

MEMORANDUM

DATE: 24 July 2023
TO: Independent Commissioner, David McMahon
FROM: Russell Bartlett, KC on behalf of the applicant, Hirock Limited
SUBJECT: Response to Minute 4 in relation to the Hearing for Linton Quarry Joint Consent Application - PNCC LU 6962 and MWRC APP-2022203991.00

This response on behalf of the Applicant contains the following additional information as requested by Commissioner McMahon in Minute #4, issued **Tuesday 18 July**.

- **Item a.** Further acoustic information in relation predicted noise levels of traffic moments on a 'without prejudice' basis. Specifically, an additional column added to Table 1 (Appendix B of the Applicant's right of reply), assessing the daily noise level for a maximum of 150 traffic movements per day, with a maximum average hourly movement rate of 15 (para. 6-14).
- **Item b.** A revision and update of the Conditions for the Land Use Consent LU6962 to ensure they are practicable, measurable and enforceable (para. 16).

This additional information is to be provided by **Tuesday 25 July**.

ACOUSTIC INFORMATION

Attached at **Appendix A** is a technical memorandum by Jon Farren, Marshall Day Acoustics on behalf of the Applicant, titled "Linton Quarry – Response to Commissioner's Minute #4", Document No. Mm 003 R03, dated 19 July 2023.

As requested, the technical memorandum includes an additional column added to Table 1 assessing the daily noise level for a maximum of 150 traffic movements per day, with a maximum average hourly movement rate of 15.

A decrease from 17 to 15 truck movements per hour corresponds to a -0.54 dB reduction in sound levels, which Mr Farren advises is a negligible change (even when rounded up to 1 dB). Council's noise expert, Nigel Lloyd has reviewed the memorandum and agrees. Mr Lloyd's response is provided at **Appendix B**.

The advice from both noise experts is that the change to sound levels would be imperceptible to Kendalls Line residents. However, further reducing the daily maximum and peak hour number of quarry truck movements from 17 to 15 would impact the Applicant's overall ability to meet the demand from their customers and therefore the detriment to the Applicant would be quite disproportionate to any benefit accruing to the Kendalls Line residents. On this basis, the Applicant does not wish to amend the consent application to further reduce the hourly or daily maximum number of quarry truck movements from 17 and 170, respectively.

REVISED CONSENT CONDITIONS

Natasha Adsett, Planner on behalf of PNCC, and Emma Hilderink-Johnson, Planner on behalf of the Applicant have reviewed the tracked changes set of conditions "Appendix G – Conditions_Minute4_annotated", as requested by Commissioner McMahon.

The Commissioner's tracked changes to **LU6962 Conditions 4, 12, 20, 31, 58 and 60**, and the Advice Notes in **Conditions 8, 10, 26 and 38**, have been accepted in full and updated in **Appendix C**, accordingly.

LU6962 Conditions 1, 4, 7, 58 and 59, as well as **Conditions 1 and 2** of the regional council consents (Mana Enhancing Agreement correction) and **Conditions 49, 50 and 51** of the General Condition Schedule (relating to, **ATH-2023205983.00, ATH-2022205663.00 and ATH-2022205664.00**) remain in tracked changes with comments alongside to assist the Commissioner.

Email confirmation that a bond condition for site remediation works is not required or desired by PNCC, is provided at **Appendix D**.

Email confirmation that Ms Adsett is agreeable to the tracked changes and the updated version of consent conditions is provided at **Appendix E**.

A handwritten signature in blue ink, appearing to read 'R Bartlett', with a stylized flourish at the end.

Russell Bartlett KC

Counsel for Hirock Ltd

MEMO

Project:	Linton Quarry	Document No.:	Mm 003 R03		
To:	Hirock c/o Good Earth Matters	Date:	19 July 2023		
Attention:	Emma Hilderink-Johnson	Cross Reference:			
Delivery:	By email	Project No.:	20210382		
From:	Jon Farren	No. Pages:	1	Attachments:	No
Subject:	Linton Quarry – Response to Commissioner’s Minute #4				

Emma

Below I have provided an additional column to Table 1 from our 4 July 2023 memo as requested in Paragraph 12 of Minute 4 which states:

“12. Therefore, I seek that an additional column be added to Table 1, which assesses the daily noise level for a maximum of 150 traffic movements per day, with a maximum average hourly movement rate of 15.”

