, albeit where they are adjacent to a State Highway. It is also noted that, unlike a State Highway, quarry operating hours exclude evenings and most of the weekend. Mr Farren's identified limit 55 dB LAeq(1hr) and mitigation recommendations are therefore more conservative and offer greater protection to dwellings along Kendalls Line. In my opinion, the reasonable noise test in S16 RMA is met, or exceeded by Mr Farren's recommended noise limits, and that Mr Lloyd's recommendation to effectively lower the noise limit further is unjustified.
68. Mr Farren also considers the requirement to offer mitigation to residents on at least three occasions to be excessive, instead he recommends an alternative process (used by Waka Kotahi) by which the consent holder would offer mitigation to residents.
69. I agree with the reasons outline in Mr Farren's evidence regarding the changes to consent conditions, and I have made tracked changes to the consent conditions in Appendix A to reflect those proposed by Mr Farren.

Air Quality/Dust

70. The Applicant engaged Mr Stuart Keer-Keer, K2 Environmental, to prepare a Dust Management and Monitoring Plan and to assess ambient air quality over a 4-week period, in response to submitter's concerns about dust and diesel fumes from quarry traffic along Kendalls Line.
71. Andrew Curtis, PDP on behalf of PNCC reviewed the Application and considers that the activity is likely to meet the permitted activity One Plan Rule 15-14, and I concur with this assessment.
72. Both experts agree that subject to appropriate management of dust within the quarry site, dust from the extraction, processing, storage and disposal activities will have a negligible effect at Kendalls Line in large part due to the type of material produced at the quarry and processing activities, existing dust controls measures, the prevailing wind direction, the distances of the nearest properties to the quarry. The closest neighbour has not raised any concerns about dust and has not submitted on the consent application.
73. Submitters have raised concerns about dust from quarry trucks travelling along Kendalls Line. Both experts agree that quarry trucks could track material off-site causing visible dust during dry, summer months, particularly if the entrance/exit to the quarry is not well

maintained. Trucks may also disturb material on the road surface and the adjacent berms when travelling the length of Kendalls Line.

74. Mr Keer-Keer concluded that dust emissions, including diesel emissions from quarry traffic during the monitoring period was low and that levels monitored are an indication of ambient levels, with peak concentrations of dust often arising from other rural sources unrelated to site activities and quarry traffic movements. It is expected therefore, that if the road is maintained and there is an increase in frequency of quarry vehicles along Kendalls Line that the emissions will not increase substantially. However, both experts agree that the baseline monitoring provides a snapshot of the ambient dust environment only and acknowledge the seasonal limitations of the monitoring period. Further monitoring during warm dry weather conditions is recommended by both experts.
75. There remains disagreement on the frequency of dust monitoring. Mr Curtis recommends the installation of a permanent monitor near the quarry site entrance to provide data to demonstrate whether mitigation measures proposed by the Applicant are effective. Mr Curtis considers that if dust is being appropriately managed at the quarry entrance, then the potential for dust effects from vehicle movements at the other end of Kendalls Line should be minimal. Mr Keer-Keer considers ongoing PM10 monitoring is excessive and that one round of PM10 monitoring, at the quarry and along Kendalls Line should occur during the first 'dry' summer period following grant of the consent. He considers this would be sufficient to demonstrate that the dust effects from the quarry and quarry traffic are negligible.
76. Based on the conclusions of both air quality experts that dust effects from the quarry and quarry traffic can be readily mitigated through the use of a Dust Management and Monitoring Plan, I agree with Mr Keer-Keer that one round of monitoring as described in the draft Dust Management and Monitoring Plan is appropriate.

REGIONAL PLAN AND DISTRICT PLAN ASSESSMENTS

77. The relevant objectives and policies of the Regional Plan, the Regional Policy Statement and District Plan have been identified in section 7 of the Application, and again in section I Planning Policy and Framework of Ms Adsett's S42A RMA report. I agree that subject to the conditions of consent, there are no District Plan or Regional Plan objectives or policies that I consider the Application to be inconsistent with or contrary to.

78. I consider the following objectives and policies enable the activity, subject to appropriate mitigation.

- One Plan Objective 3-1: *Infrastructure and other physical resources of regional or national importance.*
 - Policy 3-1 *Benefits of infrastructure and other physical resources of regional or national importance*
- District Plan Rural Zone Objective 2: *To encourage the effective and efficient use and development of the natural and physical resources of the rural area.*
 - Policy 2.2: *To ensure that the adverse effects of activities in the rural area are avoided, remedied or mitigated such that the amenities of the area and nearby urban areas are maintained.*
 - Policy 2.3: *To control the actual or potential environmentally adverse effects of activities in the rural area, including the adverse effects of, odour, noise, traffic and visual impact.*
- District Plan Land Transport Objective 1: *The City's land transport networks are maintained and developed to ensure that people and goods move safely and efficiently through and within the City.*
 - Policy 1.1 *Identify and apply the roading hierarchy to ensure the function of each road in the City is recognized and protected in the management of land use, development and the subdivision of land.*
- District Plan Rural Zone Objective 4: *To recognise and enhance the diversity of the rural community.*
 - Policy 4.3: *To allow a range of other activities where their adverse effects can be avoided or mitigated.*
- District Plan City Views Objective 12: *A wide range of business and economic activities are provided for.*
- District Plan City Views Objective 13: *Investment within the City is stimulated and identified priority sectors such as research, education, public administration, retail, logistics, construction, manufacturing and agriculture are well supported.*
- District Plan City Views Objective 25: *Infrastructure and physical resources of regional or national importance are recognised and provided for by enabling their establishment, operation, maintenance, upgrading and protection from the effects of other activities.*

79. I am not aware of any relevant provision of the Regional Plan, the Regional Policy Statement or District Plan that have changed since the Assessment of Environmental Effects was prepared.

NATIONAL POLICY STATEMENT / NATIONAL ENVIRONMENTAL STANDARD ASSESSMENTS

80. The relevant National Policy Statements and National Environmental Standards have been identified in section 7 of the Application, and again in section I Planning Policy and Framework of Ms Adsett's s42A report. Subject to the conditions of consent, there are no National Policy Statement or National Environmental Standards objectives or policies that I consider the Application to be inconsistent with or contrary to.

RESPONSE TO S42A OFFICERS REPORT


81. I have reviewed and considered the S42A RMA report. There is a significant degree of agreement with Ms Adsett's assessments and opinions stated therein.
82. I have provided a discussion of the assessment matters where the Applicant and Council's technical experts are not in agreement earlier in my evidence, being the number of residential properties identified for noise mitigation, noise mitigation consent conditions, and frequency of dust monitoring.
83. Ms Adsett has confirmed errors at Para 169 states "overall I do not consider that the applicant is generally consistent with the relevant objective and policies of chapter 7". It appears, given the statements in the preceding paragraphs around mitigations being appropriate, that this should say "I consider the Application is generally consistent with...."
84. Similarly, para 184 states that the Application and proposed mitigations allow the activity to be "not consistent with" the provisions of the RP, but it appears that should be "not inconsistent with".

PROPOSED CONDITIONS OF CONSENT

85. I have reviewed the recommended consent conditions (should consent be granted) appended to the Reporting Officer's S42A RMA Report. Attached as Appendix A is a track change set of conditions, with the reason for the change noted as a comment.

CONCLUSION

86. The proposal has positive effects by providing aggregate for locally and regionally important infrastructure projects. It will have acceptable effects on the visual and landscape values of the site, rural amenity, including noise and dust effects, and on the safety and efficiency of the transport network. Re-forestation of the unnamed tributary of the Kahuterawa Stream will improve water quality and enhance biodiversity at the quarry. Likewise, buffer planting around the indigenous forest remnant will reduce boundary effects resulting from the proposed pit expansion.
87. The expansion of the existing quarry represents an effective and efficient use of a long-established quarry and the continued supply of a key strategic aggregate resource that is highly sought after for key regional strategic and economic developments. Therefore, the above assessments have found the proposal to be consistent with the relevant objectives and policies of the MWRC One Plan, PNCC's District Plan, and the NPS-FM and I consider the proposal meets the sustainable management purpose of the RMA.



Emma Nicole Hilderink-Johnson

7 June 2023

PNCC RESOURCE CONSENT CONDITIONS

Application Details:

THE APPLICANT:	HIROCK LTD
LOCATION:	167-257 KENDALLS LINE, PALMERSTON NORTH
ZONING:	RURAL ZONE
ACTIVITY STATUS:	DISCRETIONARY ACTIVITY
PROPOSAL:	EXPANSION AND OPERATION OF AN EXISTING QUARRY
APPLICATION:	LU 6962

GENERAL ACCORDANCE

1. The consent holder must undertake the activity in general accordance with the consent application including all accompanying plans and documents first lodged with the Palmerston North City Council on 21 November 2022, and the information included in the following further information responses and plans:
 - A. Site plan titled Linton Quarry Expansion, drawn by Good Earth Matters, dated July 2022 and attached as Appendix B to the application.
 - B. Ecological Effects Assessment titled "ASSESSMENT OF ECOLOGICAL EFFECTS OF QUARRY EXPANSION AT LINTON QUARRY, PALMERSTON NORTH, prepared by Wildlands, dated October 2022 and updated December 2022, contract report number 6016
 - C. Traffic Management Plan prepared by HiRock Limited, titled "LINTON QUARRY SITE SPECIFIC TRAFFIC MANAGEMENT PLAN (SSTMP), Revised 06/05/2020 Version 5 JG
 - D. Quarry Management Plan prepared by HiRock, titled "LINTON QUARRY, QUARRY MANAGEMENT PLAN, dated 12/11/2020 Version: 2.0.
 - E. Water Monitoring Results and Monitoring Plan, prepared by Good Earth Matters, titled "Linton Quarry Monitoring Plan - Settlement Pond 1/SRP, HiRock Limited, Dated November 2022 and updated December 2022.
 - F. Linton Quarry Pit Expansion Erosion and Sediment Control Plan November 2022 Hirock Limited FOR RELODGE MENT". Prepared by Good Earth Matters Consulting Ltd and dated November 2022, including the plan 'Erosion and Sediment Control Overview Plan. Drawing Number 76506.002 Rev A'.
 - G. Ecological Management Plan, Titled ECOLOGICAL MANAGEMENT PLAN FOR HIROCK LINTON QUARRY, PALMERSTON NORTH, prepared by Wildlands, dated September 2022 and updated December, contract report number 6016b
 - H. Powelliphanta Snail Survey Titled POWELLIPHANTA SNAIL SURVEY AT HIROCK LINTON QUARRY, PALMERSTON NORTH, prepared by Wildlands, dated October 2022, contract report number 6016e
 - I. Further information response dated 22 December 2022 including Memo from Marshall Day Acoustics dated 21 December 2022, Alternative Overburden Disposal Areas - Noise, project number 20210382 and Memo from Good Earth Matters, dated

22 December 2022, Discharge Treatment and Expected Standards, Instream Effects and Discharge Volumes - Linton Quarry Expansion Joint Consent Application APP-2022203991.00 & RC-LU-6962

- J. Memo from Tonkin and Taylor, dated 22 December 2022 Linton Quarry Geotechnical Assessment of Proposed Overburden Disposal Areas, Job No: 1018486.1000 including design of proposed overburden areas.
- K. LIZARD SURVEY AND INCIDENTAL DISCOVERY PROTOCOL FOR HIROCK LINTON QUARRY, PALMERSTON NORTH, prepared by Wildlands, dated January 2023, contract report number 6016c
- L. BAT SURVEY REPORT FOR PROPOSED QUARRY EXPANSION AT LINTON QUARRY, PALMERSTON NORTH, prepared by Wildlands, dated February 2023, contract report number 6016d
- M. Memo regarding the Memorandum of Understanding with Rangitāne o Manawātū, dated 27 April 2023, from Good Earth Matters.
- N. Memo regarding the Memorandum of Understanding with PNCC for the on-going maintenance of Kendalls Line, dated 27 April 2023, from Good Earth Matters.
- O. Dust Management and Monitoring Plan, prepared by K2 Environmental Limited, report number Y0135, 1 June 2023, Draft 1.
- P. Dust Monitoring Report, prepared by K2 Environmental Limited, report number Y0135, 1 June 2023, Issue 1.
- Q. Plan titled "Kendalls Line/SH57 Intersection Proposed Improvements", prepared by BECA Limited, dated 30 May 2023, drawing number 3823296-TA-1005, Rev. B.
- R. Memo regarding vibration titled TRUCK VIBRATION, prepared by Marshall Day Acoustics, dated 29 May 2023, document number Mm 002.

