MITCHELL DAYSH

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SHAWS PROPERTY HOLDINGS LIMITED

WHAKANUI STUD SAND QUARRY

Resource Consent Application and Assessment of Environmental Effects

July 2026

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REPORT INFORMATION

Report Status	Final
Our Reference	MDL002978
File Location	Whakanui Stud Sand Quarry - Resource Consent Draft .docx
Author	Madi Lawry
Review By	Mark Henry

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A

PART A

Resource Consent Application

FORM 9

APPLICATION FOR RESOURCE CONSENT

Sections 88 of the Resource Management Act 1991

To Waipā District Council
Private Bag 2402
Te Awamutu 3840

1. Shaws Quarries Limited and Whakanui Stud Limited ("**the Applicants**") apply for the following type(s) of resource consent:

   > Land Use Consent for a Discretionary Activity for the establishment and operation of a mineral extraction activity (sand quarry) and associated works in the Rural Zone pursuant to Rule 4.4.1.4(h) of the Waipā District Plan; and

   > Land Use Consent for a Discretionary Activity in accordance with Rule 16.4.2.5 of the Waipā District Plan. Performance Standard Non-Compliance – Site Access Vehicle Crossing Minimum Separation Distances.

2. The activity to which the application relates (the proposed activity) is as follows:

   Sand quarrying and cleanfilling activities at 1466 Cambridge Road, Cambridge.

3. The site at which the proposed activity is to occur is as follows:

   1466 Cambridge Road legally described as Lot 3 DP 571795, Lot 4 DP 571795, Lot 3 DP 572677, Lot 1 DPS 71331, Lot 1 DP 590697, Part Lot 3 DP 26177 and Lot 1 DPS 11673.

   Refer **Appendix A** for the Record of Titles.

4. The full name and address of each owner or occupier (other than the applicant) of the site to which the application relates are as follows:

   N/A

5. There are no other activities that are part of the proposal to which this application relates.

   As described in Section 3 of the Assessment of Environmental Effects.

6. The following additional resource consents are needed for the proposal to which this application relates are applied for in this application:

   Within the jurisdiction of Waikato District Council:

- Mineral extraction activity and associated works in the General Rural Zone as a Discretionary Activity under Rule GRUZ-R45 of the Waikato District Plan;
- An activity exceeding the traffic generation limits pursuant to Rule TRPT-R4 of the Waikato District Plan;
- Earthworks exceeding permitted limits pursuant to Rule EW-R21 of the Waikato District Plan; and
- Cleanfilling activities pursuant to Rule EW-R22 of the Waikato District Plan;

Within the jurisdiction of Waikato Regional Council:

- Drilling a new borehole (a Controlled Activity pursuant to Rule 3.8.4.7 of the Waikato Regional Plan);
- Groundwater take (a Discretionary Activity pursuant to Rule 3.3.4.24 of the Waikato Regional Plan); and
- Large scale cleanfill disposal (a Controlled Activity pursuant to Rule 5.2.5.5 of the Waikato Regional Plan).

7. I attach an assessment of the proposed activity's effect on the environment that—

   (a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and

   (b) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and

   (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

8. I attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.

9. I attach an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.

10. I attach the further information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under that Act.

Date: 2 July 2026

Signature:



Madi Lawry (Person authorised to sign on behalf of applicant).

Contact Details

Electronic address for Service of applicant: Madison.lawry@mitchelldaysh.co.nz

Telephone: 021 222 0065

Postal address:

Mitchell Daysh Limited
PO Box 1307
Hamilton

FORM 9

APPLICATION FOR RESOURCE CONSENT

Sections 88 of the Resource Management Act 1991

To Waikato District Council
Private Bag 544
Ngaaruawaahia
3742

1. Shaws Quarries Limited and Whakanui Stud Limited ("**the Applicants**") apply for the following type(s) of resource consent:

   > Mineral extraction activity and associated works in the General Rural Zone as a Discretionary Activity under Rule GRUZ-R45 of the Waikato District Plan;

   > An activity exceeding the traffic generation limits pursuant to Rule TRPT-R4 of the Waikato District Plan;

   > Earthworks exceeding permitted limits pursuant to Rule EW-R21 of the Waikato District Plan; and

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   Refer **Appendix A** for the Record of Titles.

4. The full name and address of each owner or occupier (other than the applicant) of the site to which the application relates are as follows:

   N/A

5. There are no other activities that are part of the proposal to which this application relates.

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6. The following additional resource consents are needed for the proposal to which this application relates are applied for in this application:

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> Land Use Consent for a Discretionary Activity for the establishment and operation of a mineral extraction activity (sand quarry) and associated works in the Rural Zone pursuant to Rule 4.4.1.4(h) of the Waipā District Plan; and

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(e) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and

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10. I attach the further information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under that Act.

Date: 2 July 2026

Signature:



Madi Lawry (Person authorised to sign on behalf of applicant).

Contact Details

Electronic address for Service of applicant: Madison.lawry@mitchelldaysh.co.nz

Telephone: 021 222 0065

Postal address:

Mitchell Daysh Limited
PO Box 1307
Hamilton

FORM 9

APPLICATION FOR RESOURCE CONSENT

Sections 88 of the Resource Management Act 1991

To Waikato Regional Council
PO Box 3038,
Hamilton 3240

1. Shaws Quarries Limited and Whakanui Stud Limited ("**the Applicants**") apply for the following type(s) of resource consent:

   > Drilling a new borehole (a Controlled Activity pursuant to Rule 3.8.4.7 of the Waikato Regional Plan);

   > Groundwater take (a Discretionary Activity pursuant to Rule 3.3.4.24 of the Waikato Regional Plan); and

   > Large scale cleanfill disposal (a Controlled Activity pursuant to Rule 5.2.5.5 of the Waikato Regional Plan).

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4. The full name and address of each owner or occupier (other than the applicant) of the site to which the application relates are as follows:

   N/A

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   As described in Section 3 of the Assessment of Environmental Effects.

6. The following additional resource consents are needed for the proposal to which this application relates are applied for in this application:

Within the jurisdiction of Waipā District Council:

- Land Use Consent for a Discretionary Activity for the establishment and operation of a mineral extraction activity (sand quarry) and associated works in the Rural Zone pursuant to Rule 4.4.1.4(h) of the Waipā District Plan; and
- Land Use Consent for a Discretionary Activity in accordance with Rule 16.4.2.5 of the Waipā District Plan. Performance Standard Non-Compliance – Site Access Vehicle Crossing Minimum Separation Distances.

Within the jurisdiction of Waikato District Council:

- Mineral extraction activity and associated works in the General Rural Zone as a Discretionary Activity under Rule GRUZ-R45 of the Waikato District Plan;
- An activity exceeding the traffic generation limits pursuant to Rule TRPT-R4 of the Waikato District Plan;
- Earthworks exceeding permitted limits pursuant to Rule EW-R21 of the Waikato District Plan; and
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Electronic address for Service of applicant: Madison.lawry@mitchelldaysh.co.nz

Telephone: 021 222 0065

Postal address:

Mitchell Daysh Limited
PO Box 1307
Hamilton

B

PART B

Assessment of Environmental Effects

1. INTRODUCTION

1.1 PROPOSAL SUMMARY

Shaw's Quarries Limited and Whakanui Stud Limited ("**the Applicants**") are applying for resource consent approval from Waipā District Council ("**Waipā DC**"), Waikato District Council ("**Waikato DC**") and Waikato Regional Council ("**WRC**") to establish and operate a proposed sand quarry and cleanfill operation on a rural property, located at 1466 Cambridge Road, Cambridge ("**the Site**") refer **Figure 1**.

This proposal is a discretionary activity under both the Waipā District Plan ("**Waipā DP**") and Waikato District Plan ("**Waikato DP**"). Under the provisions of the Waikato Regional Plan ("**WRP**"), abstraction of groundwater associated with the proposal is a discretionary activity, while largescale cleanfilling is a controlled activity.

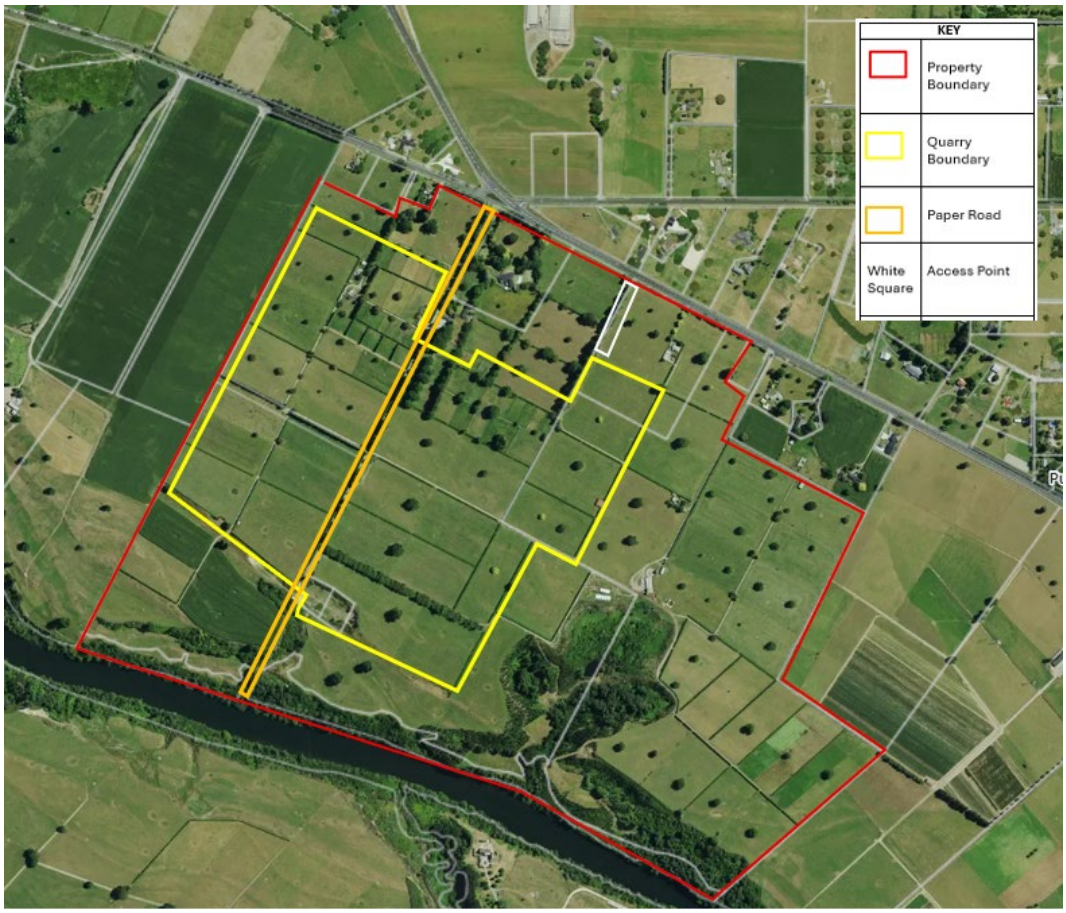


Figure 1: **The Site and Quarry Boundary**

1.2 DEMAND FOR SAND RESOURCE

Sand is an important resource for the construction, manufacturing, building, infrastructure and cropping/horticulture and industrial sectors, and is becoming increasingly scarce.

Cambridge and the wider Waikato Region has experienced significant growth and development in recent years. As the Cambridge area continues to grow, more sand will be required to meet the demand generated by associated subdivision and infrastructure projects.

The number of suitable sand extraction sites within the Waikato is diminishing due to unsuitable ground conditions and/or increased rural-residential development in areas containing quality sand resources (creating incompatible adjacent land uses).

Sand deposits must be of a certain quality and of a sufficiently large enough volume to make the investment in infrastructure required to establish and operate a quarry economical over time.

The Site is ideally placed to service the local Cambridge market, as it is in a good location to supply the various local industries that utilise the sand resource and contains sufficient amounts of high-quality sand to support the investment.

The proximity to Cambridge, ready access to the high quality local roading network and the site's rural location all favour the proposed sand extraction activity.

1.3 REPORT STRUCTURE

This document has been prepared to describe the nature of the activities proposed and provide an Assessment of Environmental Effects ("**AEE**") as required under section 88 of the Resource Management Act 1991 ("**RMA**").

Specifically:

- **Section 2** provides a description of the existing environment.
- **Section 3** describes the proposed activities.
- **Section 4** identifies the status of the proposed activity under the RMA. This includes an assessment against the relevant Waipā DP, Waikato DP and WRP provisions.
- **Section 5** provides an assessment of the effects on the environment associated with the proposed activities.
- **Section 6** provides an analysis of the proposed activity in relation to the provisions of the relevant policy and planning documents and Part 2 of the RMA.

- **Section 7** addresses consultation undertaken with interested and potentially affected parties and the results of that consultation.
- **Section 8** requests appropriate notification processes for each consenting authority.
- **Section 9** sets out the consent duration sought by the Applicant.
- **Section 10** sets out the key conclusions of this AEE.

1.4 RESOURCE CONSENTS REQUIRED

Resource Consent approval is sought for the following activities and works.

Within the jurisdiction of Waipā DC:

- Land Use Consent for a Discretionary Activity for the establishment and operation of a mineral extraction activity (sand quarry) and associated works in the Rural Zone pursuant to Rule 4.4.1.4(h) of the Waipā DP;
- Land Use Consent for a Discretionary Activity in accordance with Rule 16.4.2.5 of the Waipā District Plan. Performance Standard Non-Compliance – Site Access Vehicle Crossing Minimum Separation Distances;

Within the jurisdiction of Waikato DC:

- Mineral extraction activity and associated works in the General Rural Zone as a Discretionary Activity under Rule GRUZ-R45 of the Waikato DP;
- An activity exceeding the traffic generation limits pursuant to Rule TRPT-R4 of the Waikato DP;
- Earthworks exceeding permitted limits pursuant to Rule EW-R21 of the Waikato DP; and
- Cleanfilling activities pursuant to Rule EW-R22 of the Waikato DP;

Within the jurisdiction of Waikato Regional Council:

- Drilling a new borehole (a Controlled Activity pursuant to Rule 3.8.4.7 of the Waikato Regional Plan);
- Groundwater take (a Discretionary Activity pursuant to Rule 3.3.4.24 of the Waikato Regional Plan); and
- Large scale cleanfill disposal (a Controlled Activity pursuant to Rule 5.2.5.5 of the Waikato Regional Plan).

1.5 TECHNICAL REPORTS

The following technical reports have been prepared in support of this application and assessment of environmental effects:

- Integrated Transport Assessment prepared by CKL (Appendix B);
- Acoustic Assessment prepared by Marshall Day (Appendix C);
- Groundwater Assessment prepared by WWLA (Appendix D).
- Erosion and Sediment Control Plan prepared by MPD Environmental (Appendix E);
- Draft Quarry and Cleanfill Management Plan (Appendix F);
- Archaeological Assessment prepared by RedOx Cultural Heritage Services (Appendix H);

The activities will be undertaken in accordance with the recommendations of the above technical assessments and reports, and as detailed within this application report.

2. EXISTING ENVRIONMENT

2.1 SITE DESCRIPTION

2.1.1 Location

The application area is a rural property located at 1466 Cambridge Road, Cambridge. The Site is located approximately 3 km from the Cambridge Town Centre. The Site adjoins the Waikato River to the south, Cambridge and Hooker Roads to the north and farmland to the east and west.



Figure 2: The Site and Surrounds

2.1.2 Existing Land Uses and Development

The application area is currently operated as a dairy farm and is fenced into paddocks. There are three existing dwellings on the site, a stable and a milking shed.

The Te Awa River Ride trail traverses the southern portion of the site, outside of the quarry area.

2.1.3 Topography and Vegetation

The Site is predominantly flat until it reaches the Waikato River where it begins to terrace. A Significant Natural Area ("**SNA**") - SNA WP341 and Outstanding Natural Landscape ("**ONL**") is located along the border of the Site with the Waikato River and traverses the southern end of the Site at points. It is noted however that the SNA and ONL are outside of the quarry footprint (refer **Figure 3**).

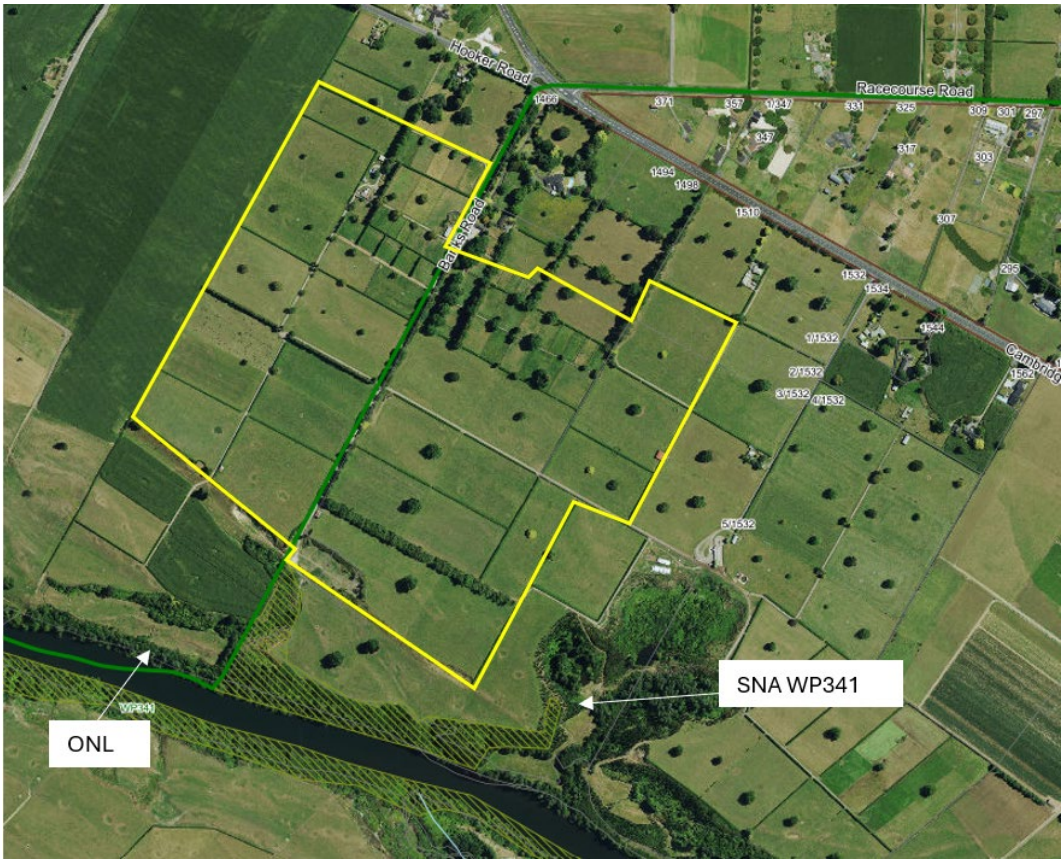


Figure 3: SNA WP341

2.1.4 Neighbouring Landowners and Dwellings

The site is surrounded by a number of land parcels and dwellings, those considered relevant to the proposal are set out in **Table 1** and identified in **Figure 4**.

Table 1: Surrounding Landowners

Address	Identifying Number
256B /276A/276B/276C Hooker Road	1
298 Hooker Road	2
306 Hooker Road	3
316 Hooker Road	4

Address	Identifying Number
371 Racecourse Road	5
357 Racecourse Road	6
347 Racecourse Road	7
1/347 Racecourse Road	8
331 Racecourse Road	9
325 Racecourse Road	10
1534 Cambridge Road	11
1532 Cambridge Road	12
1544 Cambridge Road	13
1560 Cambridge Road	14

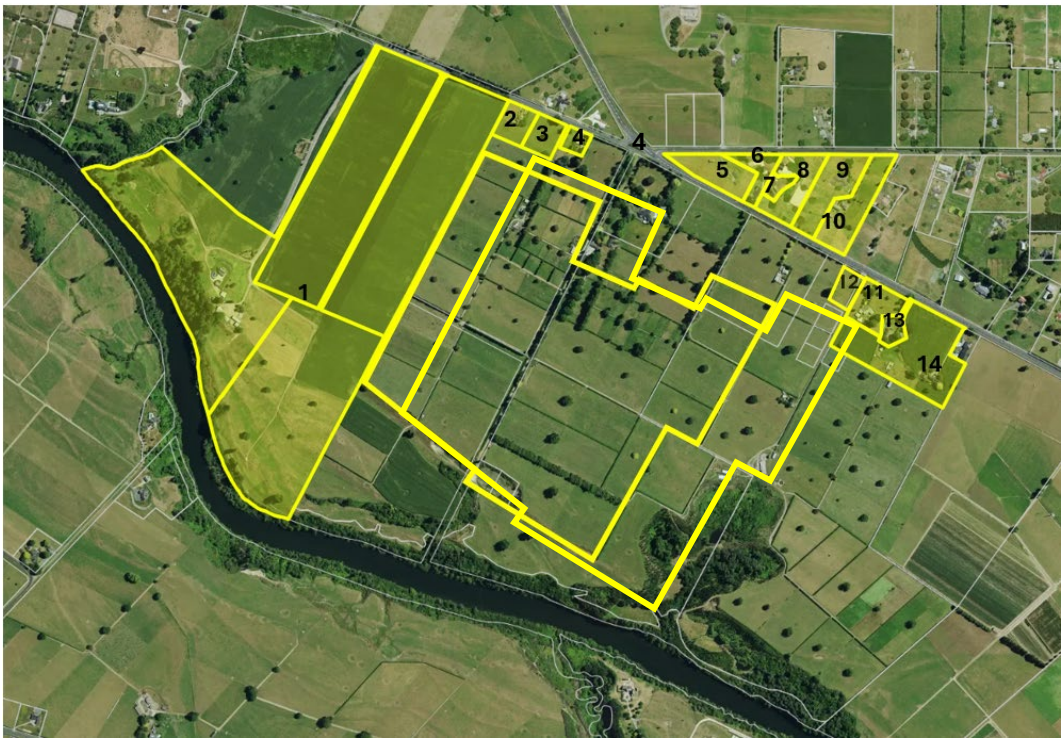


Figure 4: Surrounding Landowners (beyond land owned by the Applicant)

2.1.5 Existing Screen Planting

The Site is largely screened from Cambridge Road by existing planting within the property. The Site is, however, largely visible from the eastern and western rural properties.

2.2 CULTURAL SETTING

The Site is within the rohe of:

- Ngāti Hauā;
- Ngāti Korokī Kahukura; and
- Raukawa.

2.3 SURROUNDING LAND USES

The application site is located within an established rural area in which the predominant land use activities are farming, horticulture, horse training and lifestyle blocks.

2.4 SURROUNDING INFRASTUCTURE

In the land parcel directly to the north-east of Banks Road is an 11kV powerline owned and operated by Waipā Networks. As depicted in **Figure 5**.

Works within this area will be undertaken in accordance with NZECP34:2001[1] and as such works in and around the powerlines is not discussed further in the application.

[1] New Zealand Electrical Code of Practice for Electrical Safe Distances 2001

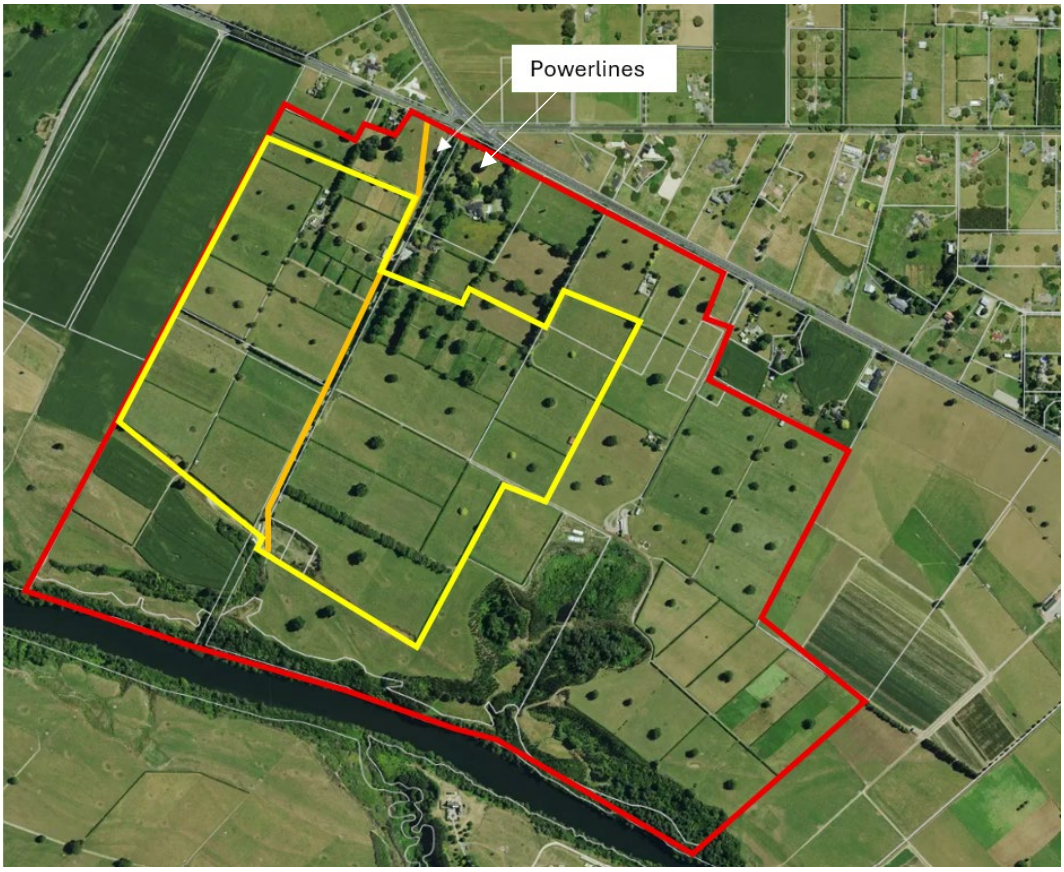


Figure 5: 11kV Powerline Location (orange)

2.5 WIND ENVIRONMENT

Wind conditions at the site are similar to those near the Hamilton Airport weather station located approximately 6.5 km west of the proposed site. The Hamilton Airport wind rose in **Figure 6** shows the predominant wind on site and the strongest (higher velocity) winds will typically be from the west.