Please note the following:

- A decrease from 17 to 15 truck movements per hour corresponds to a -0.54 dB reduction in sound levels which is a negligible change. To be consistent with my presentation of previous results, I have numerically rounded this difference to -1dB.
- 150 truck movements evenly distributed over a 10 hour day would result in the same numerical noise level as 15 movements per hour.
- To provide more room in the table. I have deleted the column that provided distances to each dwelling.

Table 1: Predicted future noise levels from quarry traffic at dwelling façades on Kendalls Line

ID ¹	Address	4 July 2023 Memo		Minute #4
		Peak hour - 17 truck movements	Daily average - 130 truck movements per day	Peak hour - 15 truck movements
		L _{Aeq} ,1 hr	L _{Aeq} ,16 hrs	L _{Aeq} ,1 hr
2	150 Kendalls Line	52	50	51
4	75 Kendalls Line	49	46	48
5	42 & 124-136 Kendalls Line	49	46	48
7	39 Kendalls Line	46	43	45
9	33 Kendalls Line	54	51	53
10	6 Kendalls Line	50	47	49
11	23 Kendalls Line	40	37	39
12	15 Kendalls Line	50	47	49
13	11 Kendalls Line	52	49	51
14	4 Kendalls Line	41	38	40

Notes:

¹ Properties without existing dwellings have not been taken into account (i.e. ID 1,3 and 6).



From: Nigel Lloyd <nigel@acousafe.co.nz>
Sent: Wednesday, 19 July 2023 3:00 pm
To: 'Jon Farren'
Cc: 'Natasha Adsett'; Emma Hilderink-Johnson
Subject: RE: Linton quarry - Commissioners Minute 4
Attachments: Mm 003 R03 20210382 Linton Minute 4 truck movements.pdf

Hi Natasha

I have read the memo from Jon Farren.

I agree that the difference in truck noise as asked for by the commissioner is as stated in the memo.

Regards

Nigel Lloyd

Acousafe Consulting & Engineering Ltd

Ph: +64 274480282

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 Mana Enhancing Agreement ~~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.
- S. Memo titled "Linton Quarry - Reduced truck noise levels", prepared by Marshall Day Acoustics, dated 4 July 2023, document number Mm 003 R01.
- T. Truck Driver Induction Manual prepared by Hirock Limited, Revision 3.0 04/07/2023.

Commented [GEM1]: Correct name of agreement

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. The applicant must erect and maintain in perpetuity for the life of the quarry, signs along Kendalls Line advising of a speed limit of 50 km/hr for all Quarry Traffic and advising 'no engine braking'. At a minimum, signage must be located a minimum of 100m from the intersection of Kendalls Line and State Highway 57 and again at the entrance/ exit of the quarry. The signs must be erected no later than **1 month after the granting of consent**, and evidence of such provided

to submitted to PNCC via email steve.mcnicholl@pncc.govt.nz and planning.services@pncc.govt.nz quoting reference LU 6962, **Condition 4**.

5. A baseline road condition survey of Kendalls Line is to be undertaken by Hirock annually.
 - (a) Laser profiling baseline survey must be undertaken once every three (3) years 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. In other years, the annual baseline road condition survey may be a visual survey carried out by a suitably qualified roading contractor.
 - (b) 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: Details of the location of the lime chip path shall be finalised in consultation with adjacent landowners along with the consideration of the road widening requirements under **Condition 12**.

7. The consent holder must update the Traffic Management Plan to ensure all truck drivers are informed about safe vehicle speeds and braking 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.

The updates must include but not be limited to:

- (a) Updated description of site activities
- (b) Reference to the Noise Management Plan
- (c) Reference to the Dust Management and Monitoring Plan
- (d) Reference to any updated driver training requirements and truck driver induction manual
- (e) Reference to any changes or upgrades undertaken at the intersection of Kendalls Line and State Highway 57

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: 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.