Where there may be inconsistencies between the information provided by the Consent Holder and conditions of the resource consent, or the condition requires a specific plan to be updated, the conditions of the resource consent will apply.

- 2. The consent holder must be responsible for all contracted operations related to the exercise of this resource consent; and must ensure contractors are made aware of the conditions of this resource consent and ensure compliance with those conditions.
- 3. A copy of this consent must be kept onsite at all times that physical works authorised by this resource consent are being undertaken and must be produced without unreasonable delay upon request from a servant or agent of the Palmerston North City Council.

ACCESS AND TRAFFIC

- 4. Signs must be erected along Kendalls Line advising of a speed limit of 50 km/hr for all Quarry Traffic and advising 'no engine breaking'. At a minimum, signage must be located a minimum of 100m from the intersection of Kendalls Line and State Highway 54 and again at the entrance/ exit of the quarry.
- 5. A baseline road condition survey of Kendalls Line is to be undertaken by Hirock annually, the first baseline survey must take place **one (1) month** after the completion of upcoming summer 2022/2023 repairs and re-seal, and then annually thereafter.

Commented [EHJ1]: Additional plans and assessments provided post the S42A report.

Commented [EHJ2]: Proposed by the Applicant.

- (a) The first baseline survey after the completion of the summer 2022/2023 repairs and re-seal must use a laser profilometer to identify road pavement shape and condition and this will determine more accurately future pavement rutting and micro cracking caused by heavy commercial vehicles (HCV) wheel track loadings.
- (b) Laser profiling baseline survey must be undertaken once every three (3) years. In other years, the annual baseline road condition survey may be a visual survey carried out by a suitably qualified roading contractor.
- (c) The annual baseline road condition survey is to be submitted to PNCC within **one (1) month** of being undertaken.

Advice Note: Condition 5 has been included on an Augier Basis, based on a Memorandum of Understanding between PNCC – Roading Team and the Applicant.

Advice Note: The report can be submitted to PNCC via email steve.mcnicholl@pncc.govt.nz and planning.services@pncc.govt.nz quoting reference LU 6962, Condition 5.

- 6. No later than **6 months** after the grant of consent, the consent holder must provide a separated 1.0 m (minimum) wide lime chip path, adjacent to the roading corridor of Kendalls Line, between 4 and 75 Kendalls Line to allow for safe movement of pedestrians and cyclists between the rural residential properties.

~~Advice Note: Condition 6 has been included on an Augier Basis, based on a Memorandum of Understanding between PNCC – Roading Team and the Applicant.~~

Commented [EHJ3]: This is not a requirement of the MoU, this was recommended by Ms Harriet Fraser, on behalf of PNCC.

- 7. The consent holder must update the Traffic Management Plan:
 - (a) To ensure all truck drivers are informed about safe vehicle speeds and breaking restrictions and the risk of children moving along the western end of Kendalls Line if school age children are being picked up and dropped off by school bus; and
 - (b) Traffic control measures for vehicles turning right from State Highway 57 into Kendalls Line during peak traffic periods.

Commented [EHJ4]: Proposed by the Applicant.

A copy of the updated Traffic Management Plan must be submitted to council no later than **1 month after the granting of consent**, for record keeping.

~~Advice Note: Condition 7 has been included on an Augier Basis, based on a Memorandum of Understanding between PNCC – Roading Team and the Applicant.~~

Commented [EHJ5]: This is not a requirement of the MoU, this was a recommendation by Ms Harriet Fraser on behalf of PNCC.

Advice Note: The report can be submitted to PNCC via email steve.mcnicholl@pncc.govt.nz and planning.services@pncc.govt.nz quoting reference LU 6962, Condition 7

- 8. Traffic generation to/from the site must comply with the following:
 - (a) Average daily truck movements must not exceed 200 (averaged monthly, excluding Sundays and public holidays).
 - (b) Total truck movements must not exceed:
 - i. 250 per day; and

- ii. 40 per hour.

For the avoidance of doubt, a truck movement is defined as single trip either inbound to, or outbound from the site and can be a truck with or without a trailer. A return trip to and from the site constitutes two truck movements.

- 9. Truck movements to the site which result in right-turn movements from State Highway 57 into Kendalls Line, must not exceed:
 - (a) 40 per day (averaged monthly, excluding Sundays and public holidays); and
 - (b) 6 per hour
- 10. The consent holder must provide a record of the number and type of vehicles per day using the State Highway 57 and Kendalls Line intersection to Palmerston North City Council's compliance monitoring officer as part of an annual report to ensure that **Conditions 8 and 9** are complied with. The annual report for the previous calendar must be submitted no later than **31 January** the following year.

Advice Note: The report can be submitted to PNCC via email steve.mcnicholl@pncc.govt.nz and planning.services@pncc.govt.nz quoting reference LU 6962, Condition 10.

- 11. The annual report required by Condition 10 must be submitted to Waka Kotahi for its record keeping purposes. The annual report for the previous calendar must be submitted no later than **31 January** the following year.

Advice Note: The report can be sent to environmentalplanning@nzta.govt.nz quoting number 2021-0337.

12. The Consent Holder shall submit for approval by Palmerston North City Council and Waka Kotahi, detailed design plans for improvements to Kendalls Line, in accordance with the concept plan "Kendalls Line/SH57 Intersection Proposed Improvements", prepared by Beca Group Limited, drawing number 3823296-TA-1005, Rev B, dated 2 June 2023.

13. The Consent Holder shall undertake improvements at the Kendalls Line/State Highway 57 intersection in accordance with the approved plan, required by Condition 12, within six (6) months of the consent being granted.

Commented [EHJ6]: New conditions on the proposed upgrades to the Kendalls Line/SH57 intersection, as requested by Waka Kotahi.

NOISE

12-14. The Consent Holder must ensure that quarrying activities ~~(other than the construction of noise bunds)~~ are managed to ensure that noise does not exceed the following at or within any residentially zoned site, or at or within the notional boundary of any rural dwelling, aside from the dwelling located at 150 Kendalls Line:

Commented [EHJ7]: Replaced with Condition 16

7.00am to 7.00pm 50 dB $L_{Aeq(15min)}$

7.00pm to 10.00pm 45 dB $L_{Aeq(15min)}$

10.00pm to 7.00am 40 dB $L_{Aeq(15min)}$

10.00pm to 7.00am 70 dBA L_{max}

Sound levels must 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.

~~Noise from the construction of noise bunds must be managed and controlled in accordance with NZS 6803:1999 Acoustics construction noise~~

Commented [EHJ8]: Replaced with Condition 16.

The notional boundary is defined as a line **twenty (20) metres** from any side of a dwelling or the legal boundary where this is closer to the dwelling.

~~13-15.~~ The Consent Holder must ensure that quarrying activities ~~(other than the construction of noise bunds)~~ must be managed to ensure that noise from the quarrying activity does not exceed the following within the notional boundary of the dwelling situated at 150 Kendalls Line:

Commented [EHJ9]: Replaced with Condition 16

7.00am to 7.00pm ~~51~~ **50** dB $L_{Aeq(15min)}$

7.00pm to 10.00pm 45 dB $L_{Aeq(15min)}$

10.00pm to 7.00am 40 dB $L_{Aeq(15min)}$

10.00pm to 7.00am 70 dBA L_{max}

Commented [EHJ10]: The limit should be increased to 51 dB L_{Aeq} , being the anticipated noise level at this property.

Sound levels must 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.

~~Noise from the construction of noise bunds must be managed and controlled in accordance with NZS 6803:1999 Acoustics construction noise~~

Commented [EHJ11]: Replaced with Condition 16.

The notional boundary is defined as a line **twenty (20) metres** from any side of a dwelling or the legal boundary where this is closer to the dwelling.

~~14. Quarrying activities (other than the construction of noise bunds) must be managed to ensure that noise does not exceed 60 dB $L_{Aeq(15min)}$ at all times at or within the boundary of any other site.~~

Commented [EHJ12]: Land without an existing dwelling does not require additional protection as there are no resulting noise effects. If, in future, a dwelling were to be constructed on vacant land, Condition 14 would then apply.

~~15-16.~~ Noise from the construction of noise bunds must be managed and controlled in accordance with NZS 6803:1999 Acoustics - Construction noise.

~~16-17.~~ Blasting activities must be measured and assessed in accordance with Appendix J of Australian Standard AS 2187-2:2006 "Explosives – Storage and use Part 2: Use of explosives".

Blasting vibration must not exceed the peak component particle velocity shown as Line 2 in Fig F.1 when measured at the base of any dwelling. Blasting must be managed to ensure that in any calendar year, 95% of airblast levels do not exceed 115 dBL, with a maximum of 120 dBL, when applied at or within any residentially zoned site or at or within the notional boundary of any rural dwelling.

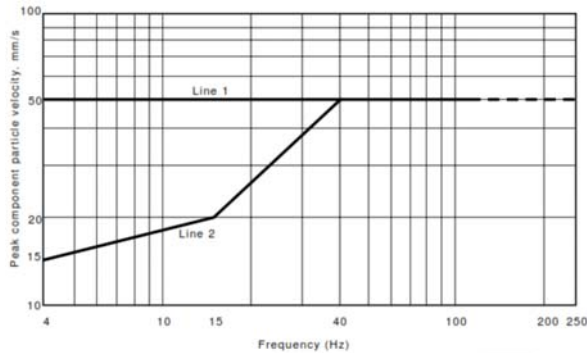


Figure F.1 Blasting Vibration Limits (Line 2)

~~17-18.~~ Blasting must not occur more than 36 times per year and will only take place between 0900 and 1700 hrs Monday to Friday. All residents on Kendalls Line and within 1 km of the quarry must be alerted to any blasting through the use of a siren and written communication for any blasting outside of the hours of 1000 to 1030 hrs and 1400 to 1430 hrs Monday to Friday.

~~18.~~ Within **5 months** of grant of consent, the consent holder must offer on at least three occasions to install noise mitigation for all dwellings with a façade within 50m of the road centreline as at **[date granted]**. The design and installation of the noise mitigation will be at the sole cost of the consent holder. Any ongoing maintenance of the mitigation will be at the cost of the landowner. The noise mitigation will be designed by a suitably qualified and experienced acoustic consultant in liaison with the property owner and must represent the best practicable option to reduce the noise.