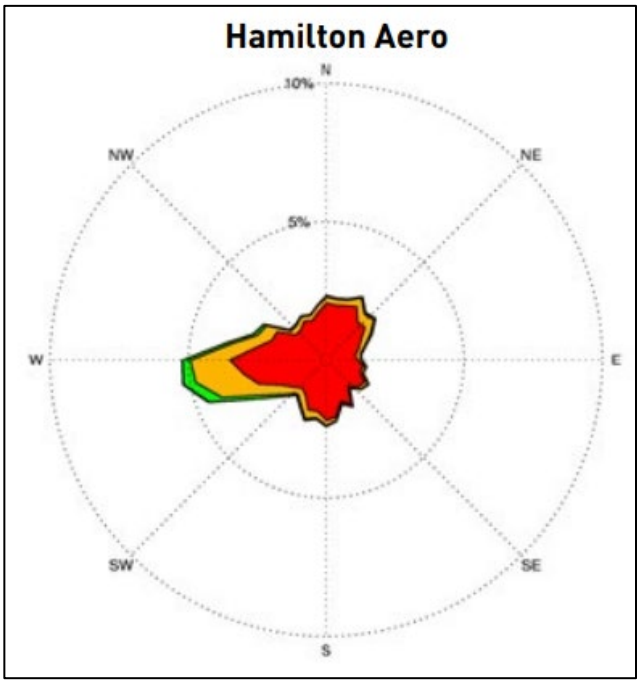


Figure 6: **Mean Annual Wind frequency (%) of wind direction from hourly observations at Hamilton Airport.** [2]

The Hamilton area also experiences a very marked diurnal variation in wind speed, with greatest wind speeds occurring in the early part of the afternoon. This is because at that time of day, heating of the land surface is most intense and stronger winds aloft are brought down to ground level by turbulent mixing. Cooling at night generally restores a lighter wind regime.

Table 22 gives average wind speeds at three-hourly intervals for the Hamilton Airport location.

Table 2: **Average wind speed (km/hr) for selected hours at Hamilton Airport.**

Hour	00	03	06	09	12	15	18	21
Wind Speed	8	7	7	9	14	16	14	9

[2] NIWA Report "The Climate and Weather of the Waikato" Second Edition, P.R.Chappell.

2.6 SITE GEOLOGY AND WATER FEATURES

The Cambridge area is characterised by flat to gently undulating terrain formed by river deposits, incised by the Waikato River. Land elevations range from 50-65 m, down to 15 m at the river.

The Site is mostly flat, with elevations ranging from 59-62 m. Terraces are located from the central to southern end of the property. The topmost terrace is at 58.3 m, the second at 50-52 m and a sloped terrace from approximately 29-39 m located at the Waikato River's edge. The Waikato River is deeply incised into the terrain at about 10-15 m with a width of approximately 60 m at the Site.

Two gullies are located on the property draining south into the Waikato River. Small tributaries of the Waikato River are located within the gullies. Small lakes are observed in the eastern gully via aerial imagery.

There are no mapped wetlands located on the Site, however there is a wetland located on the other side of the Waikato River, 700 m to the south.

Additionally, there are significant natural areas bordering the Waikato River and within the western gully consisting of terrestrial regenerating scrublands.

2.7 ARCHAEOLOGICAL VALUES

There are a number of archaeological sites present within the site boundary as shown in **Figure 7** below. These sites are identified as S15/553, S15/554, S15/555, S15/556, S15/557, S15/558, S15/614, S15/615, S15/795, S15/796, S15/797, S15/798, S15/799 and S15/800.

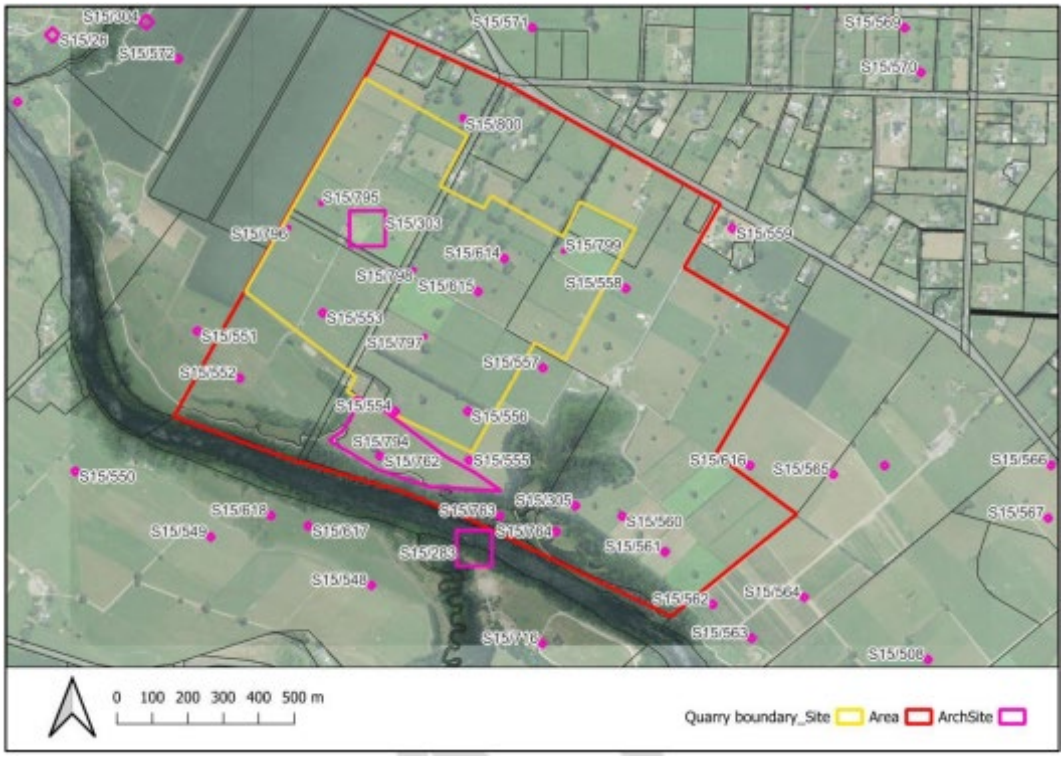


Figure 7: Archaeological Site

2.8 SOIL

2.8.1 Contaminated Land

No contaminated land has been identified at the Site by Waipā DC or WRC (noting Waikato DC referred to the WRC database for contaminated land mapping).

2.8.2 Acid Sulfate Soil

Acid sulfate soils are naturally occurring soils, sediments and peats containing iron sulfides that are typically found in low lying areas and formed during historic sea level rise and inundation of land close to coastal areas. However, they can also be found well inland.

The quarry area has two areas identified as containing Acid Sulfate Soil as depicted in **Figure 8**.



Figure 8: Acid Sulfate Soils

2.8.3 Highly Productive Soils

The National Policy Statement for Highly Productive Land 2022 ("**NPS-HPL**") came into effect in October 2022. It introduced new restrictions on the use of highly productive land, with an intention to ensure the availability of New Zealand's most productive soils for food and fibre production for future generations.

Under regulation 3.5(7) of the NPS-HPL, highly productive land includes land mapped as land use capability ("**LUC**") 1, 2 or 3 under the New Zealand Land Resource Inventory mapping database. Guidance to the NPS-HPL recommends that the 'Manaaki Whenua Landcare Research' website should be utilised when determining the extent of highly productive land within a site. According to the website, the site is located on soils classified as LUC 1 (**Figure 9**), which are considered 'highly productive' in terms of the NPS-HPL. LUC 1 soils are dark green (the site), one shade lighter are LUC 2 soils and a further shade of lighter green are LUC 3 soils. The site consists of entirely Class 1 Soils.

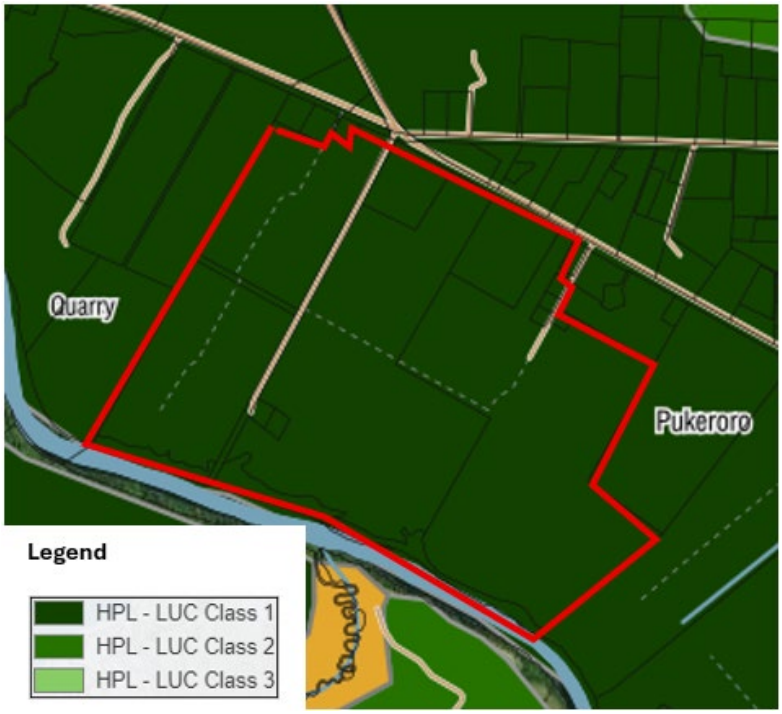


Figure 9: LUC Mapping

2.9 TRAFFIC AND ROADING ENVIRONMENT

The traffic and roading environment at and surrounding the site is described in detail within the Integrated Traffic Assessment ("**ITA**") provided in **Appendix B**. A summary is set out below.

2.9.1 Road Network

The located road network is illustrated in **Figure 10** and comprises of Cambridge Road and Hooker Road. Noting that Banks Road, an unformed paper road, runs through the quarry boundary.

Cambridge Road is classified, under the Waipā District Plan as a major arterial route with Hooker Road being classified in the Waikato District Plan as a typical rural road. Cambridge Road and Hooker Road intersect is at a "T" style intersections which includes a right turn bay.

Public transport stops and walking and cycling facilities are also located on Cambridge Road.

Cambridge Road interacts with State Highway 1 through an existing grade separated interchange to the north-west of the site.

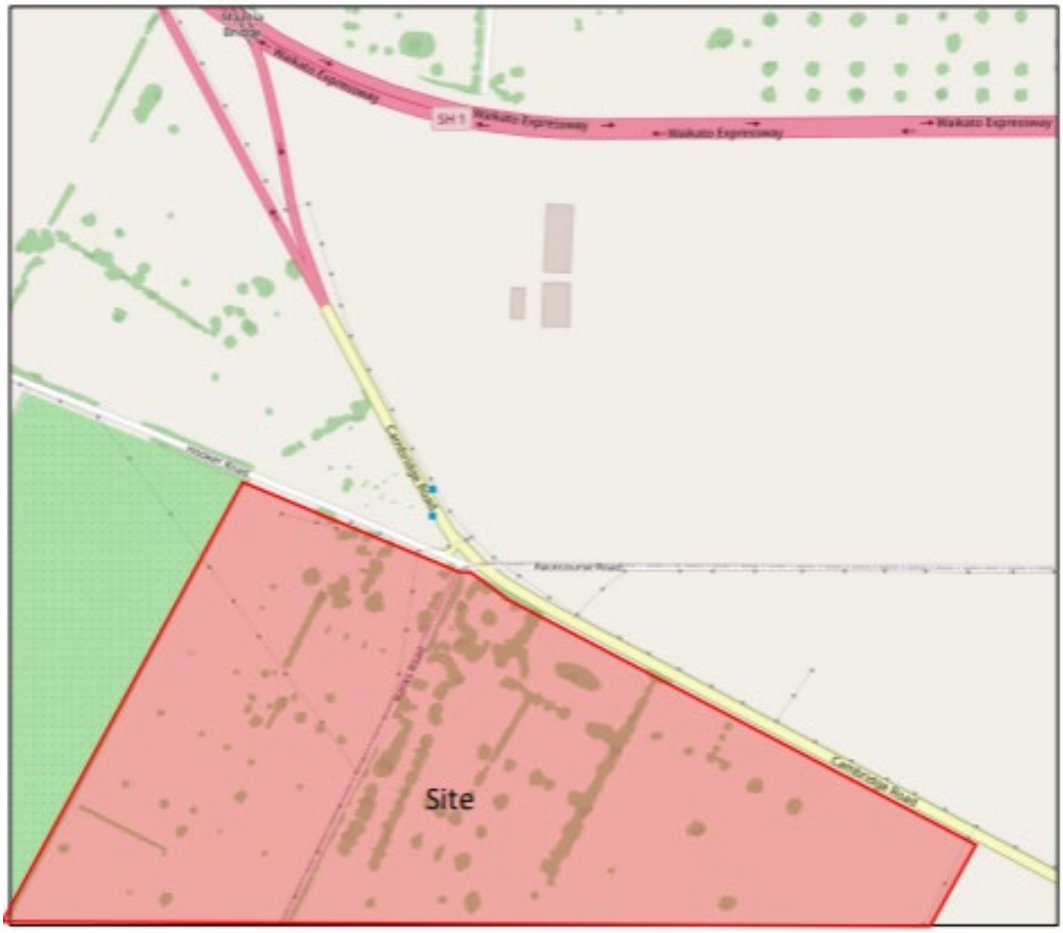


Figure 10: Local road network

2.9.2 Traffic Volumes

Traffic volumes for Cambridge Road, Hooker Road and the surrounding networks are presented in **Table 3**.

Table 3 Existing Traffic Volumes

Road	Location	Daily (vpd)	Calculated Peak (vpd)
Hooker Road	Outside Site	700	70
Cambridge Road	North of Hooker Road Intersection	6,323	632

Road	Location	Daily (vpd)	Calculated Peak (vpd)
Cambridge Road	South of Hooker Road Intersection	8,000	800
Banks Road (unformed paper road)	-	5	1

2.9.3 Site Entrances

The Site has three formed accessways and can also be access from Banks Road. The location of these accessways is depicted in **Figure 11**.

Currently, the Site is mainly accessed from the western (Hooker Road) entrance which leads to a dwelling and stables area and from which the wider site can be accessed. The central entrance leads to the farm workers house, and the eastern entrance provides access to the milking shed.

Banks Road also provides access to the wider property.



Figure 11: Site Accessways

2.10 NOISE ENVIRONMENT

The noise environment is described in detail in the Assessment of Noise Effects prepared by Marshall Day Acoustics (refer **Appendix C**). Their assessment records that a site visit was undertaken on 9 April 2025 to measure the ambient noise levels at two locations (the location of the proposed entry way [MP1] and just beyond the north-west boundary of the Site [MP2]. From their observations, the noise environment at the site is described as being fairly typical of a rural environment with a busy road nearby. Marshall Day notes that the ambient environment is dominated by traffic movements on Cambridge Road/Thermal Explorer Highway with farming noise and bird / inspect noise as secondary sources.

The ambient noise levels measured during their site visit are set out in **Table 4**.

Table 4: Measured Ambient Noise Levels

Measurement position	Duration (mm:ss)	Measured noise levels				Noise sources and comments
		L_{Amax}	L_{Aeq}	L_{A10}	L_{A90}	
MP1	15:01	60	54	57	48	90m setback from road, representative of dwellings at R10 and R11. Traffic on Cambridge Rd dominant, steady. Cicadas and birds secondary.
MP2	15:03	85	65	62	46	10m setback from road, representative of dwellings at R1 and R2. Traffic on Hooker Rd and Cambridge Rd dominant. Cicadas and birds secondary. Tractor/engine noise intermittent.

2.11 TITLE INFORMATION

The application site (quarry area) comprises of seven Records of Title as set out in **Table 5**.

Table 5: Title Information

Legal Description	Area	Owners
Lot 3 DP 571795	18.04 ha	Karen Lynley Bodle, Timothy John Bodle, Mackrell Murcott Trustees 2019 Limited
Lot 4 DP 571795	20.64 ha	Karen Lynley Bodle, Timothy John Bodle, Mackrell Murcott Trustees 2019 Limited
Lot 3 DP 572677	47.265 ha	Whakanui Stud Limited
Lot 1 DPS 71331	6.3 ha	Whakanui Stud Limited
Lot 1 DP 590697	52.5 ha	Whakanui Stud Limited

Legal Description	Area	Owners
Part Lot 3 DP 26177	4046 m^2	Whakanui Stud Limited
Lot 1 DPS 11673	4046 m^2	Whakanui Stud Limited

3. DESCRIPTION OF THE PROPOSAL

3.1 OVERVIEW

The Applicants propose to establish and operate a sand quarry and cleanfilling operation at the subject property.

It is estimated that the site has the potential to supply over 3,000,000 cubic metres of sand over the next 25 years. The total volume extracted may vary dependent on further detailed analysis. The rate at which the sand will be extracted may also vary, and will be dependent on a number of factors, including weather conditions and market demand. The peak extraction should not however exceed 600,000 m^3 per year.

A site plan showing the consent application area and indicative 'extent of works' is provided in **Figure 1**.

In general, the site will comprise:

- An upgraded and re-designed entranceway;
- A sealed site access road running through the middle of the site;
- Wheel wash;
- Sand excavation and cleanfill "working areas";
- Stockpile areas;
- Pre-fabricated site office;
- Staff parking area;
- Groundwater well; and
- Machinery service area / Maintenance shed.

Sand is proposed to be progressively extracted across four stages (refer Section 3.6) with cleanfilling and rehabilitation then undertaken.

3.2 HOURS OF OPERATION

The quarry will operate six days a week between the hours of 7.00 am and 5.30 pm Monday to Friday with reduced operational hours on Saturdays on Saturdays (7.00 am to 1.00 pm).

The quarry will not operate on Sundays or public holidays.

3.3 STAFF

Approximately three full time staff are proposed on-site (contributing six vehicle movements per day).

3.4 SAND EXTRACTION

The process of extracting sand involves the following processes.

3.4.1 Vegetation Removal

Existing vegetation (predominantly pastoral grasses and come larger trees and hedgerows) will be scraped off.

3.4.2 Stripping and Site Preparation

The average ground area of open soil for sand extraction purposes will be approximately four hectares at any one time. This will involve the stripping of approximately 9,000 m^3 – 12,000 m^3 of topsoil material (in stages) to be temporarily stockpiled and stabilised on site for future use in the rehabilitation of the Site. Some of this material will be used for construction of bunds for landscaping, noise control and erosion and sediment control.

3.4.3 Sand Extraction for Sale

Excavation of approximately 3,000,000 m^3 of sand is to be mined in stages using excavators and trucks and/or loaders to transport the sand material to stockpiles. Any unsuitable materials will be later added to cleanfill for landscaping/rehabilitation.

Maximum excavation depth will range between the stages be approximately 12.4 m in the south of the Stage 1 area to 5.3 m in the north of the Stage 4 area so as to not intercept the water table.

3.4.4 Sand Processing

The Applicants are seeking the ability to process sand on-site prior to removal. In this case, the sand will be excavated, stockpiled and then processed prior to being re-stockpiled for loading from the site.

This process involves:

> The excavation of sand from the pit;

> Transportation of the sand to the processing plant location, where the sand is then tipped into the large feed hopper;

- Screening of the sand material prior to washing with oversized materials used for stockpiling, as saleable product or used for internal roading;
- The washing of sand and classification of the material for the grading of the finished product;
- The draining of water through a recovery system with clean water being reused in the processor;
- Stockpiling of the processed sand; and
- The loading of sand by wheel loaders into trucks.

3.5 CLEANFILLING

The process of receiving cleanfill will involve the following processes.

3.5.1 Receipt of Material to Site

Trucks will discard their loads either for stockpiling and stabilisation prior to use or directly into the pit for spreading and compacted on site. This process will utilise loaders, bulldozers, rollers and/or excavators and trucks.

3.5.2 Compaction of Material

The cleanfill will be placed in layers approximately 300 mm deep and compacted using loaders, bulldozers, rollers and/or excavators and trucks. Compaction will produce an in-situ density no less than that of the original material prior to excavation. There will be a minimum of four tests per hectare in a 50 m grid. Backfill will be tested using Scala Penetrometer.

The Applicants may seek to compact the cleanfill to a standard that provides sufficient compaction to enable buildings to be developed on the rehabilitated land in the future if desired.

3.5.3 Cleanfill Acceptance Criteria

Accordingly, the applicant proposes to adhere to the WasteMinz Guidelines for Waste Acceptance Criteria ("**WAC**") for Class 5 landfills. These criteria include:

- Virgin excavated natural materials including soil, clay, gravel and rock;
- Maximum incidental inert manufactured materials (e.g. concrete, brick, tiles) to be no more than 5% by volume per load;

- Maximum incidental 1 or attached biodegradable materials (e.g. vegetation) to be no more than 2% by volume per load; and
- Maximum chemical contaminant limits are local natural background soil concentrations.

3.5.4 Cleanfill Protocol

The process for accepting cleanfill into the Site will be undertaken in accordance with the following protocol:

- Suppliers will be required to sign a declaration as a condition of entry to the site stating that the cleanfill they provide meets the Waikato Regional Council and WasteMinz definition of 'clean fill' and that no material has come from a HAIL site.
- All cleanfill will be visually inspected upon entering the site with a focus on checking the colour, texture, smell, and looking for powders, liquids and other material that would indicate the cleanfill does not meet the Sites requirements. Where visual inspection cannot be undertaken, video equipment will be utilised.
- Daily records of cleanfill material delivery will require:
  - The declaration to be signed;
  - A record of where the material has originated from; and
  - Confirm that the load has been visually inspected and meets the conditions of entry, being that the material meets the WRP and WasteMinz definition of 'clean fill' and has not been sourced from a HAIL site.

Where the Site has been notified by WRC or the District Councils that an operator has been identified as not meeting cleanfill requirements or visual inspection identifies material of concern, the material will be quarantined for testing with the supplier on charged for the test and required to remove the material from the Site for appropriate disposal.

3.6 DEVELOPMENT STAGING

To minimise potential visual and amenity effects, and effects from dust, erosion and sediment runoff, the construction activities will be staged over time in accordance with a Staging Plan (refer **Figure 12**). The staging will also ensure that a total amount of active and unstabilised cleanfill and sand extraction working areas does not exceed four hectares. This will be undertaken on a rolling basis such that once an area of the pit has been stabilised with cleanfill additional area can be quarried.

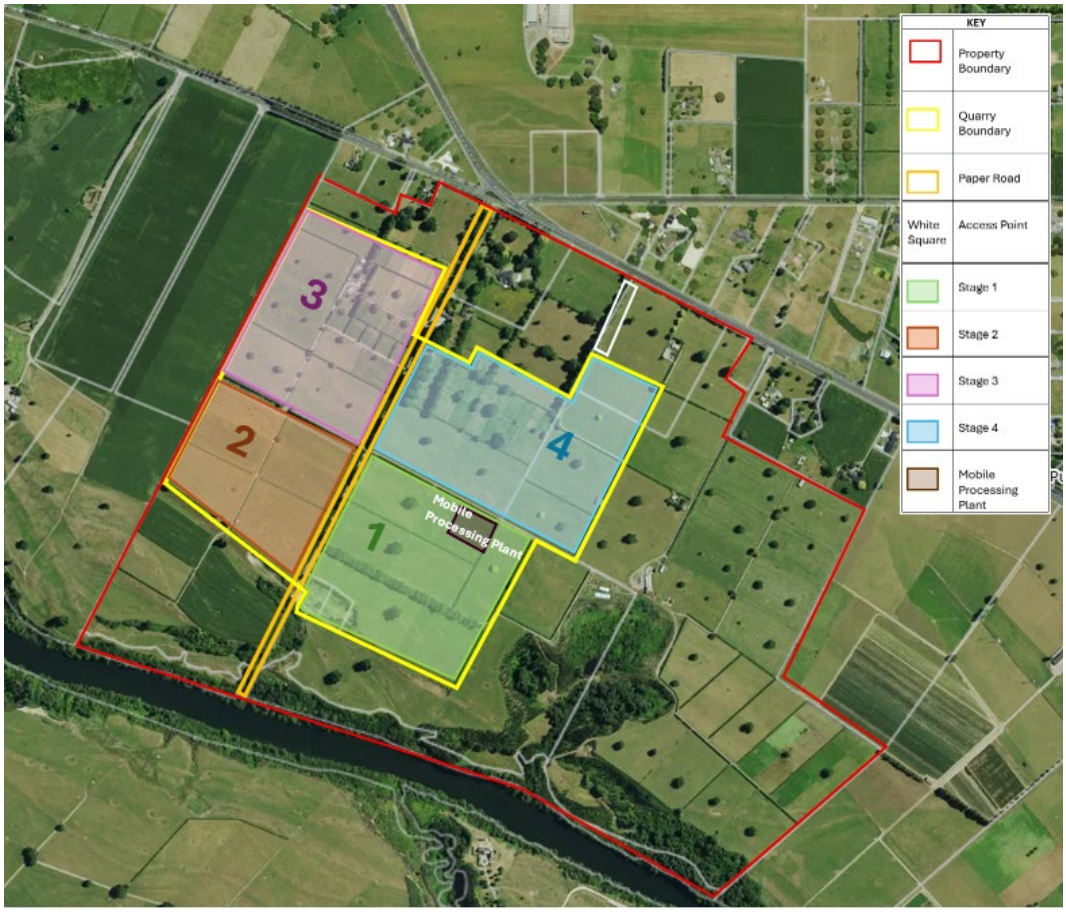


Figure 12: Staging Plan

3.6.1 Extraction Volumes

Annual maximum sand extraction of 600,000m^3.