Commented [RMG2]: Needs to specify what the TMP should include, outlining how this relates and cross references to the Noise Management Plan, Dust Management Plan, and Drivers Training

Commented [GEM3R2]: EHJ/NA amended condition to include (a)-(e).

8. Traffic generation to/from the site must comply with the following:

(a) Total truck movements must not exceed:

i. 170 per day; and

ii. 17 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.

Advice Note: The above total traffic volumes are on the basis that the maximum resultant predicted noise levels have been calculated at 55dBA at the dwellings facades on Kendalls Line.

Commented [RMG4]: To be updated if final movement/dBA changes

Advice Note: To assist with monitoring, the applicant shall keep daily records of traffic moments.

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 an annual report to Palmerston North City Council's compliance monitoring officer which summarises the following:

(a) A record of the number and type of vehicles per day using the SH57 and Kendalls Line intersection as parts of an annual report to ensure that **Conditions 8 and 9** are complied with; and

(b) Photographs of the intersection of Kendalls Line and SH57 to assist PNCC and Waka Kotahi in making a decision on the need for any vegetation maintenance to assist with sight lines and/or maintenance of the road markings.

(c) The annual report for the previous calendar year 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**.

Advice Note: The annual monitoring report will be publicly available.

Advice Note: The Road Controlling Authority is responsible for the maintenance of vegetation to assist with sight lines and the maintenance of road markings, not the consent holder.

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. At least 6 weeks prior to physical improvement works being carried out, 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/SH57 intersection in accordance with the approved plan, required by **Condition 12**, within six (6) months of the consent being granted.

NOISE

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:

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.

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.

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:

7.00am to 7.00pm 51 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.

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.

16. Quarrying activities (other than the construction of noise bunds) must be managed to ensure that noise does not exceed 60 dB LAeq(15min) at all times at or within the boundary of any other site.
17. Noise from the construction of noise bunds must be managed and controlled in accordance with NZS 6803:1999 Acoustics - Construction noise.
18. 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.

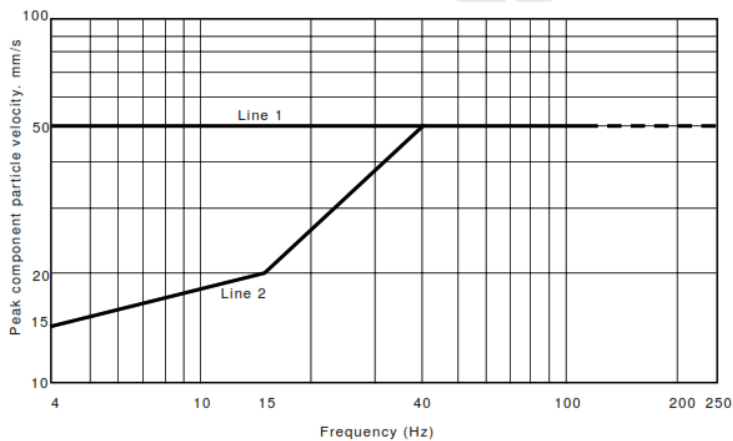


Figure F.1 Blasting Vibration Limits (Line 2)

19. 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.
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 14, 15, 16 and 17** 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:
 - a) the relevant noise limits,
 - b) noise monitoring methods and locations,
 - c) the relevant blasting airblast and vibration limits,

- d) noise mitigation and maintenance requirements for plant and machinery,
 - e) the size and location of noise bunds,
 - f) the use of quiet reversing alarms,
 - g) general operating procedures,
 - h) the speeds on haul roads,
 - i) haul road maintenance,
 - j) achieving vehicle speed limits on Kendalls Line
 - k) training of staff,
 - l) complaints handling and recording,
 - m) staging and minimising the impacts of bund construction, and
 - n) 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 14, 15, 16, 17 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. Noise monitoring must be undertaken within 3 months of the issue of consent and on receipt of a justifiable complaint. A copy of the 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.

Advice Note: Noise monitoring data can be submitted to PNCC via email steve.mcnicholl@pncc.govt.nz and planning.services@pncc.govt.nz quoting reference LU 6962, **Condition 26**.