~~19.~~ Within **3 months** of grant of consent, the consent holder must identify all dwellings where the quarry traffic noise level equals or exceeds an equivalent free field noise level of 55 dB LAeq(1h) at the facade of any dwelling.

~~20.~~ The consent holder must offer to install a 1.8-metre-high close boarded wooden fence as noise mitigation for all dwellings where the quarry traffic noise level equals or exceeds an equivalent free field noise level of 55 dB LAeq(1h) at the facade of any dwelling. The installation of the noise mitigation will be at the sole cost of the consent holder.

Advice Note: If the Consent Holder has not had a response from the dwelling owner after ~~three attempts~~ **three months**, being either in person or via a letter, then it can be considered that this condition is satisfied in relation to that dwelling.

~~19-21.~~ A report must be provided to council within **7 months** of consent being granted detailing

- a) The property owners approached as per **Condition 2018**,
- b) A copy of the noise mitigation report prepared by the applicant; and
- c) The mitigations installed or otherwise.

~~20.~~ The Consent Holder must ensure that a Noise Management Plan (NMP) is prepared by a suitably qualified and experienced acoustic consultant. The objective of the NMP is to develop mechanisms and processes to ensure compliance with the noise level maximums specified in **Condition 12, 13, 14 and 16** and to specify methodologies for the monitoring of noise levels, including that required by **Condition 26**, training of staff and handling of complaints. The NMP must include but be not limited to:

Commented [EHJ13]: To be replaced with Conditions 19 and 20.

- d) ~~The relevant noise limits,~~
- e) ~~the relevant blasting airblast and vibration limits,~~
- f) ~~noise mitigation and maintenance requirements for plant and machinery,~~
- g) ~~the size and location of noise bunds,~~
- h) ~~the use of quiet reversing alarms,~~
- i) ~~general operating procedures,~~
- j) ~~the speeds on haul roads,~~
- k) ~~haul road maintenance,~~
- l) ~~achieving vehicle speed limits on Kendalls Line~~
- m) ~~training of staff,~~
- n) ~~complaints handling and recording,~~
- o) ~~staging and minimising the impacts of bund construction, and~~
- p) ~~quarry noise & blasting (airblast and vibration) monitoring.~~

~~21. The NMP must be submitted to the Palmerston North City Council's Monitoring Officer for technical certification at least twenty (20) working days before works commence on the site.~~

~~22. Certification (or withholding certification) is based on whether the NMP meets the requirements of the conditions of this resource consent, with specific focus on Conditions 12, 13, 14, 16 and 26.~~

~~23. The Consent Holder must operate the quarry in compliance with the certified NMP at all times.~~

~~24. The NMP may be amended or updated without the need for certification where the amendment is an administrative change, including nominating personnel.~~

~~25. Except as provided for in Condition 24, amendments to the NMP and any appendices must be certified in writing by the Palmerston North City Council acting in a technical certification capacity prior to the commencement of any works to which the amended NMP relate.~~

~~26-22. Noise monitoring must be undertaken within 3 months of the issue of consent, and then annually for the life of the quarry, and on receipt of a justifiable complaint. A copy of the results of each period of monitoring results must be provided to the Palmerston North City Council within 6 weeks of undertaking the monitoring in a form that demonstrates whether compliance is being achieved with these conditions.~~

Commented [EHJ14]: Mr Farren considers updating the Quarry Management Plan with noise management and mitigation measures will be sufficient. A NMP is not necessary as the quarry has been established for a long period of time and the compliance monitoring provided by the Applicant and his assessment shows recent quarry operations comply at the nearest dwellings.

Commented [EHJ15]: Mr Farren considers one round of noise monitoring will be sufficient, rather than annual monitoring.

GEOTECHNICAL

~~27-23. Annual visual monitoring recording of any changes in slope stability in the pit walls must be recorded photographically (oblique and UAV photos) and assessed by a suitably qualified geotechnical engineer. Results from this monitoring must be provided to Palmerston North City Council.~~

Advice Note: The report can be submitted to PNCC via email steve.mcnicoll@pncc.govt.nz and planning.services@pncc.govt.nz quoting reference LU 6962, Condition 237.

~~28-24.~~ An annual comparison of as built topography against the proposed 2(h):1(v) surface proposed for final design for the overburden sediments must be provided to the Palmerston North City Council by **31 January** each year.

Advice Note: The report can be submitted to PNCC via email steve.mcnicholl@pncc.govt.nz and planning.services@pncc.govt.nz quoting reference LU 6962, Condition ~~2428~~.

~~29-25.~~ There must be no further excavation within **15 metres** of the protected indigenous forest area as identified on the Site plan titled Linton Quarry Expansion, drawn by Good Earth Matters, dated July 2022 and attached as Appendix B to the application.

HOURS OF WORK

~~30-26.~~ The quarry must not operate outside the hours of 07:00 to 17:00 hrs, Monday to Friday and 07:00 to 15:00 hrs on Saturdays. No quarry activity will take place on Sundays or public holidays. Quarry trucks must not use Kendalls Line outside of the core quarry hours. This restriction does not apply to staff arriving to the site, between 06:30 and 0700 hrs.

PROTECTION OF ECOLOGICAL AREAS

~~31-27.~~ An Ecological Management Plan (EMP) must be submitted prior to the expansion of the quarry pit, for technical certification by PNCC, including a summary of consultation undertaken with Rangitāne o Manawātū in the development of the plan. As part of the certification PNCC may seek advice from the Manawatu-Wanganui Regional Council. The EMP must include but not be limited to:

- (a) Mapping the distribution and abundance of pest plant species.
- (b) Methods for the control of pest plant species.
- (c) A summary of active pest animal management and further recommendations (if required).
- (d) Indigenous revegetation recommendations, including planting schedules, and site preparation and monitoring requirements.
- (e) Recommendations for the protection of habitats, including fencing.
- (f) Incidental Discovery Protocol for lizard, bat and Powelliphanta sp.
- (g) Indigenous Vegetation Monitoring Plan to monitor and report on the health of existing trees on a five (5) yearly basis, in the pukatea-tawa-māhoe-(tītoki)-(nīkau) forest including how health is assessed, frequency of assessment and how to identify what level of deterioration is significant and how to attribute any losses to the quarry activity or unrelated events and recommendations for addressing adverse effects.

Advice Note: the intent of this condition is for PNCC to undertake the technical certification of the plan, and they may choose to seek advice or feedback from the Manawatu-Wanganui Regional Council as part of this process.

~~32-28.~~ All works must be undertaken in accordance with the approved EMP unless otherwise restricted by the conditions of this consent.

~~33-29.~~ Within **six (6) months** of grant of consent a 15-metre setback fencing must be constructed around the indigenous forest remnant area (except along the north/north west edge) as identified on the site plan titled Linton Quarry Expansion, drawn by Good Earth Matters, dated July 2022 and attached as Appendix B to the application.

Commented [EHJ16]: There is insufficient space to provide a 15-metre setback along this edge due to the cut face.

~~34-30.~~ Prior to removal of the nikau palms, Rangitāne o Manawatū must be invited to undertake any desired procedures and tikanga. Hirock must provide **two (2) weeks'** notice of their intention to remove the trees.

Advice Note: Condition ~~304~~ has been included on an Augier basis following a Mana Enhancing Agreement between the Applicant and Rangitāne o Manawatū.

~~35-31.~~ Harvesting of nikau palm seeds from the existing trees on site must be undertaken by a suitably qualified person for planting in the reforestation area along the unnamed tributary of the Kahuterawa Stream.

~~36-32.~~ Grass that is not grazed within the proposed quarry expansion zone must be mowed to maintain a continuous length of less than 150mm between **1st August to 31st March** annually, to discourage pipits from nesting.

~~37-33.~~ Within **two (2) years** of grant of consent, planting of the reforestation area along the unnamed tributary of the Kahuterawa Stream as proposed in the EMP must be carried out. The reforestation area must be planted with nikau palms grown from the recovered seed pods and all other plants must be sourced locally from the Manawatū Plains Ecological District.

~~38-34.~~ The final planting plan for the reforestation area along the unnamed tributary of the Kahuterawa Stream and the Indigenous Vegetation Monitoring Plan must be prepared in consultation with Whakapai Hauora, and feedback must be incorporated into the final documents prior to planting taking place under **Condition 337**.

Advice Note: Condition ~~3438~~ has been included on an Augier basis following a Mana Enhancing Agreement between the Applicant and Rangitāne o Manawatū.

~~39-35.~~ Pest control in accordance with the EMP must be undertaken in the indigenous forest area and the reforestation area along the unnamed tributary of the Kahuterawa Stream (once planted).

~~40-36.~~ A QEII covenant, or similar scheme which protects the site in perpetuity, must be entered into within **ten (10) years** of the grant of consent for the reforested area along the unnamed tributary of the Kahuterawa Stream.

DUST

~~41-37.~~ There must be no discharge of airborne particulate matter that is objectionable to the extent that it causes an adverse effect at or beyond the boundary of the subject property.

~~42-38.~~ The Consent Holder must ensure that a water truck/tank, in serviceable condition and able to be used to dampen dust in accordance with their Dust Monitoring and Management Plan, is available on-site at all times.

43-39. The Consent Holder must ensure that dust producing plant (e.g. metal crushers and shaker screens) have sprinklers or other dust mitigating mechanisms in place at all times.

44-40. The Consent Holder must provide the Palmerston North City Council with a Dust Monitoring and Management Plan (DMMP) for technical certification. The DMMP must include but not be limited to:

- (a) A description of the activity including:
 - i. site layout,
 - ii. the nature of any earthworks, quarrying stages, and
 - iii. location of overburden disposal.
- (b) Identification of any residential dwellings or other sensitive receptors within 100 metres of the site boundary.
- (c) A description of the sources of dust and the dust management methods that will be applied, including any specific mitigation measures if sensitive receptors are located within 200 metres of the property boundary, including for example:
 - i. Use of water dust suppression on crushing and screening equipment;
 - ii. Use of watercarts and/or pea gravel on unsealed haul roads and the area of the site accessible by the public;
 - iii. On site speed limits;
 - iv. Sealing of site accessways; and
 - v. Use of a wheel wash.
- (d) Dust management responsibilities for site staff.
- (e) Dust complaint investigation and response procedures.
- (f) Methods that will be used to monitor dust (as PM10) and wind for dust management including but not limited to:
 - i. A description of the monitoring equipment
 - ii. A description of the maintenance of the monitoring equipment
 - iii. A description of the location of the monitoring equipment
 - iv. A description of how monitoring data will be used to trigger dust control if concentrations exceed the following limits:
 - Threshold Concentration: 50 µg/m³ (24-hour mean)
 - Permissible Excess: One 24-hour period in any 12-month period

- v. A description of how data from the monitoring equipment will be reported to the Consent Holder and how information will be stored.
- (g) A description of the contingency measures that will be used to control dust if the monitoring data exceeds the concentration limits specified in (f)(iv) above.
- (h) A description of how monitoring data will be provided to the Manawatu-Whanganui Regional Council
- (i) Processes for review and updating of the DMMP, including provision of updates to the regulatory authority for its approval

~~45-41.~~ The DMMP must be submitted to the Palmerston North City Council's Enforcement and Monitoring Officer for technical certification at least **twenty (20) working days** before works commence on the site. Palmerston North City Council may undertake the review in consultation with the Manawatu-Whanganui Regional Council in regards to the compliance, or otherwise, with the One Plan, particularly rule 15-14.