3.6.2 Cleanfilling Volumes

Annual maximum cleanfilling of approximately 600,000m^3.

3.6.3 Groundwater Levels

No works are to be undertaken below groundwater (no dewatering) and excavations will maintain 0.5 m freeboard from groundwater levels identified in the Groundwater Assessment (refer **Appendix D**).

3.7 DUST MANAGEMENT

Dust will be controlled on site through a combination of dust minimisation and mitigation methods (in general accordance with the Ministry for the Environment Good Practice Guide

for Assessing and Managing Dust and the measures in the ESCP) based on the following key site design and operation principles.

Design

- Minimising the open quarry area to no more than four hectares;
- Construction and use of a secure supply of water (bore);
- Establishment of contingency water carts for dust suppression;
- Establishment of a truck wheel wash; and
- Sealing the site entrance and first 100 m of the site access road.

Operation

- Staff training and awareness of dust generation risk factors and mitigation measures;
- Employment of water spray or water carts to dampen dust in dry / windy conditions (particularly if blowing from the south or southwest) and implementation of stop work procedures during high winds;
- Regular visual monitoring;
- Enforcement of on-site speed restrictions;
- Use of a truck wheel wash to minimise tracking of sediment by outbound trucks;
- Use of dust covers for the transportation of loads with high dust potential (mainly sand) to minimise any residual dust; and
- Neighbours feedback / complaint response.

3.8 EROSION AND SEDIMENT CONTROL

An Erosion and Sediment Control Plan ("**ESCP**") has been prepared by MPD Environmental Limited (refer **Appendix E**) as a way to minimise dust and to protect the surrounding waterways from sediment. This ESCP has been prepared in accordance with the relevant guidelines[3] and addresses:

- Clean and dirty water diversion channels;
- Silt fences;

[3] Waikato Regional Council document titled "Erosion and Sediment Control – Guidelines for Soil Disturbing Activities" (Technical Report No. 2009/02 – dated January 2009)

- Stabilised entrance ways;
- The implementation of dust control measures;
- The minimising of open works areas;
- Stabilisation and reinstatement of works areas; and
- The avoidance of works in waterways.

The ESCP is presented in **Figure 13** and **Appendix E**.

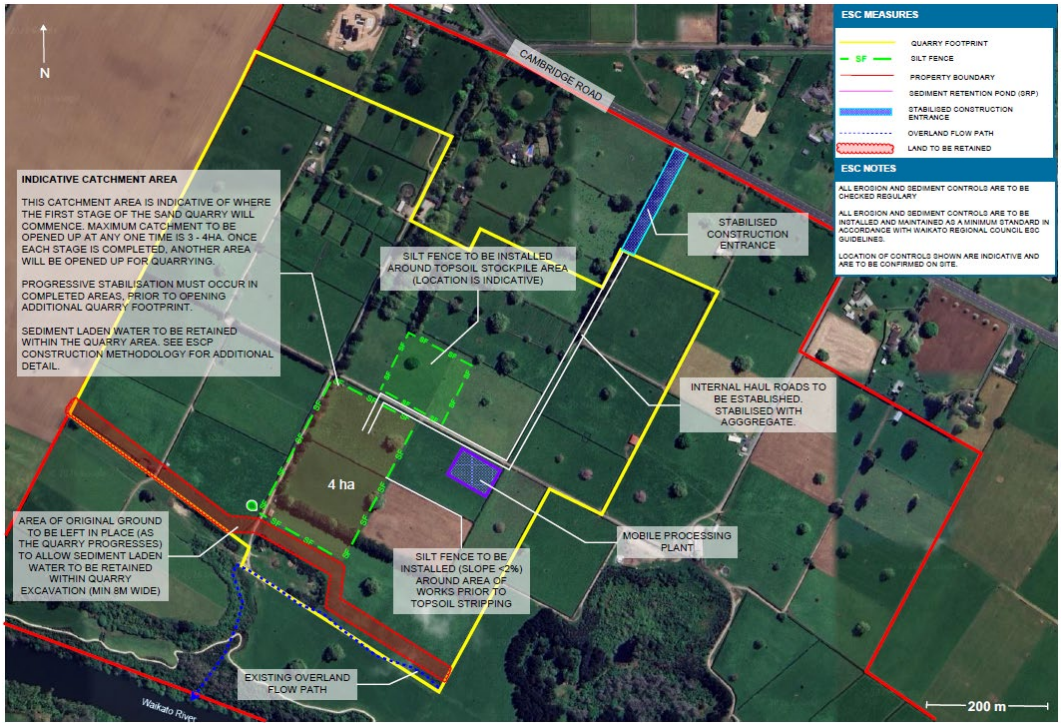


Figure 13: Erosion and Sediment Control Plan

3.9 MODIFICATION OF ARCHAEOLOGICAL SITES

As recorded archaeological sites S15/303 (Artefact), S15/553, S15/554, S15/556 S15/614, S15/615, S15/795, S15/796, S15/797, S15/798, S15/799 & S15/800 (Māori Horticulture) cannot be avoided, an Authority will be applied for under Section 44(a) of the Heritage New Zealand Pouhere Taonga Act ("**HNZPTA**") prior to the start of any works that will affect those sites. Accordingly, the Applicants will seek and secure such authorisations prior to disturbing these sites.

The Heritage NZ authorisation sought will be for a term of five years with all investigation and reporting undertaken during the 5-year period.

Because it is possible that additional unrecorded sites may be exposed during earthworks, the Authority application will also seek to include the potential disturbance of any additional sites that may be discovered when works are under way.

3.10 ACCIDENTAL DISCOVERY PROTOCOLS

In the event of any archaeological site, koiwi or waahi tapu being discovered or disturbed, while undertaking earthworks, the activity shall cease immediately in the area of the discovery, and Nga Iwi Toopu O Waipā, the Waipā DC, Waikato DC, Heritage New Zealand, WRC, and in the case of koiwi, the NZ Police shall be notified within 48 hours. Works will only recommence upon receipt of the written approval of the Waipā DC, Waikato DC and WRC.

3.11 LIGHTING

As the operation is limited to daytime hours there is no specific provision for lighting for nighttime activity other than some motion-sensitive security lighting that may be deployed around the processing plant and Site office.

3.12 WATER SUPPLY

The water supply to support the proposed mineral extraction activities (wheel wash, dust suppression and processing of sand) will be sourced via a proposed bore and groundwater take at the subject property. As the Applicants are seeking the ability to undertake sand processing a two staged approach to the water take is proposed (noting the maximum envelope that includes sand processing water has been assessed within throughout this report).

Water take with sand processing

Specifically, a groundwater take of up to 900 m^3 per day is proposed when sand processing is being undertaken. This take is made up of the following aspects:

- Sand Processing – 652 m^3;
- Dust Suppression / Wheel Washing – 200 m^3; and
- A contingency amount - 48 m^3.

Water take without sand processing

When sand processing is not occurring, a groundwater take of up to 250 m^3 per day is proposed. This take is made up of the following aspects:

- Dust Suppression / Wheel Washing – 200 m^3; and

> A contingency amount – 50 m^3.

The indicative location of the proposed groundwater take is identified on **Figure 14**.

Waikato Regional Council has confirmed that the existing aquifer (Hamilton Basin – South) has sufficient capacity to accommodate the proposed water take.

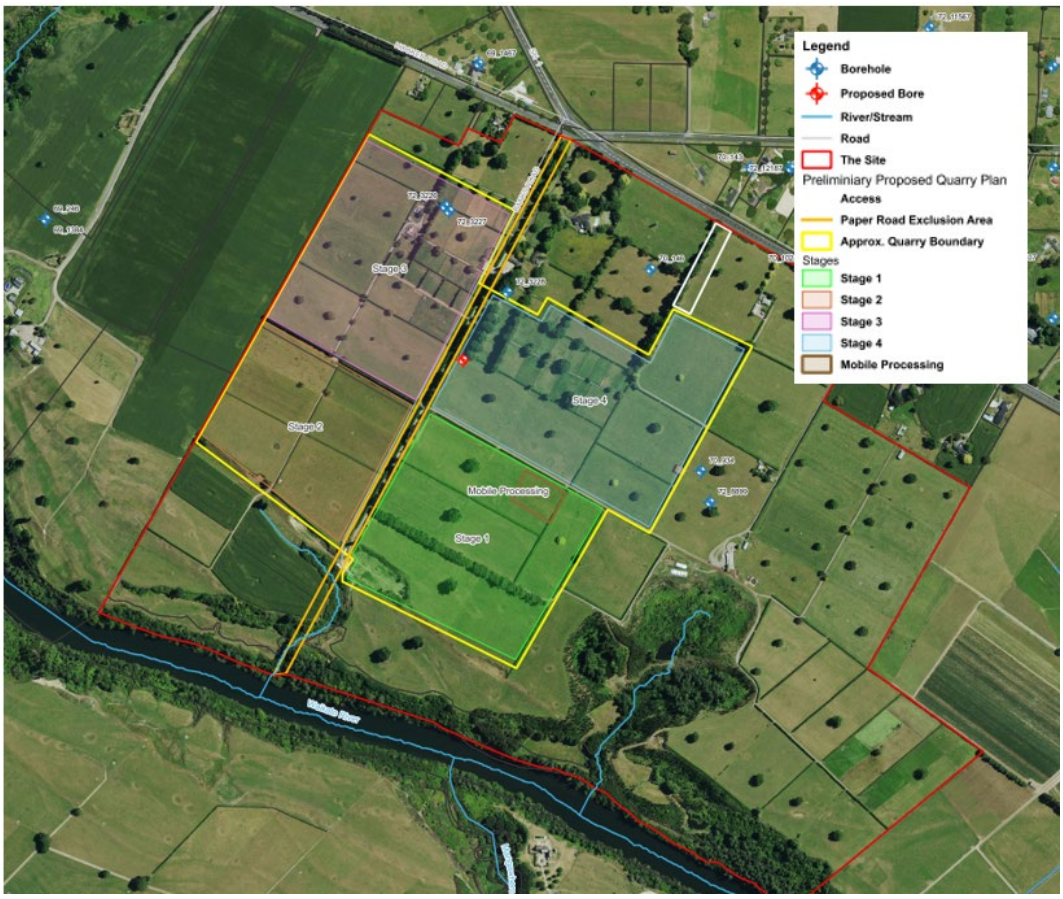


Figure 14: Groundwater Bore Location

3.13 SIGNAGE

Signage is proposed as part of the sand quarry operation. A sign identifying the name of the business and the main entrance to the sand quarry will be placed adjacent to the site entrance. Additional internal signage (for traffic control, directions, health and safety and general site information) is also proposed within the quarry area.

3.14 ACCESS AND TRAFFIC MANAGEMENT

Access to the site will from Cambridge Road, at the location shown in **Figure 1**. The location of this access was subject to a Multi Criteria Analysis ("**MCA**") which identified access from Cambridge Road as the preferred option (compared to access from Hooker Road).

It is anticipated during peak periods that there will be a daily average of 100 trucks and 35 truck and trailers required associated with the quarry across the operating hours. During non-peak periods the vehicle movements will be significantly lower and are estimated to be around 54 movements (27 trucks and truck and trailers in and out). It is noted however to support the assessment an assessment of a theoretical maximum of 660 trucks per day has been undertaken. It has been assessed that the road network can accommodate both the theoretical maximum and calculated peak hour HCV traffic demands for the proposed quarry from a capacity perspective.

To adequately provide for these movements, the Cambridge Road accessway will be upgraded to include a right run bay for trucks to minimise network effects and promote continued safe operation of the road network. A concept design of the accessway has been undertaken in the ITA (refer **Appendix B**) and is reproduced in **Figure 15**.

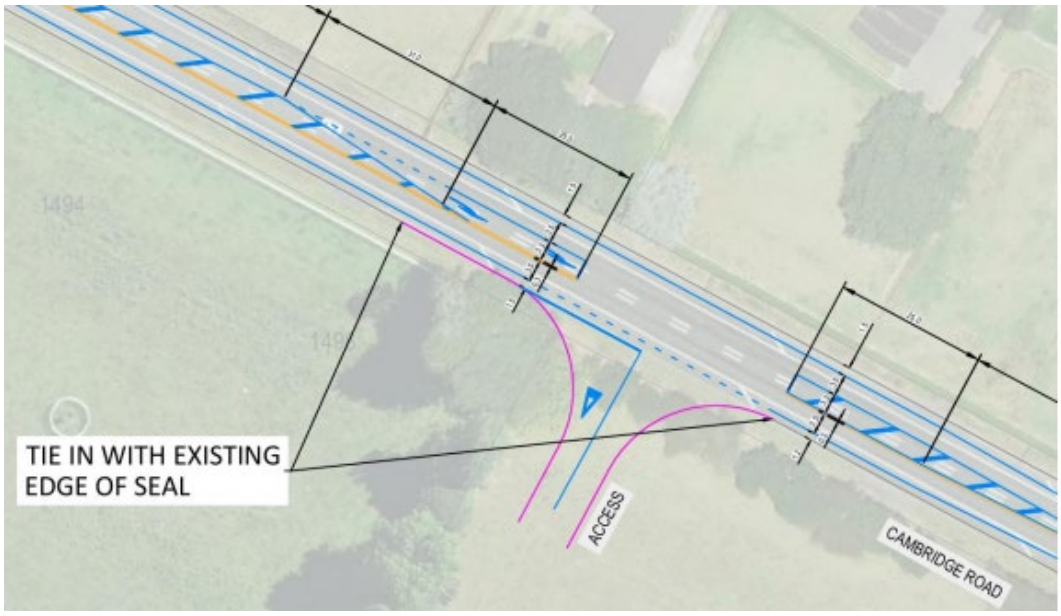


Figure 15: Accessway Concept Design

3.15 NOISE MANAGEMENT

There is potential for noise to be emitted from the machinery used on site. Noise is proposed to be managed by the operational measures such as the undertaking of works within the quarry pit and the use of topsoil bunding. This approach is set out in the Noise Assessment prepared by Marshall Day Acoustics (refer **Appendix C**).

To manage noise at 306 Hooker Road a 2 m noise bund will be constructed for the duration of the works (as depicted in **Figure 16**).

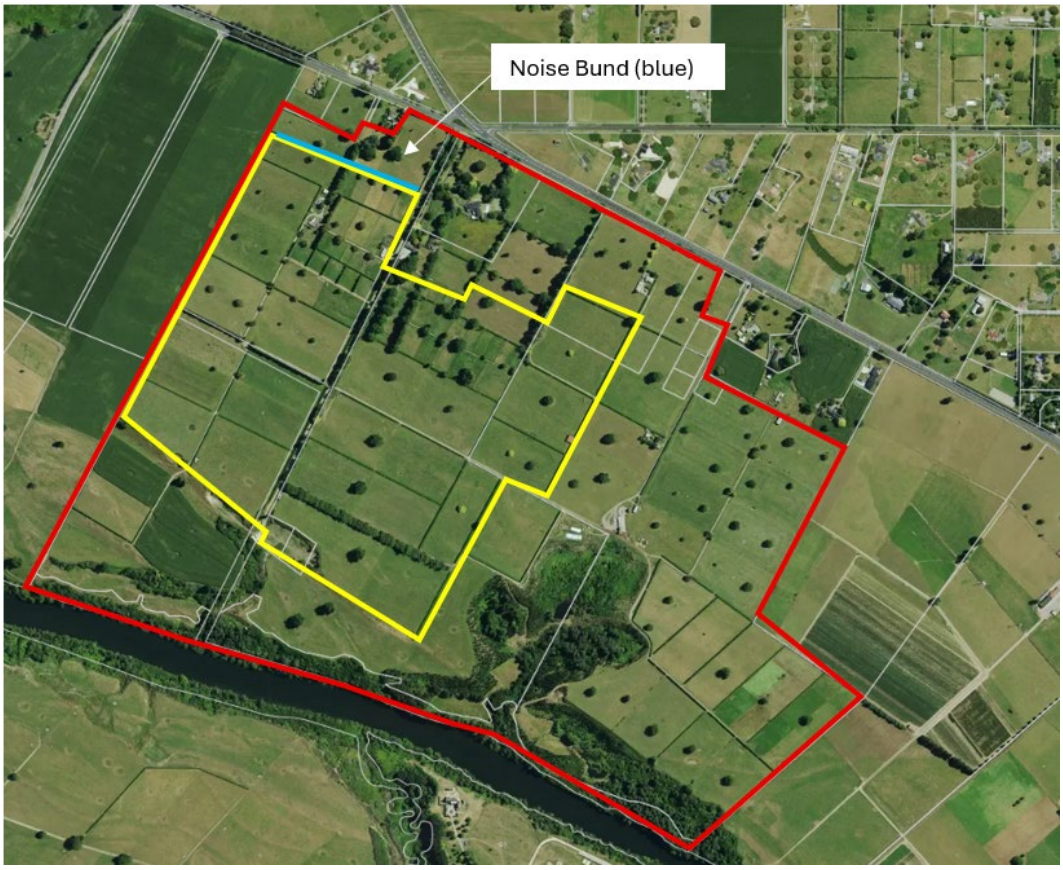


Figure 16: Location of the noise bund

3.16 QUARRY MANAGEMENT PLAN

The site will operate in accordance with a comprehensive Quarry and Cleanfilling Management Plan ("**QCMP**"). A copy of a draft QCMP is provided in **Appendix F**.

The primary purpose of QCMP is to document all management, monitoring and operational procedures that will be implemented at the Whakanui Stud Sand Quarry and Cleanfill site to minimise environmental effects both within and beyond its boundaries.

The QCMP covers the following operational matters:

- Site responsibilities and contacts;
- Health and safety;
- Staging procedures and plans;
- Sand extraction procedures;
- Cleanfill management procedures;
- Accidental discovery protocols;

- Erosion and sediment control procedures and plans;
- Dust management procedures;
- Traffic management procedures;
- Noise management procedures;
- Complaints procedures;
- Rehabilitation processes;
- Reporting and record keeping requirements; and
- Plan review procedures.

3.17 SITE REHABILITATION

As the quarry expands throughout the property, the disturbed areas will be rehabilitated with the placement of unsuitable and imported cleanfill material in general accordance with the Staging Plan. The final rehabilitated site contours will, as far as practicable, match the predevelopment contours. Once an area has reached its final rehabilitated level, it will be top soiled and re-grassed and/or revegetated, for the return to pasture.

It is also expected that the demand for sand will be higher than the demand for cleanfill disposal space. To maintain the four-hectare limit on open and active quarrying and cleanfill working areas, this mismatch will mean areas of the open pit that have been cleanfilled may require pre-rehabilitation stabilisation. This will be achieved through typical stabilisation techniques as documented in the WRC erosion and sediment control guidelines. These stabilised areas will then be rehabilitated to pre-existing ground levels with cleanfill material as supplies allow.

In this respect, the staging and rehabilitation plans will be live, and subject to some change, depending on the actual rates of sand quarrying and cleanfilling occurring over time. These changes will be controlled and managed as part of regular reviews undertaken on the QCMP.

Weed species will be monitored onsite and sprayed/managed as and when required.

3.18 PROPOSED CONSENT CONDITIONS

Separate suites of consent conditions are proffered by the Applicants (**Appendix G)**. These conditions include various relevant restrictions and requirements as recommended by technical experts engaged by the Applicants to assess the effects of the proposal, as well as other conditions that have either been agreed with affected parties, discussed with Council

staff, and/or reflect other standard requirements considered relevant and appropriate given the type and scale of activities proposed.

Key aspects of the proposed activities, as described above, are also included as proposed consent conditions where relevant.

4. ASSESSMENT AGAINST THE RELEVANT PLAN PROVISIONS

Section 104(1)(b) of the RMA sets out the suite of planning instruments that must be considered in any assessment of the proposal. The following assessment identifies the relevant district, regional and national statutory planning documents and considers the proposal in relation to the relevant provisions.

The National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 have been assessed in Section 4.1.

The relevant District and Regional Plan provisions are contained within:

> The Operative Waipā District Plan; and

> The Operative in Part Waikato District Plan; and

> The Waikato Regional Plan.

An assessment against the relevant provisions is provided in Sections 4.2, 4.3 and 4.4 respectively.

4.1 THE NATIONAL ENVIRONMENTAL STANDARDS FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2011

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (**"NESCS"**) has potential to be of relevance to the proposal.

The NESCS came into effect in January 2012 and provides for territorial authority functions under section 31 of the RMA with respect to contaminated land management. The NESCS aims to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed, and if necessary, the land is remediated, or the contaminants contained to make the land safe for human use.

As the Project will not involve activities on a recorded a potential HAIL (refer Section 2.8.1 of this AEE), the provisions of the NESCS do not apply. Accordingly, the NESCS is not considered to be triggered by this application.

4.2 WAIPĀ DISTRICT PLAN

The Waipā DDP became fully operative on 14 August 2017.

4.2.1 District Plan Definitions

The proposal to establish and operate a sand quarry at the application site is assessed as a 'mineral extraction activity' under the provisions of the Waipā DP and in accordance with the following definitions:

'Mineral extraction activities'

means extraction and processing activities including:

- *Blasting; and*
- *Excavating rock and MINERALS; and*
- *Processing rock and MINERALS by crushing, screening, washing, or blending them; and*
- *ANCILLARY ACTIVITIES to rock and MINERAL processing; and*
- *Storing, distributing and selling rock and MINERAL products; and*
- *ANCILLARY land disturbance activities; and*
- *Removing and depositing overburden; and*
- *Treating stormwater and wastewater; and*
- *LANDSCAPING and rehabilitation works including CLEANFILLING; and*
- *Recycling or reusing aggregate from DEMOLITION waste such as concrete, masonry, or asphalt; and*
- *ACCESSORY BUILDINGS and structures; and*
- *ANCILLARY residential accommodation for caretaking and on-SITE security; and*
- *SITE OFFICES.*

'*Cleanfill*'

means material that when buried will have no adverse effect on people or the ENVIRONMENT. CLEANFILL material includes virgin natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of:

- *Combustible, decaying, degradable or leachable components; and/or*
- *HAZARDOUS SUBSTANCES; and/or*
- *Products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practice; and/or*
- *Materials that may present a risk to human or animal health such as medical and veterinary waste, asbestos or radioactive substances; and/or*
- *LIQUID WASTE.*

The proposal involves the excavation, processing and storing of the sand resource and associated land disturbance activities including removal of overburden, landscaping and rehabilitation works and placement of accessory buildings (including a site office). The

associated cleanfilling and any ancillary activities are also all assessed as 'mineral extraction activities' in accordance with the above definition.

The imported cleanfill material will comply with the above definition for 'cleanfill' and is also expressly provided for within the definition for 'mineral extraction activities'.

All of the activities proposed on site are therefore covered by the above definitions.

4.2.2 Zoning

The site is zoned Rural under the provisions of the Waipā DP.

The following policy areas are also identified (refer **Figure 17**) as applicable to the subject property or the immediate surrounding area (although it is noted they are not within the quarry footprint or relevant to the proposal):

- Significant Natural Areas WP341;
- Archaeological Site 305/S15;
- Esplanade Access Strip;
- Biodiversity Corridor;
- High-class Soils; and
- Transferable Development Rights.



Figure 17: Zoning under the Waipā DP

4.2.3 District Plan Assessment

An assessment of relevant Waipā DP rules is provided in **Table 7** below.

Table 6: Waipā DP Assessment

Activity	Relevant Rule	Status	Comment
Rural Zone Provisions (Section 4)			
Earthworks	Rules 4.4.1.1(m)	Permitted	Applies. Earthworks are a permitted activity in the Rural Zone. The earthworks performance standard (Rule 4.4.2.75) does not apply to a mineral extraction activity.
Mineral Extraction	Rule 4.4.1.4.(h)	**Discretionary**	Applies. Mineral extraction activities (except where <500m from Lakes Cameron,

Activity	Relevant Rule	Status	Comment
			Koromatua, Mangahia, Mangakaware, Maratoto, Ngārotoiti, Ngāroto, Rotomānuka, Rotopataka, Ruatuna and Rotopiko/Serpentine) are a **discretionary activity** in the Rural Zone. The application site is not less than 500m from a Lake. Rule 4.4.1.4(h) therefore applies.
Quarry Buffer Area	Rule 4.4.1.4(m)	Discretionary	Not Applicable. The applicant does not seek to impose a quarry buffer area.
Transportation Provisions (Section 16)			
Activities generating 100 vehicles or more per day onto any State Highway or major arterial road	Rule 16.4.1.1(d)	See Rule 16.4.2.22	Applicable The proposed sand quarry will generate more than 100 vehicles per day (refer to the anticipated traffic volumes in the ITA). An assessment against Rule 16.4.2.22 is provided below.
Provisions of an integrated transportation assessment	Rule 16.4.2.22	N/A	In accordance with Rule 16.4.2.22 a Simple Integrated Transport Assessment is required. This is provided in **Appendix B**.
Archaeology Provisions (Section 22)			
Archaeological site removal	Rule 22.4.1.1(j)	Permitted	Not applicable Mapped archaeological site 305/S15 is not located within the quarry boundary. Although this rule is not relevant, an Archaeological Assessment (**Appendix H**) has been undertaken which has identified a number of other archaeological sites. As such, an

Activity	Relevant Rule	Status	Comment
			archaeological authority will be sought for the works.