Advice Note: Noise monitoring data will be made publicly available.

GEOTECHNICAL

27. 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.mcnicholl@pncc.govt.nz and planning.services@pncc.govt.nz quoting reference LU 6962, **Condition 27**.

28. 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 28**.

29. 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. 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 07:00 hrs.

PROTECTION OF ECOLOGICAL AREAS

31. An Ecological Management Plan (EMP) must be submitted prior to at least 6 week prior to the expansion of the quarry pit, for technical certification by PNCC, including a summary of consultation undertaken with Rangitāne o Manawatū 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)-(nikau) 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. All works must be undertaken in accordance with the approved EMP unless otherwise restricted by the conditions of this consent.
33. 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 where the fence shall be set back as far as practical) 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.
34. 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 34 has been included on an Augier basis following a Mana Enhancing Agreement between the Applicant and Rangitāne o Manawatū.

35. 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. 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. 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. 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 37**.

Advice Note: Condition 38 has been included on an Augier basis following a Mana Enhancing Agreement between the Applicant and Rangitāne o Manawatū.

Advice Note: Written evidence of consultation with Whakapai Hauora, including how any feedback has been incorporated must be provided to PNCC via email steve.mcnicholl@pncc.govt.nz and planning.services@pncc.govt.nz quoting reference LU 6962, **Condition 38**.

39. 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. 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. 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. 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. The Consent Holder must install a wheel wash within six (6) months of the commencement of the consent and the site must be configured so that all trucks exiting the site pass through it. The wheel wash must be maintained at all times.
44. The Consent Holder must ensure that dust producing plant (e.g. crushers and shaker screens) have sprinklers or other dust mitigating mechanisms in place at all times.
45. 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;
 - v. Monthly sweeping/washing of sealed portions of the site roads and yards and the public road up to the entrance of 150 Kendalls Line; and
 - vi. Use of 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 at the western boundary of the quarry within 10 metres of Kendalls Line.
 - 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 where the meteorological monitor is located, how the data is logged, and how staff are alerted to wind speeds being over 10 m/s.
- (h) 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.
- (i) A description of how monitoring data will be provided to the Palmerston North City Council.
- (j) Processes for review and updating of the DMMP, including provision of updates to the regulatory authority for its approval.
46. 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-Wanganui Regional Council in regard 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.
47. Certification (or withholding certification) is based on the Palmerston North City Council's assessment of whether the DMMP meets the requirements of the conditions of this resource consent, with specific focus on **Condition 45**.
48. The Consent Holder must operate the quarry in compliance with the certified DMMP at all times.
49. The DMPP may be amended or updated without the need for certification where the amendment is an administrative change, including nominating personnel.

50. Except as provided for in **Condition 49**, 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.
51. The Consent Holder must carry out on an annual basis six months of real time PM10 monitoring at the western boundary of the quarry within 10 metres of Kendalls Line after 1st November and before 30th April, for the first three (3) years following the grant of the consent to determine the extent of any nuisance dust effects from the quarry including quarry traffic along Kendalls Line.
52. To monitor compliance with **Condition 51**, the consent holder shall continuously measure the following parameters to obtain 1 hour and 24-hourly averages:
- (a) Particle Concentration –
 - i. PM10; and
 - ii. the total dust load
 - (b) Time lapse video.
 - (c) Meteorological data (wind speed, wind direction and rainfall).
53. If, after three years, the monitoring required by **Condition 51** 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, or 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.
54. An annual report shall be provided to the Palmerston North City Council with the results of the monitoring required by **Conditions 51 and 53** and any remedial actions undertaken by the Consent Holder.
- Advice Note:** Palmerston North City Council may choose to provide the annual report to Manawatu – Whanganui Regional Council in regard to the compliance, or otherwise, with the One Plan, particularly rule 15-14.
55. Following the receipt of results of the monitoring required by **Conditions 51 and 53**, if it is shown that the site is generating concentrations of PM10 that are greater than 50 µg/m³ (24-hour mean), the Palmerston North City Council may request in writing that the consent holder provide a report, prepared by a suitably qualified person, which investigates options for controlling dust from the site.
56. The consent Holder shall implement the recommendations of the report within six months of the report being finalised and provide an updated version of the DMMP as per **Condition 50**.