Advice Note: the intent of this condition is for PNCC to undertake the technical certification of the plan, and they may choose to seek advice or feedback from the Manawatu-Wanganui Regional Council as part of this process.

~~46-42.~~ Certification (or withholding certification) is based on whether the DMMP meets the requirements of the conditions of this resource consent, with specific focus on **Condition 405**.

~~47-43.~~ The Consent Holder must operate the quarry in compliance with the certified DMMP at all times.

~~48-44.~~ The DMPP may be amended or updated without the need for certification where the amendment is an administrative change, including nominating personnel.

~~49-45.~~ Except as provided for in **Condition 4448**, amendments to the DMMP and any appendices must be certified in writing by the Palmerston North City Council acting in a technical certification capacity prior to the commencement of any works to which the amended DMMP relate.

~~50-46.~~ Certification (or withholding certification) is based on the Palmerston North City Council's assessment of whether the amended DMMP meets the requirements of the conditions of this resource consent.

~~51. The consent holder must undertake real time PM₁₀ monitoring at a location on the site boundary near Kendalls Line within **three (3) months** of consent being granted. The exact location of the monitor and the method of monitoring must be set out in the DMMP required by **Condition 44**.~~

~~47. The Consent Holder must carry out one round of real time PM₁₀ monitoring after 1st November 2023 and before 31st March 2024, during the first "dry" summer season, following the grant of the consent to determine the extent of any nuisance dust effects from the quarry including quarry traffic along Kendalls Line. The exact locations of the monitors and the method of monitoring must be set out in the DMMP required by Condition 40. Monitoring will be for at least two (2) months of dry weather. If rain events occur during the monitoring period, it shall be extended by the number of days where there was rain.~~

48. To monitor compliance with Condition 47, the consent holder shall continuously measure the following parameters to obtain 1 hour and 24-hourly averages:

a. Particle Concentration -

i. PM1,

ii. PM2.5

iii. PM4,

iv. PM10 and

v. the total dust load,

b. Time lapse video.

c. Meteorological data (wind speed, wind direction and rainfall)

Note: PM10 and total dust load are required to be reported. The other parameters can be used for investigation purposes, only.

49. If the monitoring required by Condition 47 demonstrates there are no nuisance dust effects from the quarry including quarry traffic along Kendalls Line, then dust monitoring need only be carried out in accordance with the approved Dust Management and Monitoring Plan, when two (2) or more substantiated complaints are received by the Consent Holder, Palmerston North City Council or Manawatu-Whanganui Regional Council within a 12-month period.

~~52-50.~~ An annual report shall be provided to the Manawatu-Whanganui Regional Council with the results of the monitoring required by Conditions 47 and 49 and any remedial actions undertaken by the Consent Holder.

Commented [EHJ17]: As per the recommendation of Mr Keer-Keer, one round of dust monitoring of traffic along Kendalls Line and at the quarry itself is considered to be sufficient.

SOIL AND EROSION CONTROL

~~53-51.~~ The Consent Holder must provide a copy of the Erosion and Sediment Control Plan as certified by the Manawātū-Whanganui Regional Council to the Palmerston North City Council within **five (5) working days** of its technical certification.

Advice Note: the requirement for certification of the Erosion and Sediment Control Plan is within the conditions contained within the Manawātū-Whanganui Regional Council consents ATH-2022205663.00, ATH-2022205664.00 and ATH-2023205983.00

QUARRY MANAGEMENT PLAN

~~54-52.~~ The consent holder must update the Quarry Management Plan **twelve (12) months** after the grant of this consent and submit it for Technical Certification by PNCC. The updates must include but not be limited to:

- (a) Updated description of site activities
- (b) Updated description of cultural values of the site
- (c) Reference to Ecological Management Plan
- (d) Reference to Traffic Management Plan
- (e) Reference to Memorandum of Understanding with Rangitāne o Manawātū

- (f) Reference to Memorandum of Understanding with PNCC for the on-going maintenance of Kendalls Line
- (g) Reference to the Dust Management and Monitoring Plan
- (h) Updated noise monitoring requirements
- (i) Updated Erosion and Sediment Control Plan requirements
- (j) Cleanfill record keeping procedures
- (k) Updated regulatory framework i.e., resource consents
- (l) Updated driver induction

Advice Note: the requirement for Technical Certification of the Quarry Management Plan is also contained within the Manawatū-Whanganui Regional Council consents ATH-2022205663.00, ATH-2022205664.00 and ATH-2023205983.00

SITE REHABILITATION

~~55-53~~.A Concept Quarry Closure and Rehabilitation Plan (CQCRP) must be submitted **two (2) years** after the grant of this consent for certification by PNCC, including a summary of consultation undertaken with Best Care (Whakapai Hauora) Charitable Trust in the development of the plan. The CQCRP must cover the entire quarry site and must include but not be limited to:

- (a) Measures to ensure long term slope stability
- (b) Filling of pit and measures required to ensure water quality is suitable
- (c) Riparian planting of pit areas where applicable
- (d) Pest control and maintenance / protection of indigenous vegetation
- (e) Measures to reduce the height of the overburden areas/bunds and integrate them with the surrounding landform
- (f) Planting or grassing of the overburden areas/bunds

Advice Note: Condition ~~53~~4 has been included on an Augier basis following a Mana Enhancing Agreement between the Applicant and Rangitāne o Manawatū.

Advice Note: the requirement for Technical Certification of the Quarry Management Plan is also contained within the Manawatū-Whanganui Regional Council consents ATH-2022205663.00, ATH-2022205664.00 and ATH-2023205983.00

~~56-54~~.A Final Quarry Closure and Rehabilitation Plan (FQCRP) must be submitted at least **twelve (12) months** prior to closure of the quarry to PNCC for certification, including a summary of consultation undertaken with Rangitāne o Manawatū in the development of the plan. The FQCRP must cover the entire quarry site and must include but not be limited to:

- (a) Geotechnical rehabilitation design report including measures to ensure long term slope stability

- (b) Filling of pit and measures required to ensure water quality is suitable
- (c) Riparian planting of pit areas where applicable
- (d) Pest control and maintenance / protection of indigenous vegetation
- (e) Measures to reduce the height of the overburden areas/bunds and integrate them with the surrounding landform
- (f) Planting or grassing of overburden areas/bunds

Advice Note: Condition ~~5455~~ has been included on an Augier basis following a Mana Enhancing Agreement between the Applicant and Rangitāne o Manawatū.

Advice Note: the requirement for Technical Certification of the Quarry Management Plan is also contained within the Manawatū-Whanganui Regional Council consents ATH-2022205663.00, ATH-2022205664.00 and ATH-2023205983.00

ACCIDENTIAL DISCOVERY

~~57-55.~~ If at any time during the excavations or filling authorised by this consent, potential historic artefacts or cultural remains or koiwi items are discovered, then all work must stop and the Consent Holder must immediately advise the Palmerston North City Council's Monitoring Officer, Manawatu-Whanganui Regional Council, Tanenuiarangi Manawatū Inc, Heritage New Zealand – Pouhere Taonga and in the case of koiwi tangata remains, the New Zealand Police Nga Pirihimana o Aotearoa. Further excavations or at the site must be suspended should Tanenuiarangi Manawatū Inc wish to carry out their procedures and tikanga for removing taonga. Work at the site must not recommence until approval to do so has been given by the Palmerston North City Council and the Manawatu-Whanganui Regional Council.

REVIEW

~~58-56.~~ The Palmerston North City Council, under s128 of the Resource Management Act, may once per year, during **July**, serve notice of its intention to review all conditions of this resource consent for the purpose of reviewing the effectiveness of these conditions in avoiding and mitigating any adverse effects on the environment. The review of conditions must allow for:

- a) deletion or amendments to any conditions of this resource consent to ensure adverse effects (including noise) are appropriately mitigated, and/or
- b) addition of new conditions as necessary, to avoid, remedy or mitigate any unforeseen adverse effects on the environment.

MONITORING

~~59-57.~~ The Consent Holder must pay a monitoring fee of \$724 (GST incl.) at the time the resource consent is granted for the monitoring associated with the development. Upon completion of the works required by these conditions, the consent holder must give written notice to the Monitoring Officer that the conditions have been complied with. On receipt of this notice, the Monitoring Officer or nominee shall carry out an inspection to ensure all conditions have been complied with.

The fees will be payable by the consent holder for any subsequent monitoring of the conditions of this consent. This fee is set in accordance with Section 36(1) (c) of the Resource Management Act 1991.

Advice Note: *The current fee for monitoring is set at \$181 per hour. This amount may alter in the future if fees are reviewed. The monitoring fee charged will be the fee applicable at the time of monitoring and will be charged on each additional inspection or hour of work undertaken until full compliance with consent conditions is achieved.*

~~60-58~~. A fee will be payable by the consent holder if any non-compliance with the conditions of this consent are discovered as a result of monitoring. This fee is set in accordance with Section 36(1)(c) of the Resource Management Act 1991 and Section 690A of the Local Government Act 1974.

LAPSE AND EXPIRY

~~61-59~~. This resource consent will lapse if the Consent Holder has not given effect to the consent within **five (5) years** of the date of granting.

MWRC RESOURCE CONSENT CONDITIONS

1. Discharge Permit, Cleanfill Discharge (to Land)

The following details the location, classifications and conditions associated with the activity.

Authorisation Number	ATH-2023205983.00
Activity Type	Discharge to Land
Activity Class	Discretionary Activity
Primary Activity Purpose	Industrial, Waste Management, Solid Waste, Cleanfill
Replaces Authorisation	<i>Not Applicable</i>

Location

The following summarises the authorised location for the consented activity.

Activity Location Description	310 KENDALLS LINE LINTON
Valuation Number	14450 351 01
Legal Description	LOT 1 DP 410502
Map References	LOC-2022101885 (Centroid: BM34:208-205)

Classifications

The following summarises the classifications associated with the application activity.

Groundwater Management Zone	Manawatū
Water Management Zone	Manawatu Catchment, Coastal Manawatu, Lower Tokomaru (Mana_11a)
Associated River	MANAWATU RIVER, Tokomaru River, Unnamed Tributary

Descriptive Specification

1. This consent authorises the discharge of cleanfill material onto and into land on the property legally described Lot 1 DP 410502 (hereafter referred to as the property), at approximate map reference BM34:208-205, as shown on the **Site Plan LOC-2022101885** attached to and forming part of this resource consent.