The application therefore requires resource consent for a **discretionary activity** in accordance with Rule 4.4.1.4(h) – Mineral Extraction Activity.

An assessment of the proposal against the relevant performance standards is provided in **Table 8**.

Table 7: Summary of the Relevant Waipā DP Performance Standards

Rule	Compliance Standard	Compliance Status
Rural Zone Provisions (Section 4)		
Rule 4.4.2.1 Minimum building setback from road boundaries	30m setback from road boundaries, for buildings over 100m^2 (other than dwellings).	Complies. All buildings will comply with the required building setback requirements.
Rule 4.4.2.2 Minimum building setbacks from internal site boundaries	Buildings that are not accessory buildings to dwellings: - less than or equal to 250m^2 :15m - greater than 250m^2 :25m	Complies. All buildings will be sited to comply with the required building setbacks.
Rule 4.4.2.7 Minimum setback from Significant Natural Area	Minimum building setback from the boundary of a significant natural area shall be at least 10m.	Complies. No buildings will be within 10m from the SNA (the gully area located to the south and west of the quarry area).
Rule 4.4.2.9 Height of buildings	Shall not exceed 12m in height above ground level.	Complies.
Rule 4.4.2.10 Maximum	The maximum amount of a site which can be covered by	Complies

Rule	Compliance Standard	Compliance Status
building coverage	buildings is 3% for sites of one hectare or more.	The site has a total area of approximately 150 hectares and 3% equates to a permitted site coverage of approximately 4.51 ha. The coverage of any buildings associated with the quarry will be significantly less.
Rule 4.4.2.12 Daylight control	No building shall penetrate a recession plane at right angles to a boundary inclined inward and upwards at an angle of 45^0 from 2.7m above the ground level of the front, side or rear boundaries of a site.	Complies. All buildings associated with the quarry will comply The site office is a small relocatable building.
Rule 4.4.2.15 Noise	Limits within the notional boundary of any dwelling: Day time - 7.00am to 10.00pm 50dBA (Leq) Night-time - 10.00pm to 7.00am 40dBA (Leq) Night-time single noise event 70dBA (Lmax) The noise levels shall be measured and assessed in accordance with the requirements of NZS 6801:2008 – Acoustics – Environmental Sound and assessed in accordance with NZS 6802:2008 – Acoustics – Environmental Noise. Provided that this rule shall not apply to the use or testing of station and vehicle sirens or alarms used by emergency services. Activities that fail to comply with this rule will require a resource consent for a discretionary activity.	Complies. The Acoustic Report submitted with the application confirms that the proposal will comply with the applicable Rural Zone noise standards (see **Appendix C**).

Rule	Compliance Standard	Compliance Status
Rule 4.4.2.16 Mineral Extraction air blast over pressure	The air blast over pressure from blasting activities within the notional boundary of any dwelling not owned by the quarry operator…	Not Applicable. No blasting activities are proposed.
4.4.2.19 Construction Noise	Construction noise emanating from a site shall meet the limits recommended in NZS 6803:1999 Acoustics – Construction Nosie	Not Applicable. No construction activities are proposed in the Waipā District.
Rule 4.4.2.44 Signs	Signs 1.2 m^2 in area visible in any one direction with a maximum area of 2.4 m^2. Freestanding sign to be no more than 2 m above ground level.	Complies. A sign (identifying the site and the sand quarry operation) is proposed near the site entrance. The sign will comply with the maximum area requirements. Internal signage (relating to traffic management and onsite safety etc) is also proposed and will comply with the applicable signage rules.
Rules 4.4.2.49 and 4.4.2.50 Temporary construction buildings	Shall only be used in conjunction with a construction project located on the same site; and are only permitted for one calendar year.	Not Applicable. The Site Office and any other accessory buildings and structures are all expressly provided for in the District Plan definition for 'mineral extraction activities' (which includes 'accessory buildings and structures' and 'site offices'). The rules relating to temporary construction buildings are therefore not applicable to the quarry operation.
Rule 4.4.2.54 Farm Quarries	The material extracted shall not exceed 1000 m^3 in any calendar year; and shall primarily be for use on the source land holding.	Not Applicable A commercial sand quarry operation is proposed.
Rule 4.4.2.55 Imposition of a quarry buffer area	N/A	Not Applicable The application does not seek the identification and imposition of a quarry

Rule	Compliance Standard	Compliance Status
and mineral extraction area		buffer area and mineral extraction area on the Planning Maps.
Rule 4.4.2.75 Earthworks	Earthworks (excluding mineral extraction activities), shall not exceed a total volume of 1,000 m^3 per calendar year	Not Applicable This rule does not apply to mineral extraction activities. The definition for a mineral extraction activity also includes the 'ancillary land disturbance activities' 'removing and depositing overburden 'and 'landscaping and rehabilitation works including cleanfilling.' All aspects of the earthworks associated with the proposal are therefore exempt from the earthworks standard in Rule 4.4.2.75.
Transportation (Section 16)		
Rule 16.4.2.3 Road hierarchy	To maintain the effectiveness of the road hierarchy, when a site has two road frontages, vehicle access and egress must be from the lesser road type	**Does not comply** Access proposed to road with higher status following MCA analysis as the safer option (refer ITA in **Appendix B**). **Consent required as a discretionary activity.**
Rule 16.4.2.4 Vehicular access to sites in all zones	Every site shall be provided with vehicle access to a formed road that is constructed to a permanent standard...	Complies. Site access is provided to a formed road.
Rule 16.4.2.5 Vehicle entrance separation	Minimum distance of a vehicle entrance from an intersection or other entrance. For the posted speed limit of 100 km/hr, the minimum separation distance required between accessways is 200 m.	**Does Not Comply.** The ITA submitted with the application has assessed the location of the proposed access **(Appendix B).** The ITA confirms that the proposal does not comply with the minimum separation requirements. **Discretionary consent is required for the above non-compliance.**

Rule	Compliance Standard	Compliance Status
	Activities that fail to comply with this rule are a **Discretionary Activity**	
Rule 16.4.2.13 Parking loading and manoeuvring	All activities that change the use of any land shall provide parking and loading/unloading for vehicles on the site as set out in Appendix T1	Complies. There is no specific carparking requirement specified within Appendix T1 for a quarry activity (nor are there any 'similar' activities). There is sufficient space available on the application site to accommodate the required onsite carparking (for staff). Refer to the ITA in **Appendix B.**
Rule 16.4.2.15 Parking loading and manoeuvring	Carparks shall be designed, formed and constructed in accordance with Appendix T2, and be constructed to accommodate the anticipated use of the area.	Complies. A suitable (staff) parking area will be provided within the site.
Rule 16.4.2.25 Provision of an integrated transportation assessment	Integrated traffic assessment.	This rule applies to permitted and restricted discretionary activities. The activity status of the mineral extraction activity is discretionary. However, an ITA has been prepared for the application and is attached as **Appendix B.**
Hazardous Substances (Section 19)		
Rule 19.4.2.4 Activities Exempt from the HFSP	(k) Developments that are or may be hazardous but do not involve hazardous substances (e.g. Mineral extraction)	Applies. The proposed mineral extraction activities are exempt from the Hazardous Facilities Screening Procedure. No onsite fuel storage tanks are proposed onsite. Any hazardous substances will be stored and managed on site in accordance with best practice and HSNO requirements.
Financial Contributions (Section 18)		

Rule	Compliance Standard	Compliance Status
Rule 18.4.2.13	Heavy Vehicle Impact Fee Council may require as part of a land use consent the payment of a Financial Contribution where: (a) Routes and other infrastructure for vehicles and pedestrians off the site subject to consent requires construction or upgrading; and/or (b) Increased in heavy traffic are likely to lead to infrastructure renewal; and/or (c) Construction or upgrades are required earlier than expected; and/or (d) Where the effects of the development adversely affect public roads managed by other agencies, any financial contribution taken may be used by those agencies to upgrade those roads.	Noted. Refer to the ITA for assessment (**Appendix B**).
Indigenous Biodiversity (Section 24)		
Rule 24.4.1.1(n)	The removal of indigenous vegetation from within a 'Local SNA' is a Discretionary Activity The matters over which Council reserves its control are: > Location and extent of vegetation removal associated with the activity; and	Not Applicable. The application does not involve the removal of any gully vegetation within the SNA area located on the subject property. All works will be appropriately setback from the SNA.

Rule	Compliance Standard	Compliance Status
	> The necessity of vegetation removal associated with the activity; and > Effects on the connectivity, value and characteristics of biodiversity corridor; and > Appropriateness of mitigation measures proposed including consideration of the no net loss principle.	

The proposal can comply with all but two of the applicable performance standards.

The non-compliances relate to the road frontage requirements and to the minimum separation distance requirement between vehicle entrances (as required in Section 16 Transportation) and requires resource consent for a **Discretionary Activity** in accordance with Rule 16.4.2.3 and Rule 16.5.2.5.

An assessment against the relevant assessment criteria is provided in **Table 9.**

Table 8: Summary of Relevant Assessment Criteria and Information Requirements for all Discretionary Activities (Section 21 of the WDP)

Rule	Assessment Criteria	Comment
Rule 21.1.1.3 Visual	(a) The extent to which the development effects the surrounding environment; particularly any identified character precinct areas, prominence of buildings and design elements in the proposal, and public places and roads. (b) The scale, height, bulk, cross sectional area, colour, glazing	The visual effects of the proposal are discussed in Section 5. The application achieves the criteria of the plan relating to potential visual effects as the application site is located within an established rural area and visual effects will be mitigated as follows: > The operational quarry area will be set back from surrounding dwellings and roads.

Rule	Assessment Criteria	Comment
	reflectivity and texture of any buildings. (c) The location, scale and nature of earthworks/ excavations/spoil and vegetation removal/soil or spoil heaps. (d) The extent of any light spill, light intensity and shadowing effects. (e) The extent to which existing vegetation is retained to screen or soften visual effects. (f) The extent and nature of landscape planting and rehabilitation proposed and whether this will remedy or mitigate the effects of the activity, including provision for on-going maintenance of planting.	> No large buildings are proposed. > The placement of bunds. > Limiting the area exposed at any one time (4ha cells). > Avoiding the SNA area along the southern boundary. > Forming the first 100 m of the access road will minimise any dust nuisance and provide an attractive entrance into the sand quarry (when viewed from the adjacent public road). It is anticipated that over time the appearance and functionality of the site will be restored (to rural farmland).
Rule 21.1.1.4 Amenity	(a) The likely effects of the activity and associated land uses on any other activity in the vicinity by emission of noise, fumes, dust, smoke, glare or any other form of pollution. (b) The degree to which there is a loss of privacy, daylight or sunlight in adjacent sites. (c) The extent to which harmony of form, colour, texture and materials is present within individual developments.	The amenity effects are discussed in Section 5. The application achieves the criteria of the plan relating to potential amenity effects. The application site is an existing rural property located in an established rural area. The following mitigation is proposed: > The operational quarry area will be set well back from the dwellings and the public roads.

Rule	Assessment Criteria	Comment
	(d) The extent to which solar potential, innovative aspect and design is optimized in the development. (e) The scale and bulk of building(s) in relation to the site and adjoining neighbours. (f) The built characteristics of the locality. (g) The extent to which the road boundary setback is appropriate in the location. (h) The extent of modification to the existing landform and the impact this will have on the character and amenity of the surrounding area. (i) The ability to avoid, remedy or mitigate potential visual and amenity effects on sites in the vicinity.	> No large buildings are proposed. No loss of daylight or sunlight is therefore anticipated with respect to the adjacent sites. > The placement of bunds. > Limiting the area exposed at any one time (4ha cells). > Avoiding SNA areas along the southern boundary. > Forming the first 100m of the access road and the use of a wheel wash facility (as required) will minimise any dust nuisance effects. > The sand quarry will operate 6 days a week and the acoustic report confirms that the proposal complies with the relevant noise standards. It is anticipated that over time the appearance and functionality of the site will be restored close to its original form (rural farmland). Once the works take the topsoil off most of the digging works will be below ground level.
Rule 21.1.1.5 Earthworks	(a) The extent to which methods are utilised to retain high class soils on site for use in rehabilitation. (b) The extent to which the proposed earthworks affect the values of identified landscape areas and the ability for effects to be avoided in outstanding landscapes. (c) Where located within, adjacent or adjoining an area of indigenous	The earthworks effects are discussed in Section 5. The application achieves the criteria of the plan relating to potential earthworks effects. No earthworks are proposed within the SNA area (that runs along the southern site boundary). Any adverse effects on the adjacent Waikato River (and the site's groundwater) will be avoided.

Rule	Assessment Criteria	Comment
	vegetation or vegetation that provides habitat for indigenous species, the extent to which the earthworks will affect ecosystem values including effects on such areas due to altered water levels.	The activity will take place under a ESCP and QCMP which controls the stages (land exposed); and regulates the overburden and deposition of cleanfill to be used for site rehabilitation. All cuts and fill on site will be stabilised.
	(d) Whether the earthworks proposed are to be undertaken in a manner that avoids, remedies or mitigates any adverse effect on the environment including on the natural character of wetlands, lakes, rivers and their margins; with particular regard to the removal of vegetation, contamination of lakes and water bodies, alteration or diversion of surface or ground water flows.	The QCMP and sets out a staging process where only small areas (cells of 4ha) are exposed at any one time.
		Any dust associated with the earthworks will be actively managed onsite.
	(e) The extent to which earthworks are to be undertaken in a manner that provides sound foundations and avoids any increased risk to persons or property associated with a natural hazard event which may arise from undertaking earthworks.	Conditions have been proffered around noise, dust, traffic and any effects on sites of significance to Māori.
		The activity is temporary in nature and over time the topography of the site will be restored.
	(f) Whether a slope stability and natural ground suitability assessment for foundations of buildings, road services or other works is required and warrants an evaluation, investigation, control and or certification by a suitably qualified geotechnical soils engineer.	
	(g) The timing and extent to which the rehabilitation programme will enable the land to be restored suitable for use by other activities.	

Rule	Assessment Criteria	Comment
	(h) The extent to which methods are used to prevent discharge of contaminants into the air. (i) The extent to which the earthworks will detrimentally affect adjoining or adjacent sites through changes in soil drainage, ground level, noise, dust, vibration, traffic movement or effects on sites of significance to Māori where the earthworks are adjoining, or on sites of cultural significance. (j) Where earthworks are proposed in proximity to High Voltage Transmission Lines the extent to which any earthworks and the construction of any subsequent buildings will comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001). (k) The extent to which there are any adverse effects on water including groundwater and lake levels. Where areas have high water tables the ground water level shall be identified and defined. Where the work to be undertaken is adjacent to rivers and streams, it shall be established with reference to the average water table of the river or stream at maximum river level. For areas in close proximity to lakes, the ground water table shall be established with reference to the maximum lake level	
Rule 21.1.1.6 Traffic	(a) The impacts on the safe, efficient and effective provision of the transportation system including, but not limited to:	The ITA submitted with the application (**Appendix B**) has assessed the proposal against the relevant traffic related assessment.

Rule	Assessment Criteria	Comment
	(i) Impacts on the road network and the effective operation of the road hierarchy; and (ii) Infrastructure provision, including works needed to maintain the safety, efficiency and effectiveness of the transportation system such as any upgrades necessary to pedestrian and cycle facilities, intersections, pavements and structures on the system affected by the proposed activity; and (iii) Timing and staging of development; and (iv) Connectivity between adjacent areas of development. (b) Whether sufficient provision has been made for alternative modes of transportation where this is available and practicable, including but not limited to: (i) Public transport; and (ii) Cycle and pedestrian movement; and (iii) The establishment of cycleways, walkways and public transport stops; and (iv) The establishment of cycle stands; and (v) Connectivity to alternative transport modes such as rail and air transport. (c) The extent to which the location of the activity on the site has given regard to: (i) The need for acceleration and deceleration lanes; and (ii) The type, frequency and timing of traffic; and (iii) The safety of road users, cyclists and pedestrians; and (iv) The ability for access to roads other than arterial roads or State Highways; and (v) The need for forming or upgrading roads and pavements potentially affected by the activity; and (vi) The need for additional maintenance, inspection or traffic	It is not proposed to duplicate that assessment here. Suffice to say, the proposal complies with these assessment criteria.

Rule	Assessment Criteria	Comment
	monitoring; and (vii) The need for traffic control, including signs, signals and traffic islands; and (viii) The ability for parking and manoeuvring to be carried out on site. (d) The extent to which the location of the site access way has given regard to: (i) Safety for vehicles, and pedestrians with particular regard to the effect on the safety and functioning of the road and/or level crossing. (ii) The practicality and adequacy of the proposed access having regard to the location, nature and operation of the proposed activity and/or development. (e) The extent to which the location of the land use activity on the site has given regard to: (i) Visibility and sight distances particularly the extent to which vehicles entering or exiting the level crossing are able to see trains. (ii) The extent to which failure to provide adequate level crossing sightlines will give rise to level crossing safety risks.	
Rule 21.1.1.7 Noise and Vibration	(a) The extent to which the activity affects the existing ambient noise environment of the locality. (b) The time and frequency that the activity occurs, duration of noise, and any special characteristics of the noise or vibration and subsequent effects on health and safety, and on the amenity values of the surrounding environment. (c) The effects on the environment from the maximum noise levels of the proposed activity, particularly at night. (d) The extent to which the noise adversely affects the amenity of the surrounding	The noise effects are discussed in Section 5 of this AEE. The application achieves the criteria of the plan relating to the activities potential noise and vibration effects. The application includes an Acoustic Assessment (**Appendix C**) that has assessed the potential noise effects associated with the proposal. The assessment confirms that the proposal will comply with the applicable noise standards.

Rule	Assessment Criteria	Comment
	environment including cumulative effects.	No blasting activities are proposed. Vibration will not be discernible given the site works only propose to use diggers and there is a reasonable setback from all adjacent dwellings. Over time the appearance and functionality of the site will be restored to that of a rural property.
21.1.4.34 Mineral extraction activities	(a) The extent to which the activity will internalise and address actual and potential adverse effects. (b) The proposed life span of operation, the estimated volume of material to be excavated and likely staging of works. (c) The extent to which any rehabilitation programme will enable the land to be returned to a state suitable for use by other activities. (d) The proposed location and dimensions of overburden storage and deposition areas and areas for stockpiles of mineral material. (e) The proposed location and dimension of areas of excavation, including pits and faces. (f) An assessment of slope stability for proposed overburden areas and extraction site faces. (g) The anticipated average daily number of vehicle movements to and from the site, including the number of people proposed to be employed and the location of parking spaces on-site. Where appropriate, Council may require an Integrated Transport Assessment be prepared as part of the application.	See Section 5 of this AEE. Most of the sand quarry effects can be internalised. The lifespan of the sand quarry is estimated to be approximately 25 years and an estimated volume of 3,000,000 m^3 is likely to be extracted, as a series of 4ha stages (cells). The land will be fully rehabilitated to productive rural farmland and will be utilised for the existing farming activities. The ESCP and QCMP address items d-f. The anticipated average daily vehicle movements are detailed in the ITA that forms part of the application.

Rule	Assessment Criteria	Comment
	(h) The extent to which high class soils from within the site shall be retained on site for use in rehabilitation. (i) The extent to which off-site effects, will inhibit the use of surrounding land for the carrying out of other activities. (j) The ability to protect the environment from adverse effects having regard to the technical and operational ability to manage any adverse effects. (k) The extent to which landscaping proposals protect the amenity of land adjoining the mineral extraction area. (l) The total heavy vehicle traffic generation from the site. (m) The hours and days that heavy vehicle traffic are proposed to be entering and exiting the site. (n) The location and formation of access points to avoid any dirt, mud or debris entering the road reserve, and to ensure that traffic safety matters are adequately addressed. (o) Measures undertaken to ensure that material deposited to reclaim worked out 'quarry' areas is cleanfill and does not include refuse. (p) The methods to be used to avoid any contamination of water from any aspect of the extraction activity. (q) The design and operation of any security or other lighting to ensure that it does not cause any direct light spill or disturbing glare for any occupiers of adjoining properties or users of roads. (r) The form, extent and effectiveness of landscaping where the mineral extraction area is visible from an existing dwelling. **Note:** Where identification and imposition of a quarry buffer area and	

Rule	Assessment Criteria	Comment
	mineral extraction area is sought in conjunction with a new or existing mineral extraction activity, also see Assessment Criteria 21.1.4.	

4.2.4 Overall Activity Status

The overall activity status of the activities under the Waipā DP is discretionary.

4.3 WAIKATO DISTRICT PLAN

The Waikato DP does not have any rules relevant to the proposed works that are under appeal. As such, the Waikato DP is relevant to the works and the provisions of the Operative Waikato District Plan are not applicable.

4.3.1 District Plan Definitions

The following definitions of the Waikato DP are relevant to the Project.

The proposal to establish and operate a sand extraction facility at the application site is assessed as an 'Extractive Activity' under the provisions of the Waikato DP and in accordance with the following definitions:

> ***"Extractive activity***
>
> *Means taking, winning or extracting, the naturally-occurring minerals (including but not by whatever means limited to coal, rock, sand, and gravel) and peat from under or on the land surface. This includes any of the following activities at or near the site where the minerals have been taken, won or extracted:*
>
> *a) Excavation, blasting, processing (crushing, screening, washing, chemical separation and blending);*
>
> *b) The storage, distribution and sale of aggregates, coal or mineral products;*
>
> *c) The removal, stockpiling and deposition of overburden;*
>
> *d) Treatment of stormwater and wastewater;*
>
> *e) Storage, management and disposal of tailings;*
>
> *f) Landscaping and rehabilitation works including cleanfilling;*
>
> *g) Ancillary earthworks;*

h) *Ancillary buildings and structures, such as weighbridges, laboratories and site offices;*

i) *Internal roads and access tracks; and*

j) *Quarrying activities.*

Cleanfill

Means virgin excavated natural materials including clay, gravel, sand, soil and rock that are free of:

a) *Combustible, putrescible, degradable or leachable components;*

b) *Hazardous substances and materials;*

c) *Products and materials derived from hazardous waste treatment, stabilisation or disposal practices;*

d) *Medical and veterinary wastes, asbestos, and radioactive substances;*

e) *Contaminated soil and other contaminated materials; and*

f) *Liquid wastes."*

The proposal involves the excavation, processing and storing of the sand resource and associated land disturbance activities including removal of overburden, landscaping and rehabilitation works. The associated cleanfilling and any ancillary activities are also all assessed as an 'extraction activity' in accordance with the above definition.

The imported cleanfill material will comply with the above definition for "cleanfill" and is also expressly provided for within the definition for "extraction activities".

All of the activities proposed on site are therefore covered by the above definitions.

4.3.2 Zoning

The site is zoned General Rural Zone ("**GRUZ**") under the provisions of the Waikato DP and has an area of "road" zoning between the land parcels.

The following policy areas are also identified (refer **Figure 18**) as applicable to the subject property or the immediate surrounding area (although it is noted they are not within the quarry footprint):

- Airport obstacle limitation surface;
- Waikato Regional Airport – Designation (WRAL-1);
- Outstanding Natural Landscape; and

> Waikato River catchment.

It is noted however, that the works will not impact on the Airport obstacle limitation surface and the Waikato Regional Airport – Designation (WRAL-1). Furthermore, the ONL and Waikato River catchment are not within the quarry footprint.

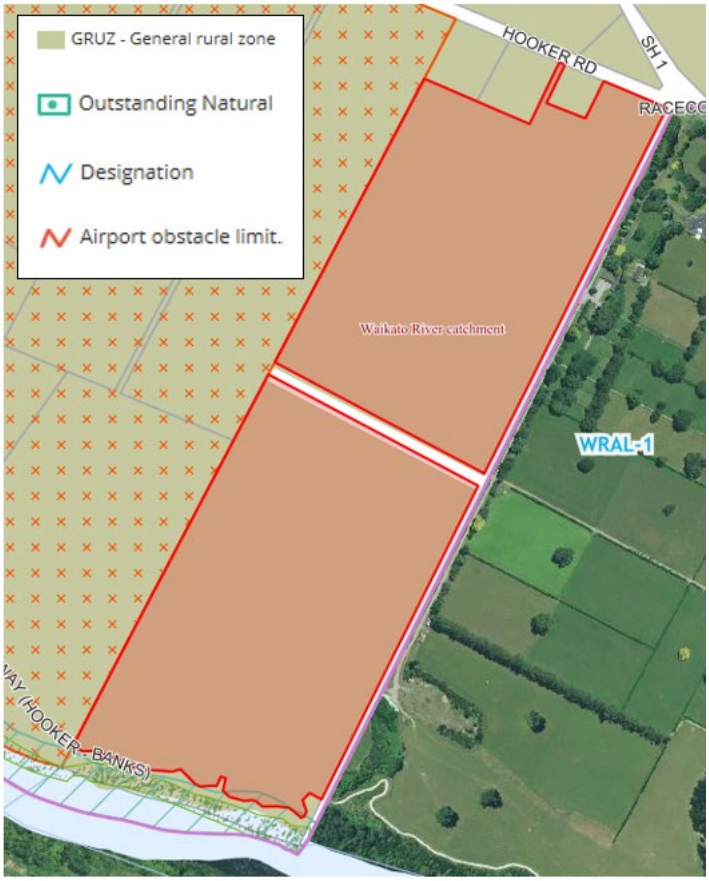


Figure 18: Waikato DC Zoning

4.3.3 Relevant District Plan Provisions

An assessment of the Waikato DP is provided in **Table 10**.