SOIL AND EROSION CONTROL

57. The Consent Holder must provide a copy of the Erosion and Sediment Control Plan as certified by the Manawatu-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 Manawatū-Whanganui Regional Council consents ATH-2022205663.00, ATH-2022205664.00 and ATH-2023205983.00

QUARRY MANAGEMENT PLAN

58. The consent holder must update the Quarry Management Plan six **(6) 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 **Mana Enhancing Agreement memorandum of Understanding** with Rangitāne o Manawatū
- (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 plan
- (m) Reference to site rehabilitation plan

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

59. 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 produce a final “walk away” landform that is geotechnically stable that blends aesthetically into the surrounding landforms, yet as far as possible does not limit possible future land uses. Measure to achieve this objective are as follows (but not limited to):

- (a) Measures to ensure long term slope stability

Commented [RMG5]: Is twelve months reasonable? Three /six months more appropriate?

Commented [GEM6R5]: EHJ/NA agree 6 months is more appropriate and achievable.

Commented [GEM7]: Correct name of agreement.

Commented [RMG8]: Should there be a requirement for a bond if this is not carried out?

Commented [GEM9R8]: PNCC confirm (email NA 20/07/2023) a bond is not required or desired, in this instance.

- (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
- (g) Timeframes for when the rehabilitation should be completed by
- (h) Who is responsible for carrying out the rehabilitation plan

Who is responsible for carrying out the rehabilitation plan **Advice Note:** the requirement for Technical Certification of the CQCRP is also contained within the Manawatū-Whanganui Regional Council consents ATH-2022205663.00, ATH-2022205664.00 and ATH-2023205983.00

60. 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 and highlight any changes from the CQCRP required by **Condition 59** and why. The FQCRP must cover the entire quarry site and must produce a final “walk away” landform that is geotechnically stable that blends aesthetically into the surrounding landforms, yet as far as possible does not limit possible future land uses. Measure to achieve this objective are as follows (but not 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
- (g) Timeframes for when the rehabilitation should be completed by
- (h) Who is responsible for carrying out the rehabilitation plan

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

ACCIDENTIAL DISCOVERY

61. 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

62. 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 and dust) 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

64. 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.

64. 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

65. 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 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 ~~Mana Enhancing Agreement~~ ~~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.
- S. Memo titled "Linton Quarry - Reduced truck noise levels", prepared by Marshall Day Acoustics, dated 4 July 2023, document number Mm 003 R01.
- T. Truck Driver Induction Manual prepared by Hirock Limited, Revision 3.0 04/07/2023.

Commented [GEM10]: Correct name of agreement

Where they 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 Manawatū-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 Mana Enhancing Agreement ~~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.
- S. Memo titled "Linton Quarry - Reduced truck noise levels", prepared by Marshall Day Acoustics, dated 4 July 2023, document number Mm 003 R01.
- T. Truck Driver Induction Manual prepared by Hirock Limited, Revision 3.0 04/07/2023.

Commented [GEM11]: Correct name of agreement

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 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 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 Manawatū-Whanganui Regional Council on 21 November 2022, and the information included in the following further information responses and plans:
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 - 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'.
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 - 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
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- 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 ~~Mana Enhancing Agreement~~ ~~Memorandum of Understanding~~ with Rangitāne o Manawatū, dated 27 April 2023, from Good Earth Matters.
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- 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.
- S. Memo titled "Linton Quarry - Reduced truck noise levels", prepared by Marshall Day Acoustics, dated 4 July 2023, document number Mm 003 R01.
- T. Truck Driver Induction Manual prepared by Hirock Limited, Revision 3.0 04/07/2023.

Commented [GEM12]: Correct name of agreement

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

General Condition Schedule (relating to, 2023205983.00, ATH-2022205663.00 and ATH-2022205664.00)

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 Manawatū-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 ~~Mana Enhancing Agreement~~ ~~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.
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- R. Memo regarding vibration titled TRUCK VIBRATION, prepared by Marshall Day Acoustics, dated 29 May 2023, document number Mm 002.
- S. Memo titled “Linton Quarry - Reduced truck noise levels”, prepared by Marshall Day Acoustics, dated 4 July 2023, document number Mm 003 R01.
- T. Truck Driver Induction Manual prepared by Hirock Limited, Revision 3.0 04/07/2023.