2. The consent holder must undertake the activity in general accordance with the consent application including all accompanying plans and documents first lodged with Manawatu-Whanganui Regional Council on 21 November 2022, and the information included in the following further information responses and plans:
 - A. Site plan titled Linton Quarry Expansion, drawn by Good Earth Matters, dated July 2022 and attached as Appendix B to the application.
 - B. Ecological Effects Assessment titled "ASSESSMENT OF ECOLOGICAL EFFECTS OF QUARRY EXPANSION AT LINTON QUARRY, PALMERSTON NORTH, written by Wildlands, dated October 2022 and updated December 2022, contract report number 6016
 - C. Traffic Management Plan written by HiRock Limited, titled "LINTON QUARRY SITE SPECIFIC TRAFFIC MANAGEMENT PLAN (SSTMP), Revised 06/05/2020 Version 5 JG
 - D. Quarry Management Plan written by HiRock, titled "LINTON QUARRY, QUARRY MANAGEMENT PLAN, dated 12/11/2020 Version: 2.0.
 - E. Water Monitoring Results and Monitoring Plan, written by Good Earth Matters, titled "Linton Quarry Monitoring Plan - Settlement Pond 1/SRP, HiRock Limited, Dated November 2022 and updated December 2022.
 - F. Linton Quarry Pit Expansion Erosion and Sediment Control Plan November 2022 Hirock Limited FOR RELODGE MENT". Prepared by Good Earth Matters Consulting Ltd and dated November 2022, including the plan 'Erosion and Sediment Control Overview Plan. Drawing Number 76506.002 Rev A'.
 - G. Ecological Management Plan, Titled ECOLOGICAL MANAGEMENT PLAN FOR HIROCK LINTON QUARRY, PALMERSTON NORTH, written by Wildlands, dated September 2022 and updated December, contract report number 6016b
 - H. Powelliphanta Snail Survey Titled POWELLIPHANTA SNAIL SURVEY AT HIROCK LINTON QUARRY, PALMERSTON NORTH, written by Wildlands, dated October 2022, contract report number 6016e
 - I. Further information response dated 22 December 2022 including Memo from Marshall Day Acoustics dated 21 December 2022, Alternative Overburden Disposal Areas - Noise, project number 20210382 and Memo from Good Earth Matters, dated 22 December 2022, Discharge Treatment and Expected Standards, Instream Effects and Discharge Volumes - Linton Quarry Expansion Joint Consent Application APP-2022203991.00 & RC-LU-6962

- J. Memo from Tonkin and Taylor, dated 22 December 2022 Linton Quarry Geotechnical Assessment of Proposed Overburden Disposal Areas, Job No: 1018486.1000 including design of proposed overburden areas.
- K. LIZARD SURVEY AND INCIDENTAL DISCOVERY PROTOCOL FOR HIROCK LINTON QUARRY, PALMERSTON NORTH, written by Wildlands, dated January 2023, contract report number 6016c
- L. BAT SURVEY REPORT FOR PROPOSED QUARRY EXPANSION AT LINTON QUARRY, PALMERSTON NORTH, written by Wildlands, dated February 2023, contract report number 6016d
- M. Memo regarding the Memorandum of Understanding with Rangitāne o Manawatū, dated 27 April 2023, from Good Earth Matters.
- N. Memo regarding the Memorandum of Understanding with PNCC for the on-going maintenance of Kendalls Line, dated 27 April 2023, from Good Earth Matters.

O. ~~Dust Management and Monitoring Plan, prepared by K2 Environmental Limited, report number Y0135, 1 June 2023, Draft 1.~~

P. ~~Dust Monitoring Report, prepared by K2 Environmental Limited, report number Y0135, 1 June 2023, Issue 1.~~

Q. ~~Plan titled "Kendalls Line/SH57 Intersection Proposed Improvements", prepared by BECA Limited, dated 30 May 2023, drawing number 3823296-TA-1005, Rev. B.~~

R. ~~Memo regarding vibration titled TRUCK VIBRATION, prepared by Marshall Day Acoustics, dated 29 May 2023, document number Mm 002.~~

~~Draft Dust Management and Monitoring Plan, authored by K2 Environmental Limited. Report number Y0135, 23 May 2023, Draft 1.~~

Commented [EHJ18]: Additional plans and assessments provided post the S42A report.

Where there may be inconsistencies between information provided by the Applicant and conditions of the resource consent, the conditions of the resource consent will apply.

ADVICE NOTE: Any variance from the location, design concepts and parameters, implementation and / or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.

- 3. The conditions in the attached General Condition Schedule apply to this consent.

Environmental Standards

- 4. The Consent Holder must ensure that all materials to be discharged is cleanfill material that when buried or placed will not breakdown, decay, give rise to gas or leachates, is not combustible, is not toxic or damaging to humans, animals or plants. Acceptable cleanfill material must consist of those materials listed within Table 4.1 of the MfE "Guide to the Management of Cleanfills" 2002 which includes: cured asphalt, bricks, ceramics, concrete

(no exposed reinforcing), fibre cement products (non-asbestos), glass, road sub-base, tiles, gravels, rock, clay, sand and soil.

5. Natural timber (tree stumps, branches (over 80 mm diameter) and roots) may be disposed of at the cleanfill site provided it accounts for no more than 5% of the total cleanfill material used at the site. Such material must be evenly dispersed throughout the matrix of cleanfill material.
6. Building plastics (plumbing pipes and plastic sheeting) must be removed from cleanfill material where practicable. Any small quantities of building plastics remaining within the cleanfill materials may be disposed of at the site provided that it is dispersed throughout the matrix of cleanfill material.

ADVICE NOTE: In terms of this condition, 'small quantities' means any plastics remaining after each load of cleanfill material has been examined and visible plastics have been removed.

Operational Restrictions

7. The consent holder must ensure that only overburden material sourced from Lot 1 DP 410502, and a maximum of 50,000 cubic metres (m³) of fill from other external sources that complies with the criteria outlined above in **Condition 4, 5, and 6** is discharged onto the site.

ADVICE NOTE: Signage may be needed to advise the type of material that can be disposed of.

Monitoring Provision

8. The Consent Holder must keep records of the following:
 - i. The source, composition and volume of all material disposed of at the site
 - ii. The nature and volume of all materials removed from the cleanfill (i.e. prohibited materials and plastics) and/or rejected from the site.

This log must be maintained and provided to the Regulatory Manager, Manawatū-Whanganui Regional Council, by **31st May each year** and made available to the Manawatū-Whanganui Regional Council on request.

Review

9. The Manawatū-Whanganui Regional Council, under s128 of the Resource Management Act, may once per year, during July, serve notice of its intention to review all conditions of this resource consent (including those conditions contained in the general condition schedule) for the purpose of reviewing the effectiveness of these conditions in avoiding and mitigating any adverse effects on the environment. The review of conditions shall allow for:
 - a. deletion or amendments to any conditions of this resource consent to ensure adverse effects are appropriately mitigated; and / -OR-
 - b. addition of new conditions as necessary, to avoid, remedy or mitigate any unforeseen adverse effects on the environment; and / -OR-
 - c. if necessary and appropriate, the adoption of the best practicable options to avoid, remedy or mitigate any adverse effects on the environment.

Lapse and Duration

10. This resource consent will lapse if the Consent Holder has not given effect to the consent within five years of the date of the commencement of consent.
11. The resource consent will expire on **1 July 2033**

2. Land Use, Land Disturbance

The following details the location, classifications and conditions associated with the activity.

Authorisation Number	ATH-2022205663.00
Activity Type	Land Use, Land
Activity Class	Discretionary Activity
Primary Activity Purpose	Mining Gravel or Sand Aggregates

Location

The following summarises the authorised location for the consented activity.

Activity Location Description	310 KENDALLS LINE LINTON
Valuation Number	14450 351 01
Legal Description	LOT 1 DP 410502
Map References	LOC-2022101885 (Centroid: BM34:208-205), LOC-2022101885 (Centroid: BM34:208-205)

Classifications

The following summarises the classifications associated with the application activity.

Groundwater Management Zone	Manawatū
Water Management Zone	Manawatu Catchment, Coastal Manawatu, Lower Tokomaru (Mana_11a)
Associated River	MANAWATU RIVER, Tokomaru River, Unnamed Tributary

Descriptive Specification

1. This consent authorises the large-scale land disturbance and the associated discharge of sediment to water associated with the expansion and operation of Linton Quarry on the property legally described Lot 1 DP 410502 (hereafter referred to as the property), at approximate map reference BM34:208-205, as shown on the **Site Plan LOC-2022101885** attached to and forming part of this resource consent.

2. The consent holder must undertake the activity in general accordance with the consent application including all accompanying plans and documents first lodged with Manawātū-Whanganui Regional Council on 21 November 2022, and the information included in the following further information responses and plans:
 - A. Site plan titled Linton Quarry Expansion, drawn by Good Earth Matters, dated July 2022 and attached as Appendix B to the application.
 - B. Ecological Effects Assessment titled "ASSESSMENT OF ECOLOGICAL EFFECTS OF QUARRY EXPANSION AT LINTON QUARRY, PALMERSTON NORTH, written by Wildlands, dated October 2022 and updated December 2022, contract report number 6016
 - C. Traffic Management Plan written by HiRock Limited, titled "LINTON QUARRY SITE SPECIFIC TRAFFIC MANAGEMENT PLAN (SSTMP), Revised 06/05/2020 Version 5 JG
 - D. Quarry Management Plan written by HiRock, titled "LINTON QUARRY, QUARRY MANAGEMENT PLAN, dated 12/11/2020 Version: 2.0.
 - E. Water Monitoring Results and Monitoring Plan, written by Good Earth Matters, titled "Linton Quarry Monitoring Plan - Settlement Pond 1/SRP, HiRock Limited, Dated November 2022 and updated December 2022.
 - F. Linton Quarry Pit Expansion Erosion and Sediment Control Plan November 2022 Hirock Limited FOR RELODGE MENT". Prepared by Good Earth Matters Consulting Ltd and dated November 2022, including the plan 'Erosion and Sediment Control Overview Plan. Drawing Number 76506.002 Rev A'.
 - G. Ecological Management Plan, Titled ECOLOGICAL MANAGEMENT PLAN FOR HIROCK LINTON QUARRY, PALMERSTON NORTH, written by Wildlands, dated September 2022 and updated December, contract report number 6016b
 - H. Powelliphanta Snail Survey Titled POWELLIPHANTA SNAIL SURVEY AT HIROCK LINTON QUARRY, PALMERSTON NORTH, written by Wildlands, dated October 2022, contract report number 6016e
 - I. Further information response dated 22 December 2022 including Memo from Marshall Day Acoustics dated 21 December 2022, Alternative Overburden Disposal Areas - Noise, project number 20210382 and Memo from Good Earth Matters, dated 22 December 2022, Discharge Treatment and Expected Standards, Instream Effects and Discharge Volumes - Linton Quarry Expansion Joint Consent Application APP-2022203991.00 & RC-LU-6962

- J. Memo from Tonkin and Taylor, dated 22 December 2022 Linton Quarry Geotechnical Assessment of Proposed Overburden Disposal Areas, Job No: 1018486.1000 including design of proposed overburden areas.
- K. LIZARD SURVEY AND INCIDENTAL DISCOVERY PROTOCOL FOR HIROCK LINTON QUARRY, PALMERSTON NORTH, written by Wildlands, dated January 2023, contract report number 6016c
- L. BAT SURVEY REPORT FOR PROPOSED QUARRY EXPANSION AT LINTON QUARRY, PALMERSTON NORTH, written by Wildlands, dated February 2023, contract report number 6016d
- M. Memo regarding the Memorandum of Understanding with Rangitāne o Manawātū, dated 27 April 2023, from Good Earth Matters.
- N. Memo regarding the Memorandum of Understanding with PNCC for the on-going maintenance of Kendalls Line, dated 27 April 2023, from Good Earth Matters.
- O. Draft Dust Management and Monitoring Plan, authored by K2 Environmental Limited. Report number Y0135, 23 May 2023, Draft 1.
- P. Dust Management and Monitoring Plan, prepared by K2 Environmental Limited, report number Y0135, 1 June 2023, Draft 1.
- Q. Dust Monitoring Report, prepared by K2 Environmental Limited, report number Y0135, 1 June 2023, Issue 1.
- R. Plan titled "Kendalls Line/SH57 Intersection Proposed Improvements", prepared by BECA Limited, dated 30 May 2023, drawing number 3823296-TA-1005, Rev. B.
- S. Memo regarding vibration titled TRUCK VIBRATION, prepared by Marshall Day Acoustics, dated 29 May 2023, document number Mm 002.
- Q.T.