Table 9: Waikato District Plan Operative in Part Assessment

Activity	Relevant Rule	Status	Comment
Transportation			
Traffic generation	Rule TRPT-R4	Permitted	Where any site gains access from an arterial or regional arterial (including

Activity	Relevant Rule	Status	Comment
			state highway) road, there is a maximum of 50 ECM per day.
		Restricted Discretionary	Applies. Compliance with permitted activity standard (Max 50ECM/day) is not achieved. The proposal will generate more than 50 vehicles per day (refer to the anticipated traffic volumes in the Integrated Transportation Assessment (**Appendix B**)).
		Permitted	Within the GRUZ – General rural zone: (1) There is maximum 200 vehicle movements per site per day and no more than 15% of these vehicle movements are heavy vehicle movements.
		Restricted Discretionary	Applies. The proposal is likely to exceed 200 vpd with more than 15% HCV.
Earthworks			
Earthworks in GRUZ	EW-R21	Permitted	Requires earthworks within sites to meet the following standards: (i) to not exceed a volume of 1,000 m^3 and 2,000 m^2 in any 12-month period; (ii) depth of excavation or filling to not exceed 3 m above or below ground level; (iii) Slope to not exceed 1:2; (iv) Min setback 1.5 m from boundary; (v) Earthworks stabilised within 2 months;

Activity	Relevant Rule	Status	Comment
			(vi) Implement erosion and sediment controls and no discharge to waterways; (vii) Not within Kauri root zone.
		Restricted discretionary	Applies. Compliance with permitted activity standards is unable to be achieved. The scale of earthworks will be in excess of annual limits and depth of excavation.
Cleanfill in GRUZ	EW-R22	Permitted	Requires earthworks using imported cleanfill within sites to meet the following standards: (i) do not exceed 500 m^3 in any 12-month period; (ii) do not exceed 1 m depth above ground level; (iii) Slope to not exceed 1:2; (iv) Min setback 1.5 m from boundary; (v) Earthworks stabilised within 2 months; (vi) Implement erosion and sediment controls and no discharge to waterways; (vii) Not within Kauri root zone.
		Restricted discretionary	Applies. Compliance with permitted activity standards is unable to be achieved. The scale of cleanfill will be in excess of annual limits. An assessment against the matters of discretion is provided in Section 5, below.

Activity	Relevant Rule	Status	Comment
Noise			
Construction noise in GRUZ	NOISE-R4	Permitted	Applies. Noise from any construction, maintenance, or demolition activity that is measured, assessed and managed in accordance with the requirements of NZS6803:1999 'Acoustics – Construction Noise'.
Noise in GRUZ general	NOISE-R8	Permitted	Applies Requires that noise is within limits as measured at the notional boundary of any other site in GRUZ. Noise measured in accordance with NZS:6801 Noise assessed in accordance with NZS:6802.
General Rural Zones			
Extractive activity located outside identified zones	GRUZ-R45	Discretionary	Applies. Quarry not within Aggregate Extraction Area, Coal Mining Area, Extractive Resource Area.

The application requires the following resource consents:

> Land Use Consent for a **Restricted Discretionary Activity** for a sand quarry operation within the GRUZ that exceeds 200 vehicle movements per site per day and more than 15% of these vehicle movements are heavy vehicle movements, pursuant to Rule TRTP-R4 of the Waikato DP;

> Land Use Consent for a **Restricted Discretionary Activity** for earthwork activities in the GRUZ that is of a scale that exceeds the permitted limits pursuant to Rule EW-R21 of the Waikato DP;

- Land Use Consent for a **Restricted Discretionary Activity** for cleanfilling activities in the GRUZ that is of a scale that exceeds the permitted limits pursuant to Rule EW-R22 of the Waikato DP; and
- Land Use Consent for a **Discretionary Activity** for the establishment and operation of a mineral extraction activity (sand quarry) and associated works in the GRUZ (which is outside of an Aggregate Extraction Area, Coal Mining Area or Extractive Resource Area) pursuant to Rule GRUZ-R45 of the Waikato DP.

An assessment of the proposal against the relevant performance standards is provided in **Table 10**.

Table 10: Summary of the Relevant proposed WDP Performance Standards.

Rule	Compliance Standard	Compliance Status
Transportation (Part 2.11)		
For the purposes of avoiding repetition, please refer to the Integrated Transportation Assessment at Appendix B for an assessment of the relevant permitted activity standards of Rules TRPT-R1, TRPT-R2, TRPT-R3, TRPT-R4, TRPT-R5, TRPT-R6, TRPT-R7, TRPT-R8, TRPT-R9, TRPT-R10, TRPT-R11.		
Hazardous Substances (Part 2.14)		
HAZS-R1	The storage, handling or use of hazardous substances except where Rule HAZS-R2, HAZS-R3 or HAZS-R4 apply	Rule HAZS-R2, HAZS-R3 or HAZS-R4 do not apply. Activity is **permitted** in terms of HAZS-R1.
Earthworks (Part 2.29)		
EW-R21 – General Earthworks - GRUZ	(i) Do not exceed a volume of more than 1000 m^3 and an area of more than 2000 m^2 over in any single consecutive 12-month period;	**Does not comply.** Volume and area limits will be exceeded.
	(ii) The total combined depth of any excavation (excluding drilling) or filling does not exceed 3 m above or below natural ground level;	**Does not comply.** Depth will be exceeded.
	(iii) Take place on land with a maximum slope of 1:2 (1 vertical to 2 horizontal);	**Complies.** Land has a slope with a gradient less than 1:2.

Rule	Compliance Standard	Compliance Status
	(iv) Earthworks are setback a minimum of 1.5 m from all boundaries;	**Complies.** Earthworks will be setback a minimum 1.5 from all boundaries.
	(v) Areas exposed by earthworks are stabilised on completion and any remaining bare ground revegetated to achieve 80% ground cover within 2 months of the completion of the earthworks;	**Complies.** Areas exposed by earthworks will be revegetated in compliance with this standard.
	(vi) Sediment resulting from the earthworks is managed on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and	**Complies.** Erosion and sediment control measures will be incorporated throughout the operation through to completion of the activity.
	(vii) Provided they are not within a kauri root zone.	**Complies.** Site is not within a kauri root zone.
EW-R22 – General Cleanfilling - GRUZ	(i) Do not exceed a total volume of 500 m^3 in any single consecutive 12-month period;	**Does not comply.** Volume and area limits will be exceeded.
	(ii) Do not exceed a depth of 1m above natural ground level;	**Does not comply.** Depth will be exceeded.
	(iii) The slope of the resulting filled area in stable ground does not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal);	**Complies.** Land has a slope with a gradient less than 1:2.
	(iv) Fill material is setback a minimum of 1.5m from all boundaries;	**Complies.** Fill material will be setback a minimum 1.5 from all boundaries.

Rule	Compliance Standard	Compliance Status
	(v) Areas exposed by filling are re-vegetated to achieve 80% ground cover within 2 months of the completion of the filling;	**Complies.** Areas exposed by filling will be revegetated in compliance with this standard.
	(vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and	**Complies.** Erosion and sediment control measures will be incorporated throughout the operation through to completion of the activity.
	(vii) Provided they are not within a kauri root zone	**Complies.** Site is not within a kauri root zone.
Noise (Part 2.31)		
NOISE-R8 – General - GRUZ	(a) Noise measured at the notional boundary on any other site in the GRUZ – General Rural Zone must not exceed: (i) 50dB LAeq, 7am to 7pm every day; (ii) 45dB LAeq, 7pm to 10pm every day; (iii) 40dB LAeq and 65dB LAmax, 10pm to 7am the following day.	**Complies** Noise will comply with daytime limits as set out in the Noise Assessment (**Appendix F**).
	(b) Noise measured within any site in any zone, other than the GRUZ – General rural zone, must meet the permitted noise levels for that zone.	**Complies.**
	(c) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 "Acoustics – Measurement of Environmental Sound".	**Will comply.**
	(d) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 "Acoustic – Environmental noise".	**Will comply.**

Rule	Compliance Standard	Compliance Status
Signs (Part 2.32)		
SIGN-R11 – Signs – General - GRUZ	(i) It is the only sign on the site;	**Will comply**
	(ii) The sign is wholly contained on the site;	**Will comply**
	(iii) The sign does not exceed 3m^2;	**Will comply**
	(iv) The sign height does not exceed 3m	**Will comply**
	(v) The sign is not illuminated,	**Will comply**
	(vi) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;	**Will comply**
	(vii) The sign is set back at least 50m from a state highway and the Waikato Expressway;	**Will comply**
	(viii) The sign is not attached to a notable tree identified in SCHED2 – Notable trees, except for the purpose of identification;	**Will comply**
	(ix) The sign is not attached to a heritage item listed in SCHED1 – Historic heritage items except for the purpose of identification and interpretation;	**Will comply**
	(x) The sign is for the purpose of identification and interpretation of a site and area of significance to Maaori listed in SCHED3 – Sites and areas of significance to Maaori;	**Will comply**
	(xi) The sign relates to: (1) Goods or services available on the site; or (2) A property name sign.	**Will comply**
	(i) Not imitate the content, colour or appearance of any traffic control sign;	**Will comply**

Rule	Compliance Standard	Compliance Status
SIGN-R13 – Signs – effects on traffic - GRUZ	(ii) Be located at least 60m from controlled intersections, pedestrian crossings and railway crossings	**Will comply**
	(iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections;	**Will comply**
	(iv) Contain no more than 40 characters and no more than 6 words, symbols, or graphics;	**Will comply**
	(v) Have lettering that is at least 200mm high; and	**Will comply**
	(vi) Where the sign directs traffic to a site entrance, it must be at least:	**Will comply**
	(vii) 175m from the entrance on roads with a speed limit of 80 km/hr or less; or	**Will comply**
	(viii) 250m from the entrance on roads with a speed limit of more than 80km/hr.	**Will comply**

4.3.4 Overall Activity Status

The overall activity status under the Waikato DP is discretionary.

4.4 WAIKATO REGIONAL PLAN

The WRP became operative in 2007. An assessment of the relevant provisions is provided in the following sections.

4.4.1 Relevant Regional Plan Provisions

Table 12 summarises the WRP provisions applicable to the application and assessed in the sections below.

Table 11: Summary of the Regional Plan Provisions that have been assessed/considered:

Part 3	Water Module	>	Discharge of Stormwater

		>	Groundwater Take
Part 5	Land and Soil Module	>	Soil Disturbance
		>	Overburden and Cleanfill Disposal
		>	Earthworks within a High-Risk Erosion Area
Part 6	Air Module	>	Mineral extraction
		>	Discharge of Air to Contaminants

An assessment of the above rules against the relevant assessment criteria and information requirements is provided in the tables below:

Table 12 WRP Assessment

Rule	Activity Status	Standards	Comment
Chapter 3 – Water Module			
3.3.4.24 Groundwater takes	Discretionary	The taking of groundwater that, when assessed in combination with all other authorised takes from the same aquifer: 1. Is a supplementary take, temporary take or well and aquifer testing take that does not comply with **Rules 3.3.4.12**, **3.3.4.14** or **3.3.4.15**; or 2. Is a non-qualifying s14(3)(b) take described by Policy 10 c); or 3. Does not exceed the Sustainable Yield if listed in Table 3-6; or 4. Is from an aquifer that is not listed in Table 3-6; or 5. Is for domestic or municipal supply takes where a water management plan is provided that meets the requirements of Method 8.1.2.2 of this Plan.	**Consent required** Consent is required for the take of water to support dust suppression, wheel washing and sand processing. A maximum take of approximately 900 m^3 per day is required – although as set out in Section 3.12, a reduced volume of water supply of 250 m^3 per day will apply when sand processing is not being undertaken.
3.5.11.5 Discharge of stormwater onto or into land	Permitted	a. The discharge shall not originate from a catchment that includes any high risk facility26 or contaminated land* unless there is and interceptor system* in place. b. The discharge shall be below a rate that would cause flooding outside the design discharge soakage area, except in rain events equivalent to the	**Will comply** The proposed discharge of stormwater to land can comply with the requirements of Rule 3.5.11.5 and is therefore, a Permitted Activity pursuant to Rule 3.5.11.5.

Rule	Activity Status	Standards	Comment
		10% Annual Exceedence Probability design storm or greater. Any exceedence shall go into designated overland flow paths. c. There shall not be any overland flow resulting in a discharge to surface water, except in rain events equivalent to the 10% Annual Exceedence Probability design storm or greater; then there shall be no adverse surface water effects as a result of the discharge. d. Any erosion occurring as a result of the discharge shall be remedied as soon as practicable. e. The discharge shall not contain concentrations of hazardous substances that may cause significant adverse effects on aquatic life or the suitability of the water for human consumption after treatment.	
Rule 3.8.4.7 Bore Drilling below the Water Table	Controlled	a. All drilled holes/wells shall be constructed, maintained and/or abandoned so that they shall not cause cross-contamination between hydraulic units (aquifers) in any water including ground water and geothermal water. b. Holes drilled shall be at least 100 metres away from and Significant Geothermal Feature and shall not be into geothermal water within a Protected or Research Geothermal System. c. All holes/wells shall be managed and maintained such that leakage of water or contaminants to or from the ground surface is prevented.	**Consent required** Consent for the drilling of a water supply bore will comply with the controlled activity standards. The standards and terms and associated Assessment Criteria are presented in Table 14 below.

Rule	Activity Status	Standards	Comment
		d. Materials used for well construction shall be of such quality and strength to enable the well to be completed without casing or seal leakage during construction or subsequent well operation. e. Wells used for potable water supply shall be located at least 30 metres from any on-site sewage disposal system. f. Wells used for water supply purposes, shall be located at least 50 metres from a lake or stream, and 100 metres from Mean High Water Springs*. g. A log for each drilled hole/well shall be forwarded to the Waikato Regional Council within two months of completion of drilling. Each log shall show: i. the location of the hole/well ii. date of completion iii. duration of drilling iv. depth and diameter of the hole/well v. the method of drilling vi. full construction details vii. the subsurface geology viii. results of any tests undertaken during drilling, including permeability, temperature and water quality	

Rule	Activity Status	Standards	Comment
		ix. a site diagram. h. The activity shall not disturb any archaeological site or waahi tapu as identified at the date of notification of this Plan, in any district plan, in the NZ Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained. i. In the event of any waahi tapu that is not subject to standard and term g) being identified by the Waikato Regional Council to the person undertaking the activity, the activity shall cease insofar as it may affect the waahi tapu. The activity shall not be recommenced without the approval of the Waikato Regional Council.	
Chapter 5 – Land and Soil Module			
5.1 Accelerated Erosion			
5.1.4.11 Soil Disturbance, Roading and Tracking and Vegetation Clearance	Permitted	1. Unless otherwise provided for by Rules 5.1.4.14, 5.1.4.15, 5.1.4.16 or 5.1.4.17, soil disturbance, roading and tracking, and vegetation clearance and any associated deposition of slash into or onto the beds of rivers and any subsequent discharge of contaminants into water or air; 2. Any roading and tracking activities associated with the installation of bridges or culverts permitted by Rules 4.2.8.1, 4.2.9.1 and 4.2.9.2, within 20 metres of that bridge or culvert and any associated deposition of slash	**Applies**. The area where the soil disturbance activities are proposed is located over 100 m from the Waikato River and involves land that is generally

Rule	Activity Status	Standards	Comment
		into or onto the beds of rivers and any subsequent discharge of contaminants into water or air; 3. Vegetation clearance of planted production forest as planted at the date upon which this Plan becomes operative;	flat and are currently utilised for dairy farming. A resource consent is not required for those soil disturbance activities that are located outside of a High Risk Erosion Area. This aspect of the application is a Permitted Activity pursuant to Rule 5.1.4.11.
Rule 5.1.5 Conditions for Permitted Activity Rule 5.1.4.11	Permitted Activity Conditions	a. Organic material shall not be placed in fill where its subsequent decomposition will lead to land instability. b. Erosion/sediment controls shall be installed and maintained on all earthworks during and on completion of the works to avoid the adverse effects of sediment on water bodies. c. Cut-offs or culverts shall be designed and installed to prevent scour, gullying or other erosion. d. Any erosion or instability of the coastal environment, or the beds of rivers and lakes or wetlands shall be avoided or remedied if it does occur.	**Complies** The proposal complies with the relevant conditions for a permitted activity. Erosion and sediment control measures will be installed and maintained in accordance with the QCMP, and the adjoining land will not become subject to flooding as a result of the quarry activities. Prior approval will be obtained from HNZ for the destruction of

Rule	Activity Status	Standards	Comment
		e. The activity shall not result in neighbouring land becoming subject to flooding. f. All disturbed vegetation, soil or debris shall be deposited or contained to prevent the movement of disturbed matter so that it does not result in: i. the diversion, damming or blockage of any river or stream, or ii. the passage of fish being impeded, or iii. the destruction of any habitat in a water body or coastal water, or iv. flooding or erosion. g. The activity shall not disturb any archaeological site or waahi tapu as identified at the date of notification of this Plan, in any district plan, in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained. h. The concentration of suspended solids in any point source discharge arising from the activity shall comply with the suspended solids standards as set out in Method 3.2.4.6. This condition applies only to permitted activity rules and excludes any non-point source discharges from roading, tracking and vegetation clearance activities (refer condition o) below).	archaeological features at the site.

Rule	Activity Status	Standards	Comment
		i. Any discharge of contaminants into air arising from the activity shall comply with the permitted activity conditions in Section 6.1.8 except where the matters addressed in Section 6.1.8 are already addressed by conditions on resource consents for the site. j. In the event of any waahi tapu that is not subject to g) above being identified by the Waikato Regional Council to the person undertaking the activity, the activity shall cease insofar as it may affect the waahi tapu. The activity shall not be recommenced without the approval of the Waikato Regional Council. k. No storage or mixing of fuels, oils, or agrichemicals shall be undertaken in areas where deliberate or inadvertent discharge is likely to enter any permanent natural surface water body. l. All vegetation that is being felled within five metres of a perennial water body shall be felled away from the water body, except edge vegetation, or vegetation leaning over a water body, which if necessary may be felled in accordance with safety practices. m. All exposed areas of soil resulting from the activity shall be stabilised against erosion by vegetative cover or other methods as soon as practical following completion of the activity and no later than six to twelve months from the date of disturbance to avoid the adverse effects of sediment on water bodies.	

Rule	Activity Status	Standards	Comment
		n. The activity shall not be located within 20 metres of a Significant Geothermal Feature. o. The concentration of suspended solids in any non-point discharges from roading, tracking and vegetation clearance activities shall meet the following standards; i. The activity or discharge shall not result in any of the following receiving water standards being breached: ii. in Waikato Region Surface class waters - 100 grams per cubic metre suspended solids concentration iii. in Indigenous Fisheries and Fish Habitat class waters - 80 grams per cubic metre suspended solids concentration iv. in Trout Fisheries and Trout Spawning Habitat class waters - 25 grams per cubic metre suspended solids concentration v. in Contact Recreation class waters - black disc horizontal visibility greater than 1.6 metres vi. in Natural State class waters - the activity or discharge shall not increase the concentration of suspended solids in the receiving water by more than 10 percent Standard a) shall apply, except where the suspended solids concentration or black disc horizontal visibility in the	

Rule	Activity Status	Standards	Comment
		receiving water is greater than the standards specified, at the time and location of discharge or of undertaking the activity. Then there shall not be any increase (i.e. further deterioration) in the receiving water suspended solids concentration or black disc horizontal visibility of more than 20% as a result of the activity or discharge. The point at which compliance with this standard shall be measured is after reasonable mixing has occurred which in any instance does not exceed 200 metres from the point of discharge.	
		p. Soil disturbance associated with the construction of a road or track within 20 metres of a culvert or bridge provided for in Rules 4.2.8.1, 4.2.8.2, 4.2.9.1, 4.2.9.2 and 4.2.9.3; i. Shall not occur adjacent to Significant Indigenous Fisheries and Fish Habitat Class waters during August to December inclusive and Significant Trout Fisheries and Trout Habitat class waters during May to September inclusive; and, ii. Shall be stabilised against erosion by vegetative cover or other methods as soon as practical following completion of the activity and no later than two months from the date of	

Rule	Activity Status	Standards	Comment
		disturbance to avoid the adverse effects of sediment on water bodies; and iii. The location of the proposed soil disturbance shall be notified to the Waikato Regional Council in writing at least 10 working days prior to commencing construction.	
5.2 Discharges onto or into Land			
5.2.5.1 Overburden Disposal Outside High-Risk Locations	Permitted	The discharge of overburden onto or into land at an overburden disposal site* and any subsequent discharge of contaminants into water or air when occurring outside of: 1. A high risk erosion area[33] 2. A floodplain of a river* 3. The catchment of, or within 10 metres of, whichever is the lesser, a sink hole* or cave entrance 4. Any wetlands[34] that are areas of significant indigenous vegetation and/or significant habitats of indigenous fauna 5. A significant geothermal feature* is a **permitted activity** subject to the following conditions:	**Will comply** The overburden associated with the proposed mineral extraction activities will be disposed of onsite; and will be located outside of a high-risk erosion area. The onsite overburden complies with the relevant conditions in Rule 5.2.5.1. and is therefore a Permitted Activity.

Rule	Activity Status	Standards	Comment
		a. The concentration of suspended sediment in any discharge to a water body arising from this activity shall comply with the suspended sediment criteria as set out in Section 3.2.4.5. b. Any discharge to air arising from the activity shall comply with the conditions and standards and terms in Section 6.1.8 except where the matters addressed in Section 6.1.8 are already addressed by conditions on resource consents for the site. c. The overburden has no acid producing material[35] d. The activity shall not disturb any archaeological site or waahi tapu as identified at the date of notification of this Plan (28 September 1998), in any district plan, in the NZ Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained. e. In the event of any waahi tapu that is not subject to condition d) being identified by the Waikato Regional Council to the person undertaking the activity, the activity shall cease insofar as it may affect the waahi tapu. The activity shall not be recommenced without the approval of the Waikato Regional Council. f. Where the site is to receive a total volume of more than 1,000 cubic metres of overburden (solid measure) the operator shall notify the	

Rule	Activity Status	Standards	Comment
		Waikato Regional Council in writing of the accurate location of the site seven working days prior to commencing operation. g. The placement of the material shall be undertaken and maintained in a manner so as to ensure its long term stability. h. The activity shall not cause any increase in flooding on neighbouring properties.	
5.2.5.4 Small Scale Cleanfill Disposal Outside of High-Risk Locations	Permitted	The discharge of cleanfill onto or into land and any subsequent discharge of contaminants into water or air when occurring outside of: 1. A high risk erosion area 2. A floodplain of a river 3. The catchment of, or within 10 metres of, whichever is the lesser, a sink hole* or cave entrance 4. Any wetlands[42] that are areas of significant indigenous vegetation and/or significant habitats of indigenous fauna 5. A significant geothermal feature* and where the total volume of cleanfill does not exceed 2,500 cubic metres per annum.	**Does not comply** Cleanfill activities will exceed 2500 m^3 per annum.

Rule	Activity Status	Standards	Comment
5.2.5.5 Large Scale Cleanfill Disposal outside High-Risk Locations	Controlled	The discharge of cleanfill onto or into land and any subsequent discharge of contaminants into water or air that does not comply with Rule 5.2.5.4 when occurring outside of: 1. A high risk erosion area 2. A floodplain of a river 3. The catchment of, or within 10 metres of, whichever is the lesser, a sink hole* or cave entrance 4. Any wetlands[45] that are areas of significant indigenous vegetation and/or significant habitats of indigenous fauna 5. A significant geothermal feature* is a **controlled activity** (requiring resource consent) subject to the following standards and terms: a. Any discharge to air arising from the activity shall comply with the conditions and standards and terms in Section 6.1.8 except where the matters addressed in Section 6.1.8 are already addressed by conditions on resource consents for the site. b. Records of the source and composition of all material disposed of at the site shall be maintained and made available to the Waikato Regional	**Consent required** The standards and terms of 8.1.4.3 are presented in Table 15 below.

Rule	Activity Status	Standards	Comment
		Council upon request to demonstrate that only cleanfill as defined in the Glossary to this Plan has been received. c. The cleanfill has no acid producing potential[46]. d. The placement of the material shall be undertaken and maintained in manner so as to ensure its long-term stability. e. The activity shall not cause any increase in flooding on neighbouring properties.	
Chapter 6 – Air Module			
6.1.16.1 Mineral Extraction, Size Reduction, Screening and Storage	Permitted	The discharge of contaminants to air from any mineral extraction, processing and storage operation is a permitted activity subject to the following conditions: a. Where the operation occurs within 1000 metres of a property boundary and there is a discharge of particulate matter beyond the property boundary the following measures shall be implemented: i. the use of water sprays to suppress dust from crushing and screening plants, access ways, haul roads, stockpiles, load out areas and access roads ii. the sealing and maintenance of the access road, when it is within 150 metres of a neighbouring residential dwelling.	**Will Comply** The proposal can comply with the conditions in Rule 6.1.16.1 and a resource consent is not required being a Permitted Activity pursuant to Rule 6.1.16.1.