Commented [GEM13]: Correct name of agreement

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 Manawatū-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 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 be above a median of > 0.018 mg/L then monitoring must continue as per **Condition 27 and 35** with reporting required under **Condition 45**.
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 six **(6) 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 ~~Mana Enhancing Agreement~~ memorandum of Understanding with Rangitāne o Manawatū
- (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 plan
- (m) Reference to site rehabilitation plan

Commented [GEM14]: Correct name of agreement.

Advice Note: the requirement for Technical Certification of the QMP 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 produce a final “walk away” landform that is geotechnically stable that blends aesthetically into the surrounding landforms, yet as far as possible does not limit possible future land uses. Measure to achieve this objective are as follows (but not 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
- (g) Timeframes for when the rehabilitation should be completed by
- (h) Who is responsible for carrying out the rehabilitation plan

Advice Note: the requirement for Technical Certification of the CQCRP 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 and highlight any changes from the CQCRP required by **Condition 50** and why. The FQCRP must cover the entire quarry site and must produce a final “walk away” landform that is geotechnically stable that blends aesthetically into the surrounding landforms, yet as far as possible does not limit possible future land uses. Measures to achieve this objective are as follows (but not 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
 - (g) Timeframes for when the rehabilitation should be completed by
 - (h) Who is responsible for carrying out the rehabilitation plan

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

Commented [GEM15]: Updated, as per LU 6962 conditions.

From: Natasha Adsett <natasha@evergreenconsulting.co.nz>
Sent: Thursday, 20 July 2023 4:04 pm
To: Emma Hilderink-Johnson
Cc: Natasha Adsett
Subject: Response to Minute 4 - part B - requirement for a bond

Hi Emma

As part of our discussion on Wednesday the concept of Bonds was raised by Commissioner McMahon and if there is a desire for a condition to be put in place requiring the applicant to pay a bond for the rehabilitation of the quarry.

I have discussed this matter with Palmerston North City Council who have reflected on the difficulties associated with bonds including determining the amount that should be held and the ongoing administration fees for the holding of the bond by the councils Lawyers CRLaw. In addition I am not aware of any requirement under the previous land use consent for a bond to be held.

In conclusion there is no requirement, nor desire by council, for a bond condition to be imposed.

Hopefully you are happy to insert this into your response? Please let me know if there is anything else you need from me.

Cheers,
Natasha

Natasha Adsett
Senior Planner (BRP Hons, Int.NZPI)
Evergreen Consulting Limited
Phone: 0223096105



From: Natasha Adsett <natasha@evergreenconsulting.co.nz>
Sent: Monday, 24 July 2023 1:28 pm
To: Emma Hilderink-Johnson
Cc: Natasha Adsett
Subject: RE: Linton Quarry - revised consent conditions

Hi Emma

Thanks for the below. I can confirm that I am agreeable to the changes and this version of the conditions.

Cheers,
Natasha

Natasha Adsett

Senior Planner (BRP Hons, Int.NZPI)
Evergreen Consulting Limited
Phone: 0223096105



From: Emma Hilderink-Johnson <Emma.HilderinkJohnson@goodearthmatters.com>
Sent: Monday, July 24, 2023 12:37 PM
To: Natasha Adsett <natasha@evergreenconsulting.co.nz>
Subject: Linton Quarry - revised consent conditions

Hi Natasha,

Hope you had a lovely weekend. Thanks for confirming PNCC aren't wanting a bond for the rehab works.

I've attached the tracked changes to the conditions we worked on last week.

We accepted most of the agreed changes and then made some further tracked changes and replied to comments, in the attached version.

If you could review this latest version and let me know if you are happy with it, then I'll append your reply to our response, due tomorrow.

Kind regards,
Emma

Emma Hilderink-Johnson
My office hours are Monday - Friday 9.30 am - 2.30 pm



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