Commented [EHJ19]: Additional plans and assessments provided post the S42A report.

Where there may be inconsistencies between information provided by the Applicant and conditions of the resource consent, the conditions of the resource consent will apply.

ADVICE NOTE: Any variance from the location, design concepts and parameters, implementation and / or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.

- 3. The conditions in the General Condition Schedule apply to this consent.

Review

- 4. The Manawātū-Whanganui Regional Council, under s128 of the Resource Management Act, may once per year, during July, serve notice of its intention to review all conditions of this resource consent (including those conditions contained in the general condition schedule) for the purpose of reviewing the effectiveness of these conditions in avoiding and mitigating any adverse effects on the environment. The review of conditions shall allow for:

- a. deletion or amendments to any conditions of this resource consent to ensure adverse effects are appropriately mitigated; and / -OR-
- b. addition of new conditions as necessary, to avoid, remedy or mitigate any unforeseen adverse effects on the environment; and / -OR-
- c. if necessary and appropriate, the adoption of the best practicable options to avoid, remedy or mitigate any adverse effects on the environment.

Duration

5. This resource consent will lapse if the Consent Holder has not given effect to the consent within five years of the date of the commencement of consent.
6. This resource consent will expire on **1 July 2033**.

DRAFT

3. Discharge Permit, to Water

The following details the location, classifications and conditions associated with the activity.

Authorisation Number	ATH-2022205664.00
Activity Type	Discharge to Water
Activity Class	Discretionary Activity
Activity Primary Industry	Mining
Activity Primary Purpose	Mining Gravel or Sand Aggregates

Location

The following summarises the authorised location for the consented activity.

Activity Location Description	310 KENDALLS LINE LINTON
Valuation Number	14450/351.01
Legal Description	LOT 1 DP 410502
Map References	LOC-2022101885 (Centroid: BM34:208-205), LOC-2022101885 (Centroid: BM34:208-205)

Classifications

The following summarises the classifications associated with the application activity.

Groundwater Management Zone	Manawatū
Water Management Zone	Manawatu Catchment, Coastal Manawatu, Lower Tokomaru (Mana_11a)
Estuary Management Zone	MANAWATU RIVER, Tokomaru River, Unnamed Tributary

Descriptive Specification

1. This consent authorises the discharge of washwater from the washing of rock and gravel and the associated discharge of sediment to water associated with the expansion and operation of Linton Quarry on the property legally described Lot 1 DP 410502 (hereafter referred to as the property), at approximate map reference BM34:208-205, as shown on the **Site Plan LOC-2022101885** attached to and forming part of this resource consent.

2. The consent holder must undertake the activity in general accordance with the consent application including all accompanying plans and documents first lodged with Manawātū-Whanganui Regional Council on 21 November 2022, and the information included in the following further information responses and plans:
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~~Draft Dust Management and Monitoring Plan, authored by K2 Environmental Limited. Report number Y0135, 23 May 2023, Draft 1.~~

Commented [EHJ20]: Additional plans and assessments provided post the S42A report.

ADVICE NOTE: Any variance from the location, design concepts and parameters, implementation and / or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.

- 3. The conditions in the General Condition Schedule apply to this consent.

Review

- 4. The Manawatū-Whanganui Regional Council, under s128 of the Resource Management Act, may once per year, during July, serve notice of its intention to review all conditions of this resource consent (including those conditions contained in the general condition schedule) for the purpose of reviewing the effectiveness of these conditions in avoiding and mitigating any adverse effects on the environment. The review of conditions shall allow for:
 - a. deletion or amendments to any conditions of this resource consent to ensure adverse effects are appropriately mitigated; and / -OR-
 - b. addition of new conditions as necessary, to avoid, remedy or mitigate any unforeseen adverse effects on the environment; and / -OR-
 - c. if necessary and appropriate, the adoption of the best practicable options to avoid, remedy or mitigate any adverse effects on the environment.

Duration

5. This resource consent will expire on **1 July 2033**.

DRAFT

Descriptive Specification

1. The consent holder must undertake the activity in general accordance with the consent application including all accompanying plans and documents first lodged with Manawatu-Whanganui Regional Council on 21 November 2022, and the information included in the following further information responses and plans:
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 - G. Ecological Management Plan, Titled ECOLOGICAL MANAGEMENT PLAN FOR HIROCK LINTON QUARRY, PALMERSTON NORTH, written by Wildlands, dated September 2022 and updated December, contract report number 6016b
 - H. Powelliphanta Snail Survey Titled POWELLIPHANTA SNAIL SURVEY AT HIROCK LINTON QUARRY, PALMERSTON NORTH, written by Wildlands, dated October 2022, contract report number 6016e
 - I. Further information response dated 22 December 2022 including Memo from Marshall Day Acoustics dated 21 December 2022, Alternative Overburden Disposal Areas - Noise, project number 20210382 and Memo from Good Earth Matters, dated 22 December 2022, Discharge Treatment and Expected Standards, Instream Effects and Discharge Volumes - Linton Quarry Expansion Joint Consent Application APP-2022203991.00 & RC-LU-6962
 - J. Memo from Tonkin and Taylor, dated 22 December 2022 Linton Quarry Geotechnical Assessment of Proposed Overburden Disposal Areas, Job No: 1018486.1000 including design of proposed overburden areas.

- K. LIZARD SURVEY AND INCIDENTAL DISCOVERY PROTOCOL FOR HIROCK LINTON QUARRY, PALMERSTON NORTH, written by Wildlands, dated January 2023, contract report number 6016c
- L. BAT SURVEY REPORT FOR PROPOSED QUARRY EXPANSION AT LINTON QUARRY, PALMERSTON NORTH, written by Wildlands, dated February 2023, contract report number 6016d
- M. Memo regarding the Memorandum of Understanding with Rangitāne o Manawātū, dated 27 April 2023, from Good Earth Matters.
- N. Memo regarding the Memorandum of Understanding with PNCC for the on-going maintenance of Kendalls Line, dated 27 April 2023, from Good Earth Matters.
- O. Draft Dust Management and Monitoring Plan, authored by K2 Environmental Limited. Report number Y0135, 23 May 2023, Draft 1.
- P. Dust Management and Monitoring Plan, prepared by K2 Environmental Limited, report number Y0135, 1 June 2023, Draft 1.
- Q. Dust Monitoring Report, prepared by K2 Environmental Limited, report number Y0135, 1 June 2023, Issue 1.
- R. Plan titled "Kendalls Line/SH57 Intersection Proposed Improvements", prepared by BECA Limited, dated 30 May 2023, drawing number 3823296-TA-1005, Rev. B.
- S. Memo regarding vibration titled TRUCK VIBRATION, prepared by Marshall Day Acoustics, dated 29 May 2023, document number Mm 002.
- T. _____

Commented [EHJ21]: Additional plans and assessments provided post the S42A report.

Where there may be inconsistencies between the information provided by the Consent Holder and conditions of the resource consent, or the condition require a specific plan to be updated, the conditions of the resource consent will apply.

ADVICE NOTE: Any variance from the location, design concepts and parameters, implementation and / or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.

Pre-Development Assurance

2. The Consent Holder must be responsible for all contracted operations related to the exercise of these resource consents; and must ensure contractors are made aware of the conditions of these resource consents and ensure compliance with those conditions.
3. A copy of these consents must be kept onsite at all times that physical works authorised by these resource consents are being undertaken and must be produced without unreasonable delay upon request from a servant or agent of the Manawātū-Whanganui Regional Council.

ADVICE NOTE: An electronic version on a smartphone or electronic device is acceptable.

4. Within **10 working days** of commencement of consent the Consent Holder must appoint a representative(s) who shall be the Manawatū-Whanganui Council's principal contact person(s) in regard to matters relating to this resource consent. The consent holder must inform the Manawatū-Whanganui Regional Council of the representative's name and how they can be contacted. Should that person(s) change during the term of this resource consent, the consent holder must immediately inform the Manawatū-Whanganui Regional Council and must also give written notice to the Manawatū-Whanganui Region Council of the new representatives' name and how they can be contacted.
5. The consent holder must, no later than **3 months** from the commencement of consent, install the ESCP measures as per those proposed in documents listed in **Condition 1** and as modified by the plans required under **Conditions 8, 9 and 10 below**.
6. The consent holder must inform the Manawatu-Whanganui Regional Council in writing at least **5 working days** prior to the commencement of construction of the ESCP measures required under **Condition 5**.
7. The consent holder must arrange and conduct a pre-construction site meeting and invite, with a minimum of **5 working days'** notice, the Manawatu-Whanganui 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 work authorised by this consent commencing on site. The following information must be made available at the pre-start meeting:
 - (a) Timeframes for key stages of the works authorised under this consent
 - (b) Resource consent conditions
 - (c) Finalised Erosion and Sediment Control Plan
 - (d) Chemical Treatment Management Plan
 - (e) Dewatering Management Plan

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.

8. Prior to the commencement of works required under **Condition 5**, a Finalised Erosion and Sediment Control Management Plan (ESCP) must be prepared in accordance with Greater Wellington Regional Council's *Erosion and Sediment Control Guide for Land Disturbing*

Activities in the Wellington Region (February 2021) (GWRC Guidelines) and **Condition 9** below, and submitted to Council for technical certification.

9. The Finalised Erosion and Sediment Control Plan required by **Condition 8** must contain sufficient detail to address the following matters:
- (a) Details of all principles, procedures and practices that will be implemented to undertake erosion and sediment control;
 - (b) Methodologies for implementation of the activities with details of all non-structural erosion and sediment controls including staging and sequencing of works;
 - (c) timing and duration of construction and operation of control works (in relation to the staging and sequencing of earthworks)
 - (d) details relating to the management of exposed areas and stabilisation in accordance with GWRC Guidelines
 - (e) specific design of erosion and sediment control measures in accordance with GWRC Guidelines
 - (f) Maintenance, monitoring and reporting procedures;
 - (g) Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events, flood events and/or the failure of any key erosion and sediment control structures;
 - (h) Procedures and timing for review and/or amendment to the E&SCP;
 - (i) Identification and contact details of personnel responsible for the operation and maintenance of all key erosion and sediment control structures; and
 - (j) A site contour plan of a suitable scale to identify;
 - i. The extent of soil disturbance and vegetation removal;
 - ii. Locations of stockpiles;
 - iii. All key erosion and sediment control structures;
 - iv. The boundaries and area of catchments contributing to all erosion and sediment control devices;
 - v. The locations of all specific points of discharge to the environment; and
 - vi. Any other relevant site information
10. The ESCP must be certified in writing by the Manawatu-Whanganui Regional Council acting in a technical certification capacity prior to any activities authorised by this resource consent commencing. The consent holder must undertake all earthworks authorised by this consent in accordance with the certified ESCP.

ADVICE NOTE: Regarding Manawatū-Whanganui Regional Council Technical Certification – Several conditions require the technical certification of the Manawatū-Whanganui Regional Council. That technical certification (or withholding of approval) shall be based on the Manawatū-Whanganui Regional Council’s assessment of whether the matters being considered achieve the objective of minimising sediment discharges from the site to the extent practicable.