Rule	Activity Status	Standards	Comment
		b. As specified in Section 6.1.8 a) to e) of this Plan. c. Within seven working days of commencing works at a new site, the operator of the new quarrying site shall provide the Waikato Regional Council with written notification of the location of the site. d. Should an emission of particulate matter occur that causes adverse effects of an objectionable nature beyond the property boundary as determined in accordance with the decision making guidelines set out in Section 6.4.2.2, the quarry operator shall provide a written report to the Waikato Regional Council within five days of the incident occurring, which specifies: i. the cause or likely cause of the event and any factors that influenced its severity ii. the nature and timing of any measures implemented by the quarry operator to avoid, remedy, or mitigate any adverse effects iii. the steps to be taken to prevent recurrence of similar events. e. There shall be no discharges of hazardous substances into the air.	

BORE DRILLING

Table 13: Bore Drilling Standards and Terms

3.8.4.7 Controlled Activity Rule – Drilling Below the Water Table	
Condition	**Compliance**
All drilled holes/wells shall be constructed, maintained and/or abandoned so that they shall not cause cross-contamination between hydraulic units (aquifers) in any water including ground water and geothermal water.	Will comply
Holes drilled shall be at least 100 metres away from and Significant Geothermal Feature and shall not be into geothermal water within a Protected or Research Geothermal System.	Will comply – no geothermal features surround the site.
All holes/wells shall be managed and maintained such that leakage of water or contaminants to or from the ground surface is prevented.	Will comply
Materials used for well construction shall be of such quality and strength to enable the well to be completed without casing or seal leakage during construction or subsequent well operation.	Will comply
Wells used for potable water supply shall be located at least 30 metres from any on-site sewage disposal system.	N/A – water will not be used for potable water supply.
Wells used for water supply purposes, shall be located at least 50 metres from a lake or stream, and 100 metres from Mean High Water Springs*.	Will comply – the bore is located over 100 m from the Waikato River.
A log for each drilled hole/well shall be forwarded to the Waikato Regional Council within two months of completion of drilling. Each log shall show: > the location of the hole/well	Will comply

3.8.4.7 Controlled Activity Rule – Drilling Below the Water Table	
> date of completion > duration of drilling > depth and diameter of the hole/well > the method of drilling > full construction details > the subsurface geology > results of any tests undertaken during drilling, including permeability, temperature and water quality > a site diagram.	
The activity shall not disturb any archaeological site or waahi tapu as identified at the date of notification of this Plan, in any district plan, in the NZ Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.	Will comply – approval from Heritage New Zealand will be sought prior to the works being undertaken.
In the event of any waahi tapu that is not subject to standard and term g) being identified by the Waikato Regional Council to the person undertaking the activity, the activity shall cease insofar as it may affect the waahi tapu. The activity shall not be recommenced without the approval of the Waikato Regional Council.	Will comply – the works will be undertaken under an Accidental Discovery Protocol.

CLEANFILLING

Table 14: Cleanfill Standards and Terms

Cleanfill Assessment	
Rule 5.2.5.5 Standards and Terms	
Any discharge to air arising from the activity shall comply with the conditions and standards and terms in Section 6.1.8 except where the	The activity will be undertaken in accordance with a ESCP and QCMP inclusive of methods to minimise effects of dust. Other consent

Cleanfill Assessment	
matters addressed in Section 6.1.8 are already addressed by conditions on resource consents for the site.	conditions are suggested by the applicant that adequately address relevant standards and terms within Section 6.1.8.
Records of the source and composition of all material disposed of at the site shall be maintained and made available to the Waikato Regional Council upon request to demonstrate that only cleanfill as defined in the Glossary to this Plan has been received	Appropriate records of all cleanfill deliveries will be maintained in accordance with this standard.
The cleanfill has no acid producing potential[46].	No organic material or other material with the potential to generate acidic ground conditions in the absence of oxygen will be accepted on site.
The placement of the material shall be undertaken and maintained in manner so as to ensure its long-term stability.	All cleanfill will be adequately compacted prior to rehabilitation. Risk of failure considered very low due to flat site.
The activity shall not cause any increase in flooding on neighbouring properties.	Cleanfill material will replace what is removed as sand, therefore there is no potential to impact surface drainage beyond the site.

4.4.2 Overall Activity Status – Waikato Regional Council Jurisdiction

The overall activity status under the WRP is set out in **Table 16**.

Table 15: Summary of the Activity Status of Proposed Activities

Activity	Relevant Rule in the WRP	Comment
Part 3 Water Module		
Discharge of stormwater onto land	Rule 3.5.11.5 Permitted Activity Rule – Discharge of Stormwater	Applies. The proposed discharge of stormwater to land can comply with the requirements of Rule 3.5.11.5 and is therefore, a **Permitted Activity** pursuant to Rule 3.5.11.5.

Activity	Relevant Rule in the WRP	Comment
Groundwater Take	3.3.4.24 Discretionary Activity Rule – Groundwater Takes	Consent required. A groundwater take in excess of 15m^3 (900m^3) is required to provide a suitable water supply for the proposal. A resource consent required for a **Discretionary Activity** pursuant to Rule 3.3.4.24.
Drilling	3.8.4.7 Controlled Activity Rule – Drilling below the Water Table	Consent required Drilling below the water table is required for the construction of the water supply bore. A resource consent is required for a **Controlled Activity** pursuant to Rule 3.8.4.7.
Part 5 Land and Soil Module		
Soil disturbance, outside a high-risk erosion area.	Rule 5.1.4.11 Permitted Activity Rule – Soil Disturbance, Roading and Tracking and Vegetation Clearance. Soil disturbance, roading and tracking, and vegetation clearance and any associated deposition of contaminants into water or air are permitted activities subject to the conditions in Section 5.1.5 (assessed below).	Applies. The area where the soil disturbance activities are proposed is located further than 10m from the SNA and 20m from Waikato River (located to the west and south of the soil disturbance areas) and involves parcels of land that are generally flat and are currently utilised for rural (grazing) purposes. A resource consent is not required for those soil disturbance activities that are located outside of a High Risk Erosion Area. This aspect of the application is a Permitted Activity pursuant to Rule 5.1.4.11.
	Rule 5.1.5 Conditions for Permitted Activity Rule 5.1.4.11	Applies. The proposal complies with the relevant conditions for a permitted activity. Erosion and sediment control measures will be installed and maintained in accordance with the ESCP and QCMP, and the adjoining land will not become subject to flooding as a result of the quarry activities. Prior approval will be obtained from HNZ for the destruction of archaeological features at the site is

Activity	Relevant Rule in the WRP	Comment
		disturbed/removed as a result of the soil disturbance activities.
Overburden Disposal	Rule 5.2.5.1 Permitted Activity Rule – Overburden Disposal Outside of High Risk Locations	Applies The overburden associated with the proposed mineral extraction activities will be disposed of onsite; and will be located outside of a high-risk erosion area. The onsite overburden complies with the relevant conditions in Rule 5.2.5.1. and is therefore a **Permitted Activity.**
Large Scale Cleanfill Disposal outside High Risk Locations	Rule 5.2.5.5 Controlled Activity Rule	Consent required The application seeks to discharge cleanfill onto the site. Imported cleanfill is proposed as part of the rehabilitation measures. Appropriate dust mitigation measures are proposed. The source and composition of all material disposed of at the site will be recorded and monitored in accordance with WasteMinz guidelines. Material will be placed to ensure its long-term stability. The proposed cleanfill disposal is therefore a **Controlled Activity**.
Part 6 Air Module		
Mineral extraction, size reduction, screening and storage	Rule 6.1.16.1 Permitted Activity Rule – Mineral Extraction, Size Reduction, Screening and Storage. The discharge of contaminants to air from mineral extraction processing and storage operation is a Permitted Activity subject to conditions.	Applies The proposal can comply with the conditions in Rule 6.1.16.1 and a resource consent is not required being a **Permitted Activity** pursuant to Rule 6.1.16.1.

As set out above, the discharge of stormwater, soil disturbance, overburden disposal, mineral extraction and discharges to air associated with the proposed activities are all

permitted activities under the WRP. However, resource consents from WRC are required for the following activities:

> A groundwater take as a discretionary activity in accordance with **Rule 3.3.4.24**;

> A drilling consent as a controlled activity in accordance with **Rule 3.8.4.7**; and

> Large Scale Cleanfill Disposal as a controlled activity in accordance with **Rule 5.2.5.5**.

5. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

5.1 POSITIVE EFFECTS

The supply of a quality sand resource for the local industrial and construction sectors, and the ability of the site to accommodate cleanfill from other sites, will support local projects and assist with enabling local and regional economic growth.

The proposal will also provide additional employment opportunities within the quarry (extractive industry) sector.

As a result, the quarry and cleanfill site will positively contribute to the growth of the local and regional economy through provision of additional employment hours for local contractors associated with the construction industry, inclusive of associated additional rate and tax contributions.

Overall, and more generally, this proposal will support the applicant and the local community to provide for their social and economic wellbeing.

5.2 CULTURAL EFFECTS

It is acknowledged that sand quarrying inherently results in disturbing earth (Papatuanuku). Although the areas of disturbance will be rehabilitated with cleanfill, there will be an inevitable adverse impact of some degree on the mauri of this piece of earth as a result.

However, the avoidance of the Waikato River, SNA and ONL and the engagement undertaken with mana whenua regaridng the approach to archaeolgical values indicates there is likely to be low level of adverse cultural effects associated with the works.

Ultimately, the cultural effects associated with the proposal can only be determined by mana whenua and it is expected this will be communicated through the Cultural Impact Assessment ("**CIA**") that will be finalised during the processing of the application.

5.3 CHARACTER AND AMENITY

The application site is located within an established rural area. The Waipā DP and Waikato DP provisions specifically provide for mineral extraction activities within the rural zone and recognise the importance of the regions underlying mineral (sand) resource. The rural environment is, therefore, an appropriate location for the activities that are proposed.

The Applicants have designed and located the proposed sand quarry within the Site to internalise effects as much as practicable, thereby minimising any change to the existing rural character and amenity.

The operational area is centrally located within the property and is setback from the adjoining rural dwellings at surrounding properties, from the existing SNA that runs along the southern site boundary, and from the public road to the north.

The existing planting that runs along the length of the western (side) boundary, and the existing planting through-out the site, will assist in screening the operational area from the viewpoints of nearby neighbours and road users.

The proposal to extract the sand resource as a series of relatively small four hectare stages while progressively rehabilitating disturbed quarried areas will further assist in retaining the existing character and amenity of the site, by ensuring only a limited area of land is open and exposed at any one time. The balance of the site will continue to be utilised for dairy farming (where practicable).

As set out below, the proposal complies with the relevant rural zone noise standards, and potential dust nuisance will be appropriately minimised through various design and operational measures as set out in the ESCP and QCMP.

Based on the above, any adverse effect on the rural character and amenity of the application site or the surrounding rural area is expected to be less than minor.

5.4 LANDSCAPE AND VISUAL ASSESSMENT

5.4.1 Landscape

The Site presents as a predominantly modified rural landscape with limited natural landscape values. There is an area of higher landscape value relating to the existing SNA located along the southern boundary of the application site, but this is outside of the area of works.

Adverse landscape effects associated with the proposal will be minimised by the following factors:

- The relatively small size of the site;
- The avoidance of the SNA area;
- The avoidance of any outstanding natural features or landscapes;
- The retention of vegetation where appropriate;
- Minimising worked areas to no more than four hectares; and
- The progressive recontouring and rehabilitation of worked areas back into quality pastoral farmland.

Because of these factors, any adverse landscape effect associated with the proposal are expected to be less than minor.

5.4.2 Visual

A mineral extraction and cleanfill activity have the potential to produce adverse visual effects if the operations are not appropriately designed or managed. Those most likely to be impacted by visual impacts are the properties closest to the quarry site.

Adverse visual impacts associated with the proposal will be mitigated through the following initiatives and factors:

> The relatively small size of the site;

> Relatively few publicly accessible view-points of the site;

> The setback of the quarry areas from dwellings;

> The retention of plantings;

> Minimising worked areas to no more than four hectares;

> Sand extraction and cleanfilling working areas will be lower than the existing ground level. Consequently, the edge of the quarry escarpment will provide suitable visual (and acoustic) screening – particularly when viewed from nearby dwellings;

> The direction of extraction (in a northerly direction across the site – except for in stage 1 which is well setback from surrounding areas) will assist in screening the quarry activities and thereby minimising any visual effects;

> Construction of an earth bund along the northwestern boundary using stripped topsoil to providing additional visual (and acoustic) screening to those nearby receivers; and

> The progressive recontouring and rehabilitation of worked areas back into productive pastoral farmland.

Because of these factors, any adverse visual effects associated with the proposal are expected to be less than minor.

5.5 TRAFFIC AND ROADING EFFECTS

The ITA provided with this application (**Appendix B**) has assessed the traffic and roading effects associated with the proposed sand quarry and cleanfill operation and presents the following conclusions:

- The anticipated traffic volume is within the capacity of the surrounding road network and is not considered a significant change in traffic volume; therefore, efficiency is unlikely to be adversely affected;
- The new access off Cambridge Road has been designed to accommodate two-way simultaneous flow of trucks and incorporates a right turn bay to minimise network effects and promote continued safe operation;
- The location of the access has been selected to minimise time trucks spend on the roads while also ensuring that sufficient separation to intersections and other utility infrastructure is achieved;
- The access location has been chosen following a detailed MCA which was agreed to with both Waikato DC and Waipā DC as an appropriate methodology for ascertaining an appropriate access location. The MCA identified the proposed location on Cambridge Road as being the most appropriate of those assessed, with this result being confirmed as appropriate with Waipā DC. Noting this access does not conform with the Waipā DP requirements, it is considered unlikely that this non-compliance will result in any material adverse transport effects given the unobstructed sightlines and provision of a right turn bay; and
- Sufficient space is available on site to accommodate expected parking and manoeuvring.

The ITA concludes that the transport effects are expected to be no more than minor, and there is no reason related to transport why the proposal should not proceed.

5.6 NOISE

Marshall Day Acoustics has prepared an Assessment of Noise Effects (refer **Appendix C**) that sets out the following conclusions:

- Operational noise is predicted to comply with the relevant noise performance standards at the nearby receivers, with the construction of a noise bund along the northern boundary of Stage 4 (refer **Figure 16**) providing noise mitigation for nearby dwellings;
- The predicted noise levels in **Table 17** (Table 3 within the Noise Assessment) are the worst-case noise levels; for the majority of the life of the quarry, noise levels will be less than those predicted; and
- The predicted noise levels in Table 17 are below the measured ambient noise levels (54 – 65 dB L_{Aeq}) and within the range of measured background noise levels (46 – 48 dB L_{A90}). Whilst quarrying activities will be audible at some receivers some of the time, the noise

levels will comply with the relevant performance standards and as such will not be at intrusive levels.

On this basis, it is concluded that no adverse noise effects will occur. However, to further mitigate noise conditions of consent have been proposed and reflected in **Appendix G**.

Table 16: Predicted Noise Levels

ID	Receiver address	Project noise limit (dB L_{Aeq})	Noise Rating Level (dB L_R)
R1	307 Hooker Road	50	49
R2	313 Hooker Road	50	50
R3	371 Racecourse Road	50	47
R4	357 Racecourse Road	50	48
R5	347 Racecourse Road	50	47
R6	1/347 Racecourse Road	50	44
R7	331 Racecourse Road	50	44
R8	325 Racecourse Road	50	47
R9	317 Racecourse Road	50	45
R10	1534 Cambridge Road	50	49
R11	1544 Cambridge Road	50	47
R12	1560 Cambridge Road	50	44

5.7 ARCHAEOLOGY

The Archaeological Assessment attached as **Appendix H** has assessed the effects of the proposed sand quarry operation with respect to the impact on archaeological values.

In summary:

> The proposed sand quarry will affect a number of recorded archaeological sites, S15/553, S15/554, S15/555, S15/556, S15/557, S15/558 S15/614, S15/615, S15/795,

S15/796, S15/797, S15/798, S15/799 and S15/800. Based on the locations of these sites within the proposed quarry footprint it is unlikely that they can be avoided. As the preliminary site works will require removal of the upper levels of soil and extraction of the sand layers below them, all of these sites will be destroyed by the proposed activity. An Authority will be required under the HNZPTA before the sites can be modified.

> Any additional archaeological remains should be provided for under the Authority obtained from Heritage NZ, which should include all works associated with the quarry operation. Details of works will be required as part of the Authority application.

> Overall effects on archaeological values a can be mitigated through collection of information (particularly through collection of material suitable for radiocarbon dating) under the provisions of the HNZPTA. Effects on the wider archaeological landscape area are considered to be mitigated as the affected sites make a relatively minor contribution to the archaeological landscape.

Appropriate resource consent conditions are proffered with respect to obtaining the necessary Authority from HNZPTA should the resource consent is granted.

5.8 ECOLOGICAL EFFECTS

The proposed sand extraction activities will be setback from the Waikato River and the adjacent SNA so that physical effects on these features are avoided. The erosion and sediment control methods proposed will ensure any sediment-laden runoff from the site is diverted to the quarry pit with no direct discharge to the Waikato River.

There will also be inevitable loss of some exotic trees and loss of pasture located within the "extent of works" area, however this is considered to have inconsequential impacts on local ecological values.

Overall, the ecological impacts associated with this proposal are considered negligible.

5.9 SOIL DISTURBANCE AND EARTHWORKS

As described in Section 3 of this AEE and within the ESCP (refer **Appendix E**), the Applicants will undertake the excavation activities across stages, such that, the area of exposed ground and operations within the site at any one time will be no more than 4 ha.

Importantly, all soil disturbance and earthworks activities will be undertaken in accordance with WRC's erosion and sediment control guidelines and will be confined to areas that are not a high erosion risk. The ESC measures include:

> Clean and dirty water diversion channels;

- Silt fences;
- Stabilised entrance ways;
- The implementation of dust control measures;
- The minimising of open works areas;
- Stabilisation and reinstatement of works areas; and
- The avoidance of works in waterways.

The Project does not involve any disturbance of significant indigenous vegetation, given it is confined to the already modified central portion of the property. As detailed in Section 3.4 of this AEE, upon completion of the works, the disturbed areas will be backfilled, recontoured and re-grassed and returned to pasture.

With regard to the disturbance of acid sulfate soils as the area of soils identified is minimal and the works will not include discharge to water the risk of producing acidic conditions will be minimal.

Therefore, it is considered that any adverse soil disturbance and earthworks effects associated with the Project will be able to be appropriately managed.

5.10 DUST

Dust can be an issue associated with quarrying and cleanfilling areas if not managed appropriately. Dust is generally generated from exposed ground areas and mobilised by wind and/or disturbances by quarry equipment (including the processing plant) and traffic.

In general, the generation of dust in this instance will be managed through a number of design and operational factors documented in the ESCP and QCMP. These include:

- Reducing the height that excavated material is dropped from during loading;
- Covering exposed stockpiles with geotextile, haymulch or using polymers;
- Retention of any vegetation for as long as possible;
- Keep stockpiles that are not stabilised in sheltered areas;
- Wetting areas regularly with a water truck;
- Ceasing works within areas producing significant dust until wind speed decreases or changes direction;
- Minimising the open quarry area to no more than four hectares;
- Implementation of a secure supply of water (bore),

- Establishment of a truck wheel wash;
- Sealing the site entrance and first 100 m of the site access road.

With the implementation of the relevant dust mitigation measures it is considered:

- There will be no discharge of dust beyond the property;
- There will be no odour associated with the dust;
- The discharge of dust will not cause visibility issues; and
- The dust will not impact on erosion.

Overall, with a well-designed site and with appropriate dust management procedures in place, it is considered that any potential adverse dust effects associated with the proposal will be appropriately managed to not extend beyond the property boundary.

Consent conditions are proposed in **Appendix G** to further manage dust.

5.11 GROUNDWATER

As set out in Section 3.12, a two staged approach to the take of water is proposed, however for ease of assessment the maximum envelope take of 900 m^3 per day has been assessed within this section.

The take of groundwater for dust suppression, wheel washing and sand processing will be taken from a new bore centrally located within the quarry footprint (as described in Section 3). WWLA has undertaken a Groundwater Assessment to determine the effect the take of 900 m^3 of water per day will have on other groundwater users and drawdown, surface water, wetlands and land settlement. In summary it has been assessed that:

- Effects on other groundwater users is considered to be very low;
- Effects on surface water, and in particular stream depletion effects, are considered to be less than minor;
- Abstraction from the proposed bore is unlikely to result in adverse effects on near-by wetlands; and
- Land settlement is not expected to be a relevant factor for the proposed groundwater bore.

Based on the above assessment, any effect on the environment or surrounding groundwater users will be less than minor for both stages of the water take.

5.12 CLEANFILLING

Rule 5.2.5.5 of the WRP sets out the following matters of control for large scale cleanfilling activities outside of high-risk erosion areas:

(i) *Measures to ensure that the activity does not reduce slope stability, exacerbate preexisting land instabilities or constrict flood flows.*

(ii) *Measures to avoid, remedy or mitigate damage to riparian vegetation or soil.*

(iii) *Measures to avoid, remedy or mitigate damage to any lawfully established structures.*

(iv) *The location, timing of construction, design and density of soil disturbance activities and vegetation removal.*

(v) *Any measures necessary to rehabilitate the land following the completion of the activity.*

(vi) *The means of controlling effects on air quality from objectionable particulate matter.*

(vii) *Measures to avoid, remedy or mitigate the adverse effect of the activity on areas of significant indigenous vegetation, significant habitats of indigenous fauna47 and significant natural features such as cave and karst systems and outstanding landscapes.*

(viii) *Effects on any waahi tapu or other taonga from the activity.*

(ix) *Effects on the relationship of tangata whenua and their culture and traditions with the site and any waahi tapu or other taonga affected by the activity.*

(x) *Effects on the ability of tangata whenua to exercise their kaitiaki role in respect of any waahi tapu or other taonga affected by the activity.*

(xi) *The quality of any discharges to water from the site.*

(xii) *Measures to monitor incoming material to ensure that only overburden is received.*

In regard to these matters, it is assessed that the proposal is in accordance with these matters as:

- The activity will not reduce slope stability, construct flood flows or create land instability, due to the small works area, the ability for ponding of water in the pit and the avoidance of floodplains;
- The activity will not remove riparian vegetation or impact established structures;
- The soil disturbance activities will be undertaken in accordance with an ESCP and QCMP that will appropriately manage the works;

- The land will be progressively rehabilitated with cleanfill and revegetated as works progress;
- Air discharges will be managed in accordance with the dust measures set out in Section 5.10;
- Mana whenua are able to exercise kaitiaki through the provision of the CIA;
- Water discharged from the site will be captured in accordance with the ESCP measures; and
- Overburden will be tested in accordance with the relevant guidelines.

5.13 SUMMARY

Sand is an important resource to the local and regional economy. Finding an appropriate site where the sand is of an appropriate quality and quantity, and where the effects can be sufficiently mitigated or minimised, is becoming increasingly more difficult as the district develops.

The proposed sand quarry is of a relatively small scale, with a limited active working area (four hectares). These factors significantly mitigate against a number of potential adverse effects associated with the proposal.

Erosion and sediment controls will be put in place to protect the surrounding environment, and the associated water take is not expected to generate any concerns. Stringent monitoring and acceptance criteria will be enforced on site thereby, minimising any adverse effects associated with cleanfilling.

Machinery noise from both the worked areas and the truck movements will be similar to farming machinery typically used for rural activities. The acoustic assessment submitted with the application has assessed the potential noise effects and confirms that the proposal proposed sand quarry can comply with the relevant noise controls. Further, it is not anticipated that vibrations will affect the surrounding land area given the type of quarrying and machinery proposed and the absence of any blasting.

The movement of sand from the site through the districts to other destinations in the Waikato does result in increased local truck movements. However, the ITA has assessed that potential traffic effects and is satisfied that the proposal will not adversely impact upon the existing roading network.

With effective on-site management through the implementation of a QCMP and with appropriate conditions of consent (as suggested by the applicant) being complied with, the effects of the proposal can be appropriately minimised.

Based on the above assessment, it is concluded that, in terms of the bore drilling, groundwater take and cleanfilling activities falling within the WRC's jurisdiction, the associated environmental effects, and the effects on any person will be less than minor. It is also concluded that, in terms of the proposed land use activities falling within the Waipā DC and Waikato DC jurisdiction, the associated environmental effects, and the effects on any person will be no more than minor.

6. STATUTORY ASSESSMENT

6.1 INTRODUCTION

The RMA is the principal statutory document governing the use of land, air and water. The purpose of the RMA is to "promote the sustainable management of natural and physical resources". This section of the AEE sets out the framework under the RMA that applies to the resource consent that is being sought to authorise the Project.

6.2 SECTION 104 OF THE RMA

6.2.1 Overview

Section 104 of the RMA lists the matters that a consent authority must have regard to in determining whether a resource consent application should be granted. It states:

1) *When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to–*
   - a) *any actual and potential effects on the environment of allowing the activity;*
   - ab) *any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and*
   - b) *any relevant provisions of—*
     - i) *a national environmental standard:*
     - ii) *other regulations:*
     - iii) *a national policy statement:*
     - iv) *a New Zealand coastal policy statement:*
     - v) *a regional policy statement or proposed regional policy statement:*
     - vi) *a plan or proposed plan; and*
   - c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*
2) *When forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.*
2A) *When considering an application affected by section 124 or 165ZH(1)(c), the consent authority must have regard to the value of the investment of the existing consent holder.*

Section 104 of the RMA does not give any of the matters to which a consent authority is required to have regard, primacy over any other matter. All of the relevant matters are to be

given such weight as the consent authority sees fit in the circumstances, and all provisions are subject to Part 2 of the RMA.

An assessment of the proposal against the relevant matters set out in section 104 of the RMA is provided below.

6.2.2 Actual and Potential Effects on the Environment

Section 104(1)(a) of the RMA requires an assessment of the actual and potential effects on the environment of allowing the activity; and any is provided in Section 5 above, and in the various technical assessments commissioned by the Applicant.

6.3 RELEVANT STATUTORY DOCUMENTS

In terms of section 104(1)(b) of the RMA, the following sub-sections provide an assessment of the activities associated with the Project against the:

- National Environmental Standard for Air Quality;
- National Policy Statement for Freshwater Management;
- National Policy Statement for Highly Productive Land;
- National Policy Statement for Urban Development;
- National Policy Statement for Natural Hazards;
- Waikato Regional Policy Statement;
- Te Ture Whaimana o Te Awa o Waikato / Vision and Strategy for the Waikato River;
- Waikato Regional Policy Statement;
- Waikato Regional Plan;
- Waipā District Plan; and
- Waikato DP.

Each of these documents are considered further in the sub-sections below.

6.4 NATIONAL ENVIRONMENTAL STANDARDS FOR AIR QUALITY

The National Environmental Standard on Air Quality ("**NESAQ**") sets out ambient air quality standards for several contaminants for the protection of public health - including fine particulates ("**PM10**"), sulphur dioxide ("**SO2**"), carbon monoxide ("**CO**") and nitrogen dioxide ("**NO2**"). The NESAQ applies where people are likely to be exposed for periods commensurate with the relevant assessment averaging period. The NESAQ also includes

concentration limits and the specified number of occasions that those concentration limits may be exceeded within any year.

The only contaminant of relevance to this application (and controlled by the NESAQ) is PM_{10}.

Appropriate dust mitigation measures are proposed to manage any potential for dust nuisance and reduce airborne dust. Water trucks will be utilised during dry and windy periods to spray exposed areas. The total area of land exposed at any one time will also be kept to a minimum to reduce the potential for dust. Accordingly, the NESAQ is not considered to be triggered in this application.

6.5 NATIONAL POLICY STATEMENT FOR FRESHWATER

The National Policy Statement on Freshwater Management ("**NPS-FM**") supports improved freshwater management in New Zealand. It does this by directing regional councils to establish objectives and set limits for freshwater in their regional plans. The NPS-FM also provides a National Framework that directs how councils must go about setting objectives, policies and rules about fresh water in their regional plans. They must do this by establishing freshwater management units across their regions and identifying the values that communities hold for the water in those areas. Councils are required to maintain or improve water quality within their region.

All earthworks will be undertaken to ensure no adverse effects on freshwater. Appropriate setbacks are proposed from the existing vegetated gully area adjoining the Waikato River. The proposal operated outside of a high-risk erosion area and in accordance with the WRC erosion and sediment control guidelines is entirely consistent with the direction of the NPS-FM. These elements of the proposal ensure the objectives and policies within the NPS-FM are not compromised.

6.6 NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND 2022

The NPS-HPL came into effect in October 2022 and was last amended in December 2025. It includes clear policy direction to prioritise highly productive land for production purposes.

Of particular relevance is Policy 8, which seeks to ensure "*Highly productive land is protected from inappropriate use and development*." Clause 3.9(2) contains exceptions to what is considered an 'inappropriate use' of highly productive land. It states [***emphasis added***]:

> *(2)* ***A use or development of highly productive land is inappropriate except where at least one of the following applies*** *to the use or development, and the measures in subclause (3) are applied:*
>
> *a) it provides for supporting activities on the land:*

(aa) it provides for intensive indoor primary production or greenhouse activities;

b) it addresses a high risk to public health and safety:

c) it is, or is for a purpose associated with, a matter of national importance under section 6 of the Act:

d) it is on specified Māori land:

e) it is for the purpose of protecting, maintaining, restoring, or enhancing indigenous biodiversity:

f) it provides for the retirement of land from land-based primary production for the purpose of improving water quality:

g) it is a small-scale or temporary land-use activity that has no impact on the productive capacity of the land:

h) it is for an activity by a requiring authority in relation to a designation or notice of requirement under the Act:

i) it provides for public access:

*j) **it is associated with one of the following, and there is a functional or operational need for the use or development to be on the highly productive land**:*

i. the development, operation, or decommissioning of specified infrastructure, including (but not limited to) its construction, maintenance, upgrade, expansion, replacement, or removal:

ii. the maintenance, operation, upgrade, or expansion of defence facilities operated by the New Zealand Defence Force to meet its obligations under the Defence Act 1990:

iii. the extraction of minerals and ancillary activities that provide significant national or regional benefit:

iv. quarrying activities that provide significant national or regional benefit.

Clause 3.9(3) states:

(3) Territorial authorities must take measures to ensure that any use or development on highly productive land:

a) minimises or mitigates any actual loss or potential cumulative loss of the availability and productive capacity of highly productive land in their district; and

b) avoids if possible, or otherwise mitigates, any actual or potential reverse sensitivity effects on land-based primary production activities from the use or development.

This proposal is to establish and operate a sand quarry and cleanfill operation on the property. As described in section 2, this site is located on soils classified as LUC 1, which are considered 'highly productive' in terms of the NPS-HPL.

In terms of Clause 3.9(2)(j)(iii and iv), there is a requirement of a proposal to demonstrate functional or operational need for the project to take place on the site. In this regard it is noted that for a sand quarry to be economically viable the site is required to be large, relatively flat and in an area where there is access to transport routes. Sand extraction sites are also required to have deposits of a certain quality and accessible volume, which tend to be within the rural environment given the physical characteristics and the scale of the land holdings needed for their development. In addition to selecting a site that meets the previously discussed criteria, the site also needs to be suitable in terms of ground conditions, natural features and adjacent land-uses. Based on this it is considered there is a functional need to extract sand at the location proposed in this application as there is a confirmed sand resource (of the required quality), the site is located within a rural environment where quarrying activities are provided for in the District Plan, and the sensitive natural features of the site (e.g., SNA) will be avoided. It is also considered the attributes discussed above provide justification as to why there is an operational need for extracting sand at the proposed site.

With regard to significant regional or national benefits it is noted that sand is an important resource for the construction, manufacturing, building, infrastructure, primary industry and industrial sectors, and is becoming increasingly scarce. The central and upper North Island has experienced significant growth and development in recent years and projections are this will continue. As the population continues to grow, more sand will be required to meet the demand generated by economic activity and in particular subdivision and infrastructure projects. Critical to this growth is that the number of suitable sand extraction sites within the Waikato is diminishing due to unsuitable ground conditions and/or increased residential development activities in areas containing quality sand resources.

Specifically, a recent report undertaken by Market Economics found that the Waikato region is likely to encounter a deficit in affordable and easily accessed material in the short term, particularly as existing consents expire. Without new resources being developed, the report summarises that the Waikato Region will likely not have sufficient capacity of sand material to support infrastructure investment and other users. Market Economics found that the economic costs associated with such a deficit are significant. [4] As such, it can be considered that the provision of quarrying and mineral extraction associated with this application will provide significant regional benefit and is therefore for consistent Clause 3.9(2)(j)(iii and iv).

[4] 77 Newcombe Road, Cambridge Economic assessment, dated 4 July 2024.

In terms of Clause 3.9.3, Section 3.6 of this AEE sets out that sand extraction will be undertaken in stages, with reinstatement of excavated land progressively advancing following completion each sand extraction stage. As detailed in Section 3.17 of this AEE, the final rehabilitated site will top soiled, re-grassed and/or revegetated for return of the land to pasture. This approach to rehabilitation has already been successfully undertaken on other quarry sites in the region and there is no reason why the property could not be returned to productive farming uses in the future. This process of restoring the land mitigates any actual loss of the availability and productive capacity of highly productive land in the Waikato and Waipā Districts.

Considering the above, the proposal is not an inappropriate use of land under the NPS-HPL and is consistent with its provisions. Therefore, the NPS-HPL is not an impediment to the granting of resource consents sought by the Applicants.

6.7 NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020

The NPS-UD recognises the national significance of:

> having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future; and

> providing sufficient development capacity to meet the different needs of people and communities.

To the extent that this proposal provides sand to support the ongoing construction, maintenance and upgrade of urban environment infrastructure, that enables people and communities to provide for their social, economic, and cultural wellbeing, and to improve their health, safety and overall well-being, it is considered that the Project aligns very closely with the objectives and policies of the NPS-UD[5]. It follows, the act of granting the proposal would be considered consistent with the duties to be discharged under this NPS.

6.8 NATIONAL POLICY STATEMENT FOR NATURAL HAZARDS 2025

The National Policy Statement for Natural Hazards 2025 ("**NPS-NH**") sets out the national direction for managing natural hazards. To support the management of natural hazards there is one objective and six policies.

The objective of the NPS-NH is to ensure natural hazard risk is managed using a risk-based proportionate approach. This is supported by policies that anticipate use and development

[5] Objective 1, Objective 4, Objective 6(c), NPSUD.

in areas assessed as having very high natural hazard risk is avoided, and that use and development does not increase significant natural hazard risk on other sites. The impacts of climate change are also to be considered.

In regard to the objective and policy of the NPS-NH it is considered that the natural risk associated with the works are mitigated through:

> The avoidance of any mapped flood management areas;

> The use of an ESCP and QCMP; and

> The ability of the pit to soak stormwater to ground in heavy rain events.

The ability of the site to soak stormwater is also considered to manage any effect associated with liquefaction from earthquakes.

Based on the above it is considered the proposal is consistent with the NPS-NH.

6.9 WAIKATO REGIONAL POLICY STATEMENT

The Operative Waikato Regional Policy Statement ("**RPS**") is a document prepared under the RMA that identifies the major resource management issues for the Waikato Region. The RPS achieves this through objectives, policies and methods so the region's natural and physical resources will be sustainably managed.

The RPS became operative on 20 May 2016. The WRP, Waipā DP and Waikato DP are required to give effect to the RPS, although it is understood that neither has been amended so far to reflect the most recent policy direction provided by the RPS.

The following objectives are considered relevant to the current applications, and are discussed below:

> Integrated Management;

> The Use and Development of Resources;

> Health and Wellbeing of the Waikato River;

> Sustainable and Efficient Use of Resources;

> Air Quality; and

> Values of Soil.

Integrated Management

Objective IM-O1 of the RPS seeks that natural and physical resources are managed in a way that recognises the inter-relationships within, and values of, catchments, and the

relationships between environmental, social, economic and cultural wellbeing (amongst other things). This objective is intended to be implemented by a range of policies in the RPS (discussed in the sub-sections below).

However, Policy IM-P1 specifies that an integrated approach to resource management will be adopted by recognising the inter-connected nature of natural and physical resources and the multiple values of natural and physical resources. Many of the methods to implement this policy are focussed on plan-making processes and the development of strategies, as opposed to the assessment of resource consent applications.

The proposal will be carried out in an integrated manner that recognises the interrelationships between natural and physical resources, consistent with Objective IM-O1 above and the associated policies. The sand quarrying will be managed as outlined in this AEE, by seeking to avoid erosion and sediment loss, and other potential environmental impacts that could harm the ecology of the receiving environment.

Use and Development of Resources

Objective IM-O2 seeks to recognise and provide for the role of sustainable resource use and development and its benefits in enabling people and communities to provide for their economic, social and cultural wellbeing. Related to this objective, Policy IM-P4 of the RPS specify that the management of natural and physical resources should provide for the continued operation and development of regionally significant industries by:

- Recognising the value and long-term benefits of a regionally significant industry to community wellbeing (inclusive of sand quarrying);
- Ensuring that the adverse effects of regionally significant industry are avoided, remedied or mitigated;
- Maintaining and, where appropriate, enhancing access to natural and physical resources while balancing the competing demand for these resources;
- Promoting positive environmental outcomes; and
- The availability of mineral resources for infrastructure and building.

The proposed sand quarry is consistent with Objective IM-O2 above insofar as it seeks to provide for the sustainable use of existing resources. The sand resource will enable the community to provide for economic, social and cultural wellbeing. The land has appropriate sand reserves (for infrastructure and building) and the adverse effects of the regionally significant industry can be avoided, remedied or mitigated. The site will be rehabilitated to near its original condition once the sand resource is extracted.

The activities for which groundwater take are sought allow the applicant and wider community to provide for their economic and social well-being, and to maintain access to natural and physical resources that support the mineral extraction activity. The proposed activities allow the availability of water for a community (business) activity, without adverse effects on the availability of water for other purposes. In summary, the groundwater take is considered consistent with Objective IM-O2 of the RPS.

Health and Wellbeing of the Waikato River

Objective IM-O4 seeks that "*the health and wellbeing of the Waikato River is restored and protected and Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) is achieved*". The Vision and Strategy has become a central tenet of resource management in the Waikato Region given the inter-relationships between land use and the river.

The Vision and Strategy referred to in Objective IM-O4 is discussed in detail above at Section 6.13. In summary, the health and wellbeing of the Waikato River will not be impacted by the proposal.

Furthermore, the proposal involves avoiding vegetation removal around the southern edged of the site where the SNA is present. Accordingly, the proposed activities are consistent with Objective IM-O4.

Sustainable and efficient use of resources

Objective IM-O8 seeks that "*use and development of natural and physical resources occurs in a way and at a rate that is sustainable, and where the use and development of all natural and physical resources is efficient and minimises the generation of waste*."

The proposed sand quarry represents a sustainable and efficient use of the finite resource of land and its underlying mineral resources. The application seeks to extract the sand resource and then rehabilitate the site to productive agricultural land. All topsoil and subsoil will be reused onsite, and there will be off-site cleanfill to supplement the removal of the sand. The proposal is therefore considered consistent with Objective IM-O8.

The qualities and characteristics of the site and the wider area are key aspects of the proposed sand quarry. Careful consideration has been given to the layout and logistics of the mineral extraction process to ensure these will be maintained, consistent with Objective IM-O8.

Freshwater

Objective LF-O2 seeks to manage the allocation of freshwater to avoid overallocation, increase efficiency and to recognise the social, economic and cultural benefits of water takes and uses. Policy LF-P6 supports the implementation of Objective LF-O2 and seeks to maintain and enhance the mauri of freshwater bodies, retain sufficient capacity, enable foreseeable domestic needs of water and to recognise the social, economic and cultural benefits of water takes and uses.

The proposed ground water take is consistent with Objective LF-O2 and Policy LF-P6. The ground water take will provide an appropriate water supply for construction and operational purposes (dust suppression and wheel washing) and is considered an efficient water allocation that contributes to the social and economic wellbeing of the area. The ground water take provides for mineral extraction and will facilitate the sand quarry.

Air Quality

Objective AIR-O1 seeks that "Air quality is managed in a way that: a) ensures that where air quality is better than national environmental standards and guidelines for ambient air, any degradation is as low as reasonably achievable; b) avoids unacceptable risks to human health and ecosystems, with high priority placed on achieving compliance with national environmental standards and guidelines for ambient air; and c) avoids, where practicable, adverse effects on local amenity values and people's wellbeing including from discharges of particulate matter, smoke, odour, dust and agrichemicals, recognising that it is appropriate that some areas will have a different amenity level to others.

Potential effects on air quality are addressed in detail in Section 5 of this AEE. Ambient concentrations of key contaminants associated with the Sand Quarry and storage areas are expected to remain within the relevant standards and guideline values, thus preserving human health.

In light of the above, it is considered that the proposal will meet the management outcome sought by ObjectiveAIR-O1 and Policies AIR-P2 and AIR-P3 of the Waikato RPS for air quality and the control of the effects of air discharges.

Values of Soil

Objective LF-O4 seeks that *"soil resource will be managed to safeguard its life supporting capacity, for the existing and foreseeable range of uses."*

The proposed sand quarry operation is consistent with Objective LF-4 above. The site will be rehabilitated at the completion of the sand extraction activities (and will revert to pastoral farmland). The sand quarry will therefore only have a short-term impact on the life-

supporting capacity of the soil resource. There will also be a continuation of pastoral farming on the balance of the property as each area is worked and rehabilitated.

The relevant policy is presented below (followed by an analysis):

Policy LF-P8 Maintain or enhance the life supporting capacity of the soil resource

Manage the soil resource to:

1. *minimise sedimentation and erosion;*
2. *maintain or enhance biological, chemical and physical soil properties; and*
3. *retain soil versatility to protect the existing and foreseeable range of uses of the soil resource.*

The proposal will not have adverse effects on the soil resource. Erosion and sediment controls will ensure that earthworks and sedimentation/erosion is minimised and there is no impact on the soil's biological, chemical and physical soil properties.

Waikato RPS Conclusion

As is to be expected, there are a series of competing tensions within the objectives and policies of the RPS, between the utilisation of natural and physical resources for social and economic wellbeing, and the protection or maintenance of natural character, amenity, indigenous biodiversity, freshwater and cultural values. Many of the policies and methods relate to the management of natural resources and are also aimed at regional and district plans. These plans need to protect or maintain such values via the avoidance, remediation or mitigation of adverse effects.

The provisions of the Waikato RPS are directed at the Regional Plan. It is considered that the granting of the applications will not undermine the ability of WRC to implement its obligations in respect of them. Overall, the proposal is considered to be consistent with the objectives and policies approach promoted in the Waikato RPS.

6.10 WAIKATO REGIONAL PLAN

The WRP is the primary tool to implement the Waikato RPS. The aspects of the proposal where the WRP needs to be considered are in the context of the activities that require resource consent (as it is considered that the permitted activities are clearly consistent with the provisions of the WRP). Those activities requiring resource consent include the deposition of cleanfill and the taking and use of groundwater to enable the mineral extraction activities.

Proposed Plan Change 1 to the Waikato Regional Plan

On 22 October 2016, WRC notified a proposed change to the WRP for water quality within the Waikato and Waipā River catchments. PC1 introduces regulatory provisions into the WRP to assist with the achievement of the Vision and Strategy and to implement the NPSFM.

The focus of PC1 is the management of four contaminants, being nitrogen, phosphorus, sediment, and microbial pathogens. While this application does not largely relate to any of those contaminants. PC1 sets an 80-year timeframe to achieve the outcomes sought by way of the Vision and Strategy. It is considered that this application will not affect the ability of the outcomes sought in PC1 to be achieved. As detailed earlier, the sand quarry area is currently used for pastoral farming. The activity of the sand quarry will result in a slight reduction in nitrogen and phosphorus being discharged at this location until the site is rehabilitated (and returned to rural pasture). The land will then be used for dry stock grazing (specifically dairying).

Waikato Regional Plan

Water Module

Objective 3.1.2

The management of water bodies in a way which ensures:

a) that people are able to take and use water for their social, economic and cultural wellbeing

b) net improvement[1] of water quality across the Region

c) the avoidance of significant adverse effects on aquatic ecosystems

d) the characteristics of flow regimes are enhanced where practicable and justified by the ecological benefits

e) the range of uses of water reliant on the characteristics of flow regimes are maintained or enhanced

f) the range of reasonably foreseeable uses of ground water and surface water are protected

g) inefficient use of the available ground surface water resources is minimised

h) an increase in the extent and quality of the Region's wetlands

i) that significant adverse effects on the relationship tangata whenua as Kaitiaki have with water and their identified taonga such as waahi tapu, and native flora and fauna that have customary and traditional uses in or on the margins of water bodies, are remedied or mitigated

j) the cumulative adverse effects on the relationship tangata whenua as Kaitiaki have with water their identified taonga such as waahi tapu, and native flora

and fauna that have customary and traditional uses that are in or on the margins of water bodies are remedied or mitigated

k) *the management of non-point source discharges of nutrients, faecal coliforms and sediment to levels that are consistent with the identified purpose and values for which the water body is being managed*

l) *the natural character of the coastal environment, wetlands and lakes and rivers and their margins (including caves), is preserved and protected from inappropriate use and development*

m) *ground water quality is maintained or enhanced and ground water takes managed to ensure sustainable yield*

n) *shallow ground water takes do not adversely affect values for which any potentially affected surface water body is managed*

o) *concentrations of contaminants leaching from land use activities and non-point source discharges to shallow ground water and surface waters do not reach levels that present significant risks to human health or aquatic ecosystems*

p) *that the positive effects of water resource use activities and associated existing lawfully established infrastructure are recognised, whilst avoiding, remedying or mitigating adverse effects on the environment.*

Policy 1: Management of Water Bodies

Manage all water bodies to enable a range of water use activities, whilst ensuring that a net improvement in water quality across the Region is achieved over time through:

a) *Classifying and mapping water bodies based on the characteristics for which they are valued and implementing the classification through a mixture of regulatory and non-regulatory methods.*

b) *Maintaining overall water quality in areas where it is high, and in other water bodies, avoiding, remedying or mitigating cumulative degradation of water quality from the effects of resource use activities.*

c) *Enhancing the quality of degraded waterbodies.*

d) *Providing for the mitigation and remediation of adverse effects in accordance with Section 1.3.3 of the Waikato Regional Policy Statement.*

e) *Recognising the positive benefits to people and communities arising from use or development of water resources and by taking account of existing uses of water and the associated lawfully established infrastructure.*

With respect to this consent application, Parts a), b), c), , f), i) & k) of Objective 3.1.2 are relevant. Part c) of section 3.1.2 states that water bodies should be managed in such a way as to 'avoid significant adverse effects on aquatic ecosystems.

Policy 1 (Management of Water Bodies) states that water bodies are to be managed in such a way that degraded water bodies are improved by avoiding, mitigating and remedying adverse effects on water quality through resource use activities.

As already indicated in this report, the proposal is not expected to have any significant adverse effects on aquatic ecosystems given the stormwater generated from the activities will be treated via appropriate sediment control measures before being discharged to the quarry pit and no direct discharge is proposed into the Waikato River (contributing to protection of the waterbody). The QCMP proposes a staged approach for open areas of soil and erosion and sediment control measures to further 'treat' the stormwater.

The take and use of groundwater is for social and economic wellbeing and is considered to have less than minor adverse effects on the resource. The proposal therefore is not considered to adversely impact on the sustainable yield of the groundwater resource. Granting consents will recognise the positive effects of water resource use activities, whilst ensuring that adverse effects are avoided, remedied or mitigated.

Furthermore, the take and discharge of water is not anticipated to impact the relationship of tangata whenua with the Waikato River, however this will be confirmed through the CIA.

3.3.2 Objective

a) *Giving effect to the overarching purpose of the Vision and Strategy to restore and protect the health and wellbeing of the Waikato River for present and future generations.*

b) *The availability of water to meet the existing and the reasonably justified and foreseeable future domestic or municipal supply requirements of individuals and communities and the reasonable needs for an individual's animal drinking water requirements.*

c) *The recognition of the significant community benefits that derive from domestic or municipal supply takes.*

d) *The efficient allocation and the efficient use of water.*

e) *No further allocation of water that exceeds the primary allocation in Table 3-5 that reduces the generation of electricity from renewable energy sources.*

f) *The recognition that existing water takes contribute to social and economic wellbeing and in some cases significant investment relies on the continuation of those takes, including rural-based activities such as agriculture, perishable food processing and industry.*

g) *The continued availability of water for cooling of the Huntly Power Station.*

h) *Sufficient water is retained instream to safeguard the life supporting capacity of freshwater, including its ecosystem processes and indigenous species and their associated ecosystems.*

i) That decisions regarding the allocation and use of water take account of the need to avoid the further degradation of water quality, having regard to the contaminant assimilative capacity of water bodies.

j) Subject to Objectives a) to h) above, the availability of water to meet other future social, economic and cultural needs of individuals and communities (including rural based activities such as agriculture, perishable food processing and industry).

The purpose of the Vision and Strategy for the Waikato River will be given effect to by the undertaking of activities in a manner that is consistent with the Vison and Strategy. The efficient use of the water allocated pursuant a groundwater take permit will contribute to a greater availability of water to meet future dust suppression needs, as set out in subclause f. Furthermore, this take of water will be no exceed allocatable levels, not impact other groundwater takes and leaves sufficient capacity within the aquifer for other users.

Overall, it is considered that the activities are consistent with Objective 3.3.2.

Policy 2 in Section 3.4.3 of the Waikato Regional Plan implements Objective 3.1.2 a), g) and p) and Objective 3.3.2:

Policy 2: Efficient Use of Water

Ensure the efficient use of water by:

a) Requiring the amount of water taken and used to be reasonable and justifiable with regard to the intended use and where appropriate:

i. For domestic or municipal supplies is justified by way of a water management plan.

ii. For industry, implementation of industry good practice, in respect of the efficient use of water for that particular activity/industry.

iii. For irrigation, the following measures in relation to the maximum daily rate of abstraction, the irrigation return period and the seasonal or annual volume of the proposed take:

>A maximum seasonal allocation reliability of up to 9 out of 10 years

>A minimum application efficiency of 80 percent (even if the actual system being used has a lower application efficiency), or on the basis of a higher efficiency where an application is for an irrigation system with a higher efficiency

b) Requiring consideration of water conservation and minimisation methods, such as leak detection and loss monitoring as integral parts of water take and use consent applications to ensure no significant wastage of water resources

c) Raising awareness amongst the regional community about water efficiency issues and techniques

d) *Facilitating the transfer of water take permits, provided the transfer does not result in effects that are inconsistent with the purpose of the relevant Water Management Class, as identified by the policies in section 3.2.3 and the water classes in section 3.2.4*

e) *Promoting investigation of alternatives to the water take, alternative water sources, water harvesting (excluding the Waikato River catchment above Karapiro Dam) and seasonal storage, as an integral part of water take and use consent applications.*

f) *Promoting shared use and management of water through water user groups or other arrangements where there is increased efficiency in the use and allocation of water.*

The new ground water take is consistent with Policy 2(a)(ii) above. Specifically, this activity will not result in groundwater over allocation and it is consistent with the objectives and policies of the Waikato Regional Plan, as addressed earlier in this section. In addition, the ground water take is not anticipated to have adverse effects on surface water bodies or on existing users.