11. The ESCP may be amended or updated without the need for certification where the amendment is an administrative change, including nominating personnel.
12. Except as provided for in **Condition 11**, amendments to the ESCP and any appendices must be confirmed in writing by the Consent Holder and certified in writing by the Manawatū-Whanganui Regional Council acting in a technical certification capacity prior to the commencement of any works to which the amended ESCP relate.
13. The consent holder must ensure that a copy of the certified ESCP including any certified amendments, is kept onsite and this copy is updated within **five (5) working days** of any amendments being certified.
14. The consent holder must ensure that all sediment laden run-off from the site is treated by sediment retention structures. These structures must be fully operational before bulk earthworks commence (ie excavation of the quarry pit expansion area) and must be maintained to perform at least at 80% of their operational capacity.
15. Prior to excavation of the quarry pit expansion area or within four months of commencement of consent whichever is the earliest, a certificate signed by a suitably qualified and experienced person must be submitted to the Manawatu-Whanganui Regional Council, to certify that the erosion and sediment controls have been constructed in accordance with the certified ESCP required by **Conditions 8, 9 and 10**. Certified controls must include Sediment Retention Ponds, Dirty Water Diversions, and Clean Water Diversions. The certification for these subsequent measures must be supplied within **5 working days** upon completion of construction of those measures. Information supplied if applicable, must include:
 - (a) Confirmation of contributing catchment area;
 - (b) The location, capacity and design of each structure, including shape, volume and design of the structure (dimensions of structure);
 - (c) Position of inlets/outlets; and
 - (d) Stabilisation of the structure
 - (e) Measures to control erosion; and

- (f) Any other relevant matter.

Advice Note: The format for certification is available on the Manawatu-Whanganui Regional Council website.

16. Prior to the commencement of works required under **Condition 5**, a Chemical Treatment Management Plan (CTMP) must be prepared by an appropriately qualified and experienced person and submitted to Council. No earthworks in the quarry pit expansion area may commence until written certification is provided by Council that the CTMP meets the requirements of GWRC Guidelines, and the measures referred to in that plan have been put in place. The CTMP must include as a minimum:
 - (a) Specific design details of a chemical treatment system based on a rainfall activated methodology for any impoundment devices (Sediment Retention Ponds) and any other approved impoundment devices;
 - (b) Monitoring, maintenance (including post storm) and contingency programme (including a record sheet);
 - (c) Details of optimum dosage (including assumptions);
 - (d) Results of initial chemical treatment trial;
 - (e) A spill contingency plan; and
 - (f) Details of the person or bodies that will hold responsibility for long term operation and maintenance of the chemical treatment system and the organisational structure which will support this system.
17. Sediment control devices that discharge off site must be chemically treated throughout the duration of earthworks in accordance with the approved Chemical Treatment Management Plan.
18. Any changes proposed to the CTMP must be confirmed in writing by the consent holder and certified in writing by the Manawatu-Whanganui Regional Council acting in a technical certification capacity, prior to the implementation of any changes proposed.
19. The CTMP may be amended or updated without the need for certification where the amendment is an administrative change, including nominating personnel.
20. The consent holder must ensure that a copy of the certified CTMP including any certified amendments, is kept onsite and this copy is updated within **five (5) working days** of any amendments being certified.
21. Prior to the commencement of any pumping activity to the sediment retention structures, and associated discharges from treatment devices on the subject site to the

Unnamed stream which forms part of the Tokomaru River catchment, a Dewatering Management Plan must be prepared and submitted to Council for technical certification. No pumping activity or discharges at the subject site is to commence until confirmation from Council is provided that the final management plan meets the required standards set out below.

The Dewatering Management Plan must contain sufficient detail to address the following matters:

- (a) Details of how any water pumped from the quarry pit will not overload the sediment retention pond, including how pumping will be managed during rain events.
- (b) Written records of all pumping operations, to include details of personnel managing the pumping operations.

22. The Dewatering Management Plan must be certified in writing by the Manawatu-Whanganui Regional Council acting in a technical certification capacity prior to any activities authorised by this resource consent commencing. The consent holder must undertake all earthworks authorised by this consent in accordance with the certified Dewatering Management Plan.

ADVICE NOTE: Regarding Manawatū-Whanganui Regional Council Technical Certification – Several conditions require the technical certification of the Manawatū-Whanganui Regional Council. That technical certification (or withholding of approval) shall be based on the Manawatū-Whanganui Regional Council’s assessment of whether the Dewatering Management Plan contains adequate details as described in **condition 22**.

23. Any changes proposed to the Dewatering Management Plan must be confirmed in writing by the consent holder and certified in writing by the Manawatu-Whanganui Regional Council acting in a technical certification capacity, prior to the implementation of any changes proposed.
24. The Dewatering Management Plan may be amended or updated without the need for certification where the amendment is an administrative change, including nominating personnel.
25. The consent holder must ensure that a copy of the certified Dewatering Management Plan including any certified amendments, is kept onsite and this copy is updated within **five (5) working days** of any amendments being certified.

Environmental Standards

26. The Consent Holder must always operate the site in compliance with the certified ESCP, certified through **Conditions 8, 9 and 10**.
27. Sediment retention devices must be designed and operated to achieve the following performance targets:
 - (a) the pH of any discharge from sediment retention devices to any water body must not be less than 5.5 or greater than 8.5;
 - (b) the turbidity of any discharge from sediment retention devices to any water body must not be higher than 150 NTU; with a trigger value for investigation of 75 NTU;
 - (c) and a discharge clarity of greater than 100mm measured by clarity tube.
 - (d) the Consent Holder must ensure that the soluble chloride concentration must not exceed 230 mg/L at the reasonable mixing zone

ADVICE NOTE: The reasonable mixing zone is defined as being 7 times the bed width at median flow.

28. The consent holder must ensure that sediment losses to natural water arising from the exercise of this resource consent are minimised during the duration of the works and during the term of this consent. In this regard, erosion and sediment control measures must be established and maintained in accordance with Greater Wellington Regional Council's Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region (February 2021) and in accordance with **Condition 5**. The consent holder must also ensure the outfall(s) of these systems are protected against erosion.
29. All earthmoving machinery, pumps, generators and ancillary equipment must be operated in a manner, which ensures spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities must be carried out away from any water body, ephemeral water body, or overland flow path, such that any spillage can be contained so that it does not enter surface water.

Operational Restrictions

30. The quarry must not operate outside the hours of 07:00 to 17:00 hrs, Monday to Friday and 07:00 to 15:00 hrs on Saturdays. This restriction does not apply to staff arriving to the site, between 06:30 and 0700 hrs.

31. There must be no discharge of airborne particulate matter that is objectionable to the extent that it causes an adverse effect at or beyond the boundary of the subject property.

ADVICE NOTE: An odour will only be considered objectionable, after a warranted Manawatū-Whanganui Regional Council officer has considered the Frequency, Intensity, Duration, Offensiveness/Character and Location of Exposure of the discharge to determine whether the discharge is Offensive, Objectionable, Noxious and/or Dangerous (i.e the FIDOL Factors). Definitions of these are provided in CHapter 15 of the One Plan (2018), or any superseding Regional Plan.

Post-Development Assurance

32. The removal of any erosion and sediment control measure from any area where soil has been disturbed as a result of the exercise of this resource consent must only occur after consultation and written approval has been obtained from the Manawatū-Whanganui Regional Council acting in a technical certification capacity. In this respect, the main issues that will be considered by the Manawatū-Whanganui Regional Council include:
 - (a) The adequacy of the soil stabilisation and/or covering vegetation;
 - (b) The quality of the water discharged from the rehabilitated land; and
 - (c) The quality of the receiving water.
33. The consent holder must ensure those areas of the site which have been completed must be progressively stabilised against erosion as soon as practically possible and within a period not exceeding **3 days** after completion of any works authorised by this resource consent. Stabilisation must be undertaken by providing adequate measures (vegetative and/or structural) that will minimise sediment runoff and erosion and in accordance with Greater Wellington Regional Council's Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region (February 2021). The consent holder must monitor and maintain the site until vegetation is established to such an extent that it prevents erosion and prevents sediment from entering any surface water.
34. Re-vegetation and/or stabilisation of all disturbed areas must be completed in accordance with the measures detailed in Greater Wellington Regional Council's Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region (February 2021).

Monitoring Provision

35. To monitor compliance with **Condition 27** the consent holder must monitor the following parameters:
- (a) Once per Month;
 - i. pH
 - ii. Turbidity (NTU and clarity tube)
 - iii. Chloride
 - iv. DRP
 - v. The time and date, and the weather and flow conditions at the time of monitoring must be recorded.
 - vi. Observations of any conspicuous oil or grease films, scums or foams, and any emission of objectionable odour.
 - (b) During rain events and/or when water is pumped from the pond at the base of the quarry pit into the SRP1;
 - i. pH;
 - ii. Turbidity (NTU and clarity tube);
 - iii. DRP
 - iv. The time and date, and the weather and flow conditions at the time of monitoring must be recorded;
 - v. Observations of any conspicuous oil or grease films, scums or foams, and any emission of objectionable odour.
 - (c) When malfunctioning of the dosing equipment or malfunctioning of the sedimentation pond is suspected/confirmed;
 - i. pH;
 - ii. Turbidity;
 - iii. Chloride;
 - iv. DRP
 - v. The time and date, and the weather and flow conditions at the time of monitoring must be recorded;
 - vi. Observations of any conspicuous oil or grease films, scums or foams, and any emission of objectionable odour.
 - (d) Measurements and samples should be taken at the following locations:
 - i. pH, NTU and Clarity and DRP: discharge on the quarry side of the bund
 - ii. NTU and visual clarity: discharge on the quarry side of the bund
 - iii. Chloride: just beyond the reasonable mixing zone as specified in the certified monitoring plan.
 - iv. Any measuring equipment used should be manufactured for the respective purpose and calibrated according to the manufacturer's guidelines.

Rainfall event is defined as being 3 millimetres of rainfall (within 24 hours) measured at a weather station agreed in the monitoring plan. Monitoring should be undertaken as soon as possible, and no later than 24 hours after each rainfall event begins.

ADVICE NOTE: The reasonable mixing zone is defined as being 7 times the bed width at median flow.

36. Where a performance target in **Condition 27 a, b, c or d** is not achieved, an investigation, including a written report, must be undertaken to:
- (a) confirm the reason why performance target has not been achieved, with reference to the relevant catchment; and
 - (b) develop and implement response measures to achieve the performance targets in the future including ensuring onsite management aligns with the current, certified, ESCP.
37. Following the completion of the investigation required by **Condition 36**, all recommended response measures must be implemented within with **fifteen (15) working days**, except where the Manawatū-Whanganui Regional Council and Whakapai Hauora agrees in writing to a longer timeframe for the implementation of response measures.
- Advice Note:** Condition 37 has been included on an Augier basis following a Mana Enhancing Agreement between the Applicant and Rangitāne o Manawatū.
38. A report that summarises the investigation and response measures required by **Condition 37** must be provided to the Manawatu-Wanganui Regional Council and Whakapai Hauora in writing within **fifteen (15) working days** of the performance target not being achieved.
- Advice Note:** Condition 38 has been included on an Augier basis following a Mana Enhancing Agreement between the Applicant and Rangitāne o Manawatū.
39. Monitoring data required by **Condition 27 and 35** must be recorded and made available to the Manawatu-Whanganui Regional Council on request and within five (5) working days.
40. Monitoring of parameters according to **Conditions 27 and 35** must be undertaken for a period of at least 24 months, at which point the monitoring plan must be reviewed and updated based on the results and submitted to the Manawatu-Wanganui Regional Council's Team Leader Consents Monitoring for Technical Certification. The report must be prepared by a suitably qualified person and cover:
- (a) The results of all monitoring undertaken in the previous 24 months;
 - (b) Any non-compliances and subsequent investigations;

- (c) Discussion of any trends evident from the monitoring data;
- (d) Recommendations for a future monitoring plan;

41. Following the report completed under **Condition 40**, any changes proposed to the monitoring under **Conditions 27 and 35**, in the form of an update to the monitoring must be certified in writing by the Manawatu-Whanganui Regional Council acting in a technical certification capacity taking into account the requirements of **Conditions 42, 43 and 44**.

42. If the parameters within **Condition 27 a and b** are met following the completion of the 24-month reporting period, monitoring of pH and turbidity may be reduced to major rainfall events and if and when malfunctioning of the dosing equipment or malfunctioning of the sedimentation pond is suspected/confirmed, only.

ADVICE NOTE: Major rainfall event is defined as being 25 millimetres of rainfall (within 24 hours). Monitoring should be undertaken as soon as possible, and no later than 24 hours after each rainfall event begins.

43. If the parameter with **Condition 27 c and d** are met following the completion of the 24-month reporting period, monitoring of chloride may be reduced to quarterly and if and when malfunctioning of the dosing equipment or malfunctioning of the sedimentation pond is suspected/confirmed, only.

44. If DRP concentrations are at or below a median of > 0.018 mg/L after the 24-month reporting period, monitoring of DRP may be reduced to quarterly and if and when malfunctioning of the dosing equipment or malfunctioning of the sedimentation pond is suspected/confirmed, only. If DRP is found to above a median of > 0.018 mg/L then monitoring must continue as per **Condition 27 and 35** with reporting required under **Condition 45**.

~~**ADVICE NOTE:** Major rainfall event is defined as being 25 millimetres of rainfall (within 24 hours). Monitoring should be undertaken as soon as possible, and no later than 24 hours after each rainfall event begins.~~

Commented [EHJ22]: This appears to be an error.

45. The consent holder must, by **30 June 2026, 30 June 2029 and 30 June 2031**, undertake a review of the adequacy and effectiveness of the site erosion and sediment control measures over the previous three years, and identify

- (a) if there have been any changes in guidelines and best practice for erosion and sediment control measures since the last review;
- (b) identify any changes required to the site erosion and sediment control measures to meet current best practice; and
- (c) identify a timeframe for upgrading the site erosion and sediment control measures to meet best practice.

- (d) Identify any changes that are required in relation to **Condition 44** and the monitoring of DRP, particularly if it is found that the DRP is found to be above a median of > 0.018 mg/L .

The outcomes of the review must be provided to the Consents Monitoring Team Leader, Manawatū-Whanganui Regional Council, no later than one month following the completion of the review.

- 46. The Consent Holder must 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 and must maintain records detailing:
 - (a) The date, time and results of the maintenance undertaken; and
 - (b) The erosion and sediment controls that required maintenance; and
 - (c) The date and time when the maintenance was completed.

These records must be provided to the Manawatū-Whanganui Regional Council at all reasonable times and within **72 hours** of a written request to do so.

- 47. If any complaints are received by the consent holder regarding the activities authorised by this resource consent, the consent holder must notify the Manawatū-Whanganui Regional Council of those complaints as soon as practicable and no longer than one working day after receiving the complaint. If complaints are received, the consent holder must record the following details in a Complaints Log:
 - (a) Time and type of complaint, including details of the incident, e.g. duration, any effects noted;
 - (b) Name, address and contact phone number of the complainant (if provided);
 - (c) Location from which the complaint arose;
 - (d) The weather conditions and wind direction at the time of any dust complaint;
 - (e) The likely cause of the complaint;
 - (f) The response made by the consent holder including any corrective action undertaken by the consent holder in response to the complaint; and
 - (g) Futures actions proposed as a result of the complaint.

- 48. The consent holder must record the volume and number of truckloads of cleanfill deposited at the site for the duration of this consent. The consent holder must maintain an on-site register of each truck entering the site, including details of the day, date, time, truck identification, fill volume, composition and source. This register must be

made available to the Manawatu-Whanganui Regional Council's Consents Monitoring Team within **one (1) working day** upon request.

ADVICE NOTE: For the purposes of this consent, the volume may be stated as the number of truck loads and the capacity of the truck.

49. The consent holder must update the Quarry Management Plan **twelve (12) months** after the grant of this consent and submit it for Technical Certification by PNCC. The updates must include but not be limited to:
- (a) Updated description of site activities
 - (b) Updated description of cultural values of the site
 - (c) Reference to Ecological Management Plan
 - (d) Reference to Traffic Management Plan
 - (e) Reference to Memorandum of Understanding with Rangitāne o Manawātū
 - (f) Reference to Memorandum of Understanding with PNCC for the on-going maintenance of Kendalls Line
 - (g) Reference to the Dust Management and Monitoring Plan
 - (h) Updated noise monitoring requirements
 - (i) Updated Erosion and Sediment Control Plan requirements
 - (j) Cleanfill record keeping procedures
 - (k) Updated regulatory framework i.e., resource consents
 - (l) Updated driver induction

Advice Note: the requirement for Technical Certification of the Quarry Management Plan is also contained within the Palmerston North City consents LU 6962.

50. A Concept Quarry Closure and Rehabilitation Plan (CQCRP) must be submitted **two (2) years** after the grant of this consent for certification by PNCC, including a summary of consultation undertaken with Best Care (Whakapai Hauora) Charitable Trust in the development of the plan. The CQCRP must cover the entire quarry site and must include but not be limited to:
- (a) Measures to ensure long term slope stability
 - (b) Filling of pit and measures required to ensure water quality is suitable

- (c) Riparian planting of pit areas where applicable
- (d) Pest control and maintenance / protection of indigenous vegetation
- (e) Measures to reduce the height of the overburden areas/bunds and integrate them with the surrounding landform
- (f) Planting or grassing of the overburden areas/bunds

Advice Note: Condition 50 has been included on an Augier basis following a Mana Enhancing Agreement between the Applicant and Rangitāne o Manawatū.

Advice Note: the requirement for Technical Certification of the Quarry Management Plan is also contained within the Palmerston North City consents LU 6962.

51. A Final Quarry Closure and Rehabilitation Plan (FQCRP) must be submitted at least **twelve (12) months** prior to closure of the quarry to PNCC for certification, including a summary of consultation undertaken with Rangitāne o Manawatū in the development of the plan. The FQCRP must cover the entire quarry site and must include but not be limited to:
- (a) Geotechnical rehabilitation design report including measures to ensure long term slope stability
 - (b) Filling of pit and measures required to ensure water quality is suitable
 - (c) Riparian planting of pit areas where applicable
 - (d) Pest control and maintenance / protection of indigenous vegetation
 - (e) Measures to reduce the height of the overburden areas/bunds and integrate them with the surrounding landform
 - (f) Planting or grassing of overburden areas/bunds

Advice Note: Condition 51 has been included on an Augier basis following a Mana Enhancing Agreement between the Applicant and Rangitāne o Manawatū.

Advice Note: the requirement for Technical Certification of the Quarry Management Plan is also contained within the Palmerston North City consents LU 6962.

Waka Kotahi NZ Transport Agency Reference: 2021-0337

7 June 2023

Hirock Limited
C/- Emma Hilderink-Johnson
Good Earth Matters Consulting Limited

Sent via: emma.hilderinkjohnson@goodearthmatters.com

Dear Emma,

Linton Quarry – 257 Kendalls Line, Linton

Thank you for your request for written approval from Waka Kotahi New Zealand Transport Agency (Waka Kotahi). Your proposal has been considered as follows:

Proposal

Resource consent is sought for the expansion of an existing quarry (Linton Quarry) at 257 Kendalls Line, Linton.

Assessment

In assessing the proposal (as detailed in the Resource Consent Application and Assessment of Environmental Effects, dated 29 July 2022), Waka Kotahi notes the following:

- Kendalls Line is a local road which is accessed via State Highway 57 (SH57).
- The expansion of Linton Quarry may have potential adverse effects upon the safe and efficient operation of State Highway 57, due to the use of the SH57-Kendalls Line intersection for truck movements associated with the quarry.
- The applicant has specified the maximum number of truck movements associated with the operation of the quarry that is to be reflected in the consent. This also includes the volume of truck movements which perform a right-turn manoeuvre from SH57 into Kendalls Line. Conditions of consent shall be imposed to ensure that these limits are complied with.

Conditions

In discussion with Waka Kotahi your client has agreed to include the following conditions as part of your resource consent application:

1. Traffic generation to/from the site must comply with the following:
 - a. Average daily truck movements shall not exceed 200 (averaged monthly, excluding Sundays and public holidays).
 - b. Total truck movements must not exceed:
 - i. 250 per day; and
 - ii. 6 per hour.
 - c. For the avoidance of doubt, a truck movement shall be defined as a single trip either inbound to, or outbound from the site. A return trip to and from the site shall constitute two truck movements.
2. Truck movements to the site which result in right-turn movements from State Highway 57 into Kendalls Line, must not exceed:
 - a. 40 per day (averaged monthly, excluding Sundays and public holidays); and
 - b. 6 per hour.

3. The consent holder shall provide a record of the number and type of vehicles per day using the State Highway 57-Kendalls Line intersection to Council's compliance monitoring officer as part of an annual report to ensure that Conditions 1 and 2 are complied with.
4. The annual report required by Condition 3 above shall be submitted to Waka Kotahi for acceptance.
Advice note: The report can be sent to environmentalplanning@nzta.govt.nz quoting number 2021-0337
5. The consent holder shall submit for approval by Palmerston North City Council and Waka Kotahi, detailed design plans for improvements to Kendalls Line, in accordance with the concept plan "Kendalls Line/SH57 Intersection Proposed Improvements", prepared by Beca Group Limited, drawing number 3823296-TA-1005, Rev. B, dated 2 June 2023.
6. The consent holder shall undertake improvements at the Kendalls Line / State Highway 57 intersection in accordance with the approved plan required by Condition 5 within six (6) months of the consent being granted.

Determination

On the basis of the above assessment of the proposed activity, and the conditions volunteered by the applicant, Waka Kotahi provides written approval under section 95E of the Resource Management Act 1991.

Advice Notes

Before you undertake any physical work on the state highway, including the upgrade of any vehicle crossing, you are legally required to apply to Waka Kotahi for a Corridor Access Request (CAR) and for that request to be approved

Please submit your CAR to the Waka Kotahi CAR Manager via melissa.kearney@nzta.govt.nz a minimum of fourteen working days prior to the commencement of any works on the state highway; longer is advised for complex works.

Expiry of this approval

Unless resource consent has been obtained, this approval will expire two years from the date of this approval letter. This approval will lapse at that date unless prior agreement has been obtained from Waka Kotahi.

If you have any queries regarding the above or wish to discuss matters further, please feel free to contact Damian Tang via email at damian.tang@nzta.govt.nz or you can contact the environmental planning team at the following email address – environmentalplanning@nzta.govt.nz.

Yours sincerely,



Damian Tang
Environmental Planner
Environmental Planning