In summary, it is concluded that the groundwater take of 900 m^3 from the site is consistent with Policy 2 of Section 3.8.3.

Land and Soil Module

Objective 5.2.2

Discharges of wastes and hazardous substances onto or into land undertaken in a manner that:

a) *does not contaminate soil to levels that present significant risks to human health or the wider environment*

b) *does not have adverse effects on aquatic habitats, surface water quality or ground water quality that are inconsistent with the Water Management objectives in Section 3.1.2*

c) *does not have adverse effects related to particulate matter, odour or hazardous substances that are inconsistent with the Air Quality objectives in Section 6.1.2*

d) *is not inconsistent with the objectives in Section 5.1.2*

e) *avoids significant adverse effects on the relationship that tangata whenua as Kaitiaki have with their taonga such as ancestral lands, water and waahi tapu*

f) *remedies or mitigates cumulative adverse effects on the relationship that tangata whenua as Kaitiaki have with their identified taonga such as ancestral lands, water and waahi tapu.*

Policy 1: Low Risk Discharges Onto or Into Land

Enable, through permitted activity rules and non-regulatory methods, the discharge of contaminants onto or into land where:

a) hazardous substances present in the discharge, or produced as a consequence of the breakdown of the contaminants from the discharge:

i. are not environmentally persistent

ii. will not bioaccumulate to a level that has acute or chronic toxic (carcinogenic, teratogenic or mutagenic) effects on humans or other non-target species

b) the discharge of these contaminants onto or into land will not result in pathogens accumulating in soil or pasture to levels that would render the soil unsafe for agricultural or domestic use

c) the discharge is not inconsistent with policies in Section 5.1.3

d) the discharge will not result in any effect on water quality or aquatic ecosystems that is inconsistent with the purpose of the Water Management Classes as identified by the policies in Section 3.2.3

e) the discharge will not result in any effect on air quality that is inconsistent with policies in Section 6.1.3

f) the discharge will not damage archaeological sites, waahi tapu or other identified sites of importance to tangata whenua as Kaitiaki.

Policy 2: Other Discharges Onto or Into Land

Manage discharges of contaminants onto or into land not enabled by Policy 1, in a manner that avoids, where practicable, the following adverse effects and remedies or mitigates those effects that cannot be avoided:

a) contamination of soils with hazardous substances or pathogens to levels that present a significant risk to human health or the wider environment

b) the discharge is not inconsistent with policies in Section 5.1.3

c) any effect on water quality or aquatic ecosystems that is inconsistent with the purpose of the Water Management Classes as identified by the policies in Section 3.2.3

d) the adverse effects outlined in the policies and rules for air quality in Chapters 6.1 and 6.2, particularly for odour and particulate deposition

e) damage to archaeological sites, waahi tapu or other identified sites of importance to tangata whenua as Kaitiaki.

The proposed sand quarry will be set back from the edge of the site and the Waikato River and does not meet the WRP's definition of a 'high-risk erosion areas'. Of most relevance is

Objective 5.2.2 which seeks to ensure discharges to land are undertaken in a manner that will not result in adverse effects on the environment. As explained in section 5 of this report, the proposed cleanfilling activity will be undertaken in a manner which minimises any risk to the environment. This is reflected in the controlled status of the activity in this case. The material to be discharged (cleanfill) is also considered low risk, therefore aligning with Policy 1. Finally, the proposed management methods to be implemented on the site through the QCMP will ensure consistency with Policy 2.

Air Module

> ***6.1.2 Objective***
>
> *Objective 1: Significant characteristics of air quality as identified in Table 6-1 are:*
>
> *a) protected where they are high*
>
> *b) enhanced where they are degraded*
>
> *c) otherwise maintained.*
>
> *Objective 2: No significant adverse effects from individual site sources on the characteristics of air quality beyond the property boundary.*
>
> *Objective 3: Cumulative effects of discharges on ambient air quality do not:*
>
> *a) present more than a minor threat to the health of humans, flora and fauna*
>
> *b) cause odour that is objectionable to the extent that it causes an adverse effect*
>
> *c) result in levels of suspended or deposited particulate matter that are objectionable to the extent that they cause adverse effects*
>
> *d) have a significant adverse effect on visibility*
>
> *e) cause accelerated corrosion of structures*
>
> *f) cause significant adverse effects on the relationship tangata whenua as Kaitiaki have with their identified taonga such as air, ancestral lands, water and waahi tapu.*

There are three objectives in Section 6.1.2 of the WRP relating to the management of air quality. They seek:

- The significant characteristics of air quality are either protected, enhanced or maintained;
- No significant adverse effects from individual site sources on the characteristics of air quality arise beyond property boundary; and
- The management of the cumulative effects of discharges on ambient air quality.

The relevant policies direct that the effects of air discharges be managed to have particular regard to the effects on the achievement of ambient air quality guidelines, human health,

the identified values of tangata whenua as kaitiaki, and any potential cumulative effects. Recognition is also given to the positive benefits to people and communities arising from activities that affect air quality (whilst ensuring that air quality resources are protected and adverse effects avoided, remedied or mitigated).

The analysis in the above Sections of this AEE (5.10 and 6.4) is equally applicable to the air quality provisions of the WRP. In this regard, particulate deposition and the concentrations of PM_{10}, associated with air discharges from the site are expected to remain within the relevant standards and guidelines. The site will be managed by the ESCP and QCMP including dust management procedures so as not to result in objectionable effects beyond the site boundary.

In light of the above, it is considered that the discharges and air from the site can be undertaken in such a manner that it meets the management outcomes sought by Objectives 1, 2 and 3 of Section 6.1.2 of the WRP.

WRP Conclusion

Based on the analysis in the sub-sections above, it is considered that the various 'regional' activities associated with sand quarry operation will be managed so the project is not contrary to the relevant objectives and policies of the WRP. Of particular note:

- The discharge of stormwater to land will avoid any effects on the Waikato River;
- The discharge of dust to air will not exceed the applicable air quality standards and guidelines and will be managed so that they do not cause offensive or objectionable effects beyond the boundaries of the site;
- The groundwater resource proposed to be used is plentiful with significant allocation available; and
- The proposal is for efficient use of natural resources (sand) and the site will be rehabilitated so that the soils are protected.

6.11 WAIPĀ DISTRICT PLAN

Rural Zone Provisions

Section 4 of the Waipā District Plan sets out various issues, objectives and policies relating to land within the Rural Zone. Relevant provisions are discussed below:

> ***Objective 4.3.1 Rural Resources***
>
> *To maintain or enhance the inherent life supporting capacity, health and well-being of rural land, ecosystems, soil and water resources.*

Policy 4.3.1.2 - Avoid adverse effects on Water Catchment Areas

To avoid, remedy or mitigate the adverse effects of development, subdivision and activities on Water Catchment Areas as identified on the Planning Maps.

Policy 4.3.1.4 Protect the Rural Soil Resource

The versatility and life supporting capacity of the District's rural land and soil resource, particularly high-class soils and peat soils, are protected from development, subdivision or activities that would prevent its future use for primary production, or its ability to maintain the District's ecological/biodiversity values.

Policy 4.3.1.6 Earthworks

To ensure that earthworks are carried out in a manner that avoids adverse effects on infrastructure, between properties and on water bodies.

The proposed sand extraction activities will be undertaken and managed to ensure that the inherent life supporting capacity of the rural land and the underlying soil resource are maintained. The site will be rehabilitated to rural farmland once the sand has been extracted, and the site will continue to be utilised as rural pastureland (dry stock grazing). The versatility and life supporting capacity of the underlying soil resource will therefore be retained.

The earthworks associated with the proposed sand quarry activities will be carried out in a manner that avoids adverse effects between properties and on water bodies. The existing topsoil will be stockpiled and used to rehabilitate the site back to high quality farmland.

The adoption of appropriate sediment control measures will avoid any adverse effects on the Waikato River.

The proposal is therefore consistent with Objective 4.3.1 and Policies 4.3.1.2, 4.3.1.4 and 4.3.1.6 above.

4.3.5 Objective - Rural activity: mineral and aggregate prospecting, exploration and extraction

To meet the District's and Region's mineral and aggregate needs from predominantly local sources and ensure that the location, use and development of the District's mineral and aggregate resources is provided for, subject to the management of the adverse effects associated with such activities.

4.3.5.1 Policy - Mineral prospecting and exploration

Mineral prospecting and exploration are enabled provided that the adverse effects of the activities are not significant.

Policies - Mineral extraction

4.3.5.3 Mineral extraction activities are managed so that the adverse effects of the activities are internalised, or avoided, remedied or mitigated as far as practicable

through methods such as management, mitigation and rehabilitation plans that address matters such as:

(a) Managing dust, noise, vibration, access and illumination to maintain amenity values, particularly during the night-time; and

(b) Ensuring buildings and structures are appropriately located in relation to boundaries, and of an appropriate scale; and

(c) Undertaking remedial measures during extraction operations; and

(d) Requiring sites to be rehabilitated and ensuring appropriate materials are used for this purpose.

4.3.5.4 The scale and location of mineral extraction shall:

(a) Be consistent with the capacity, design and function of the roading hierarchy; and

(b) Not adversely affect rural character.

4.3.5.5 To recognise:

(a) That mineral extraction is constrained by the location of the resource; and

(b) The importance of maintaining a supply of extracted minerals; and

(c) The need to identify other significant mineral resources as required, in conjunction with the Regional Council, and to provide for their future extraction and use.

The Waipā DP recognises the importance of meeting the District's and Region's mineral and aggregate needs from predominantly local sources, subject to the management of the adverse effects associated with those activities. The Rural Zone is an appropriate location provided the adverse effects are appropriately managed.

The Assessment of Environmental Effects within this report has demonstrated that any potential adverse effects can be appropriately mitigated or contained within the Site. The various technical assessments, reports and management plans that have been prepared as part of the application (and are attached as Appendices) adequately address the matters in policy 4.3.5.3 above.

Potential dust and noise effects will be actively managed onsite And vibrations are not anticipated to be dissimilar to those of the existing farming equipment.

The scale of the proposed mineral extraction activities is considered appropriate for the site and the surrounding rural environment. The site will be rehabilitated to rural farmland. The rural character and capacity of the existing road network are therefore unaffected over the long term. The proposal is therefore consistent with policy 4.3.5.4 above.

The development will provide a much-needed mineral resource for the local community and is therefore consistent with policy 4.3.5.5 above.

4.3.7 Objective-Rural Character

Rural character and amenity is maintained.

4.3.7.1 Policy - Rural Character

Land use activities should be at a density, scale, intensity and location to maintain rural character.

4.3.7.2 Policy - Rural Character

Rural character and associated amenity values shall be maintained by ensuring rural land uses predominate in the Rural Zone, and buildings are of an appropriate scale and location.

4.3.8 Objective-Rural Amenity: Setbacks

To maintain rural character and amenity and avoid reverse sensitivity effects.

4.3.8.1 Policy – Transport network boundaries

Buildings and activities are set back from road boundaries and railway tracks to maintain safety, rural character and amenity, and to avoid reverse sensitivity effects.

4.3.8.2 Policy – Internal boundaries

Buildings and activities are setback from rear and side boundaries to maintain rural character and amenity and avoid reverse sensitivity effects.

The proposal is consistent with the above objectives and policies. The rural character and amenity will not be adversely impacted by the proposal to establish and operate a mineral extraction activity at the site. The Rural Zone is specifically identified as an appropriate location for mineral extraction activities. The (modest) scale of the proposed quarry is appropriate with respect to the existing rural environment and character.

The earthworks and sand extraction activities will be progressively rehabilitated back to rural pasture once the sand resource has been extracted for the applicable stage. Any potential effects (in terms of visual amenity, rural character and setbacks) will therefore also only be temporary.

Any adverse effects beyond the site will be managed to minimise their effect, including erosion and sediment control, hours of operation, exposure of small extraction areas and site rehabilitation.

The proposed activities and sand extraction works will maintain the overall rural character and amenity of the site, thus complying with Objective 4.3.7 and associated policies. The proposal also complies with the relevant setback rules which will maintain rural character, consistent with Objective 4.3.8.

Objective 4.3.9 Rural amenity: signs

To ensure that signs do not have an adverse impact on the amenity values of the Rural Zone, landscape values, heritage values, or public safety.

Policy 4.3.9.1 Signs to reflect local character and transport environment

Ensure that signs reflect the rural character and amenity values of the surrounding environment, including any identified landscapes, significant natural areas, viewshafts, and the nature of the adjacent transport environment, by restricting the location, size, number, and content of signs.

Policy 4.3.9.2 Location of signs

Avoid the establishment of signs in the Rural Zone which are not related to the site on which they are located.

Policy 4.3.9.3 Signs to avoid adverse effects

Avoid signs that are illuminated, moving, or flashing, or which are likely to create a visual hazard or interfere with the safe and efficient use of roads, railways, airports, or water bodies.

Policy 4.3.9.4 Temporary signs

Manage the location, size, number, and type of temporary signs to minimise short-term impact, and to avoid adverse effects on local amenity values and public safety.

Policy 4.3.9.5 Traffic safety

The design, location and content of signs shall not adversely affect the safe functioning of roads.

Signage is proposed as part of the sand quarry operation. A sign identifying the name of the business and the main entrance to the sand quarry will be placed adjacent to the site entrance. Additional internal signage (for traffic control, directions, health and safety and general site information) is also proposed within the quarry area. The location, size and number of signs will be managed to avoid adverse amenity effects, consistent with Policy 4.3.9.1-4 and provide for traffic safety (e.g. permitted speed limits). Signs will not be illuminated or create a visual hazard to users of Cambridge Road.

Objective 4.3.10 Rural amenity: noise and vibration

To maintain rural amenity while enabling the operation of noise and vibration generating farming activities within the Rural Zone.

Policy 4.3.10.1 Rural farming activities

Enable the generation of noise and vibration arising from legitimate farming activities, while mitigating adverse effects as far as practicable.

Policy 4.3.10.2 Rural activities

To ensure that the adverse effects of noise generated by rural activities are avoided, remedied or mitigated.

Marshall Day Acoustics has assessed the potential noise effects associated with the proposed sand quarry (refer to the Acoustic Assessment in **Appendix C**). The assessment concludes that the proposal complies with all of the relevant Rural Zone noise standards, and any noise effects associated with the sand quarry are, therefore considered appropriate for the site and the surrounding rural environment. The noise effects will be similar to those associated with other rural activities, including the operation of large farm machinery. The site works will comprise of predominantly digging and recontouring works.

Furthermore, vibration associated with the activities is considered to be similar to that of the farming activities. For these reasons, the application is consistent with the above objective and policies.

Transportation Provisions

Section 16 of the District Plan sets out issues, objectives and policies relating to the topic of transportation. The most relevant objectives and policies are as follows:

> ***Objective 16.3.2*** *-Integrating land use and transport: ensuring a pattern of land uses and a land transport system which is safe, effective and compatible.*
>
> *Land use and transport systems successfully interface with each other through attention to design, safety and amenity.*
>
> ***Policy 16.3.2.1 Integrating land use and transport***
>
> *Development, subdivision and transport infrastructure shall be located, designed and managed to:*
>
> *(a) Minimise conflict on and across arterial routes and provide appropriate access; and*
>
> *(b) Include access that is safe and appropriate for all road users, including those with restricted mobility; and*
>
> *(c) Minimise the need for travel and transport where practicable; and*
>
> *(d) Facilitate travel demand management opportunities where practicable.*
>
> ***Policy 16.3.2.4 Managing effects on character and amenity***
>
> *Development, subdivision and transport infrastructure shall be located, designed and managed to:*
>
> *(a) Avoid, remedy, or mitigate adverse effects of transport on character and amenity; and*
>
> *(b) Facilitate opportunities to enhance character and amenity; and*
>
> *(c) Ensure that the outcomes sought in the Waipā Growth Strategy, Town Concept Plan 2010 Plans, and the Character Precinct statements in Section 6 – Commercial Zone of this Plan are achieved.*

Objective 16.3.3 Maintaining transport network efficiency

To maintain the ability of the transport network to distribute people and goods safely, efficiently and effectively.

Policy 16.3.3.1 Effects of development or subdivision on the transport network

Avoid, remedy or mitigate the adverse effects of development or subdivision on the operation and maintenance of the transport network, including from:

(a) Traffic generation, load type, or vehicle characteristics; and

(b) The collection and disposal of stormwater; and

(c) Reverse sensitivity effects where development or subdivision adjoins existing and planned roads.

Objective 16.3.4: Provision of vehicle entrances, parking, loading and manoeuvring areas.

The provision of adequate and well-located vehicle entrances and parking, loading and manoeuvring areas that contribute to both the efficient functioning of the site and the adjacent transport network.

Policy 16.3.4.1: Location of vehicle entrances.

To maintain the safe and efficient functioning of adjoining roads and railways, vehicle entrances to all activities shall be located and formed to achieve safe sight lines and entry and egress from the site. In some locations, adjoining rail lines, State Highways, and the District's Commercial Zones; vehicle entrances will be limited and will require assessment due to the complexity of the roading environment, or the importance of provision for pedestrians.

Policy 16.3.4.2: Ensuring adequate parking, loading and manoeuvring areas onsite.

To maintain the efficient functioning of adjoining roads, all activities shall provide sufficient area on site to accommodate the parking, loading and manoeuvring area requirements of the activity except in the Residential Zone where the provision of on-site manoeuvring for dwellings is enabled within the setbacks.

CKL has assessed the potential transportation effects associated with the proposed sand quarry (refer to the ITA in **Appendix B**). This assessment includes an assessment against the relevant transportation related objectives and policies in the District Plan. It is considered that this assessment is correct and that the proposal is generally compliant with the above objective and policies for the following reasons:

> The proposal includes the provision of an appropriate access for vehicles. The existing entrance will be upgraded to Diagram E standard and will provide dual access to the existing dwelling and farm, and the proposed sand quarry operation. The proposal is therefore consistent with Objective 16.3.2 and its associated policies.

- The site is located in close proximity to the Cambridge township, and is easily above to connect to the existing roading network. The volume of traffic proposed is appropriate for the site and can safely be accommodated within the existing roading network. The proposal is therefore consistent with Policies 16.3.2.1 and 16.3.2.4 above.
- The ITA concludes that the application can be supported from a transportation perspective. The proposed activity is, therefore consistent with Policy 16.3.2.4 above in avoiding, remedying or mitigating adverse effects of transport on character and amenity.
- The proposed activity is also consistent with Objective 16.3.3 and Policy 16.3.3.1 above, as it will allow goods to be moved about the district while maintaining the safety, efficiency and effectiveness of the transport network and will avoid or mitigate adverse effects of traffic generation that are more than minor.
- The existing vehicle entrance is well positioned to provide safe access to the site. The entrance is located on a relatively straight stretch of road, with clear sightlines in either direction. Sufficient space is available on site to accommodate parking, loading and manoeuvring areas. The proposal is therefore consistent with Objective 16.3.4 and Policies 16.3.4.1 and 16.3.4.2.

Archaeology Provisions

Section 22 of the District Plan sets out issues, objectives and policies relating to the topic of archaeology, and is therefore applicable insofar as it relates to the recorded archaeological feature on the subject property (S15/285). The relevant objectives and policies are as follows:

> ***Objective 22.3.4 - Protecting archaeological heritage***
>
> *To maintain the archaeological heritage of the District.*
>
> ***Policy 22.3.4.1 - Management of effects on Archaeological Sites***
>
> *To manage effects on archaeological sites at the time of development and subdivision.*

RedOx Cultural and Heritage Services has prepared an Archaeological Assessment for the application (**Appendix H**). The proposed sand extraction activities will require the removal of these archaeological features in order to extract the underlying sand resource. Therefore, prior approval (in the form of an Authority from HNZ) will need to be obtained, and the feature will be appropriately mapped and recorded. The removal of the features (identified in Section 2.7) is a permitted activity subject to obtaining the necessary approval from Heritage New Zealand. The proposal is therefore consistent with the above objective and policy.

6.12 WAIKATO DISTRICT PLAN - OPERATIVE IN PART

General Rural Zone Provisions

Part 3, Chapter 4 of the proposed WDP sets out various issues, objectives and policies relating to land within the GRUZ. The noise chapter (Part 2, Chapter 31) also contains those noise provisions relevant to the GRUZ. Those provisions of most relevance are discussed below:

GRUZ-O1 - Purpose of the zone.

1. *Enable farming activities;*
2. *Protect high class soils for farming activities;*
3. *Provide for rural industry, infrastructure, rural commercial, conservation activities, community facilities, and extractive activities;*
4. *Maintain rural character and amenity;*
5. *Limit development to activities that have a functional need to locate in the zone*

GRUZ-O4 - Extractive activities

Recognise the contribution of extractive industries to the economic and social wellbeing of the district.

GRUZ-P5 - Other anticipated activities in rural areas

Enable activities that provide for the rural community's social, cultural, and recreational needs, subject to such activities being of a scale, intensity, and location that are in keeping with rural character and amenity values.

GRUZ-P6 - Industrial and commercial activities.

1. *Provide for rural industry and rural commercial activities provided they are either dependent on the rural soil resource or have a functional or operational need for a rural location.*
2. *Such activities are to be managed to ensure that:*
    a) *Their scale, intensity, and built form maintain rural character;*
    b) *They maintain an appropriate level of amenity for neighbouring sites; and*
    c) *They minimise reverse sensitivity effects on existing productive rural, intensive farming, quarrying, or rural industrial activities.*
3. *Avoid locating industrial and commercial activities in rural areas that do not have a genuine functional connection with the rural land or soil resource.*

GRUZ-P17 - Management of extractive activities.

1. *Provide for extractive activities provided that adverse effects are appropriately avoided, remedied or mitigated; and, where this is not possible, off-set or compensated.*

2. ...

The WDP recognises the importance of meeting the District's and Region's mineral and aggregate needs from predominantly local sources, subject to the management of the adverse effects associated with those activities. The WDP identifies the GRUZ is an appropriate location for this activity, provided it is of an appropriate scale and intensity, and the adverse effects are appropriately managed.

Section 5 of this AEE has demonstrated that any potential adverse effects can be appropriately mitigated to less than minor levels on surrounding landowners or contained to within the application site. The various technical assessments, reports and management plans that have been prepared as part of the application (and are attached as appendices) respond to the matters in policies GRUZ-P6 and P17 above.

Potential dust and noise effects will be actively managed onsite. The works will not require blasting and only heavy machinery will be used for digging and cartage.

The scale of the proposed mineral extraction activities is considered appropriate for the site and the surrounding environment. The site will be rehabilitated to rural farmland. The rural character and capacity of the existing road network are therefore unaffected over the long term. The proposal is therefore consistent with policy GRUZ-P5 and P6 above.

The development will provide a much-needed mineral resource for the local community and is therefore consistent with Policy GRUZ-O4 and P5 above.

GRUZ-O2 - Productive capacity of soils.

The primary productive value of soils, in particular high class soils, is retained.

GRUZ-P1 - High class soils.

Ensure the adverse effects of activities do not compromise the physical, chemical and biological properties of high class soils.

The proposed sand extraction activities will be undertaken and managed to ensure that the inherent life supporting capacity of the rural land and the overlying soil resource are maintained. The site will be rehabilitated to rural farmland once the sand has been extracted, and the site will continue to be utilised as rural land. The versatility and life supporting capacity of the overlying soil resource will therefore be retained.

GRUZ-O3 - Rural character and amenity.

1. *Maintain rural character and amenity.*
2. *The attributes of areas and features valued for their contribution to landscape values and visual amenity are maintained or enhanced.*

NOISE-P3 - Noise and vibration in the GRUZ

1. *Manage the adverse effects of noise and vibration by:*

    a) *Ensuring that noise and vibration levels do not compromise rural amenity;*

    b) *Limiting the timing and duration of noise-generating activities to the extent practicable and appropriate;*

    c) *Maintaining appropriate separation between high noise environments and noise sensitive activities;*

    d) *...*

    e) *Managing the location of sensitive land uses, particularly in relation to lawfully established activities;*

    f) *...*

    g) *Managing the adverse effects of vibration from quarrying activities by limiting the timing and duration of blasting activities and maintaining sufficient setback distances from residential units or identified building platforms on another site; and*

    h) *Managing noise to minimise as far as practicable effects on existing noise sensitive activities.*

The rural character and amenity will not be adversely impacted by the proposal to establish and operate a mineral extraction activity at the site, assuming all appropriate measures and controls are met. The GRUZ is specifically identified as an appropriate location for mineral extraction activities (as identified in GRUZ-O1 and O4, above). The (modest) scale of the proposed quarry is appropriate with respect to the existing rural environment and character as well the rural-lifestyle character and amenity to the west and northwest. Active rehabilitation of the proposed activities and sand extraction works will also maintain the overall rural character and amenity of the site, thus complying with GRUZ-O3.

The earthworks and sand extraction activities will be temporary, and the site will be rehabilitated back to rural pasture once the sand resource has been extracted. Any potential effects (in terms of visual amenity, rural character and setbacks) will therefore be temporary. Any adverse effects beyond the site will be managed to minimise their effect, including erosion and sediment control, hours of operation, exposure of small extraction areas and site rehabilitation.

In relation to noise, Marshall Day has assessed the potential noise effects associated with the proposed sand quarry (refer to the Acoustic Assessment in **Appendix H**). The assessment concludes that any adverse effects of noise can be managed through the imposition of appropriate conditions of consent and the construction of a noise bund at the northern boundary of Stage 4 (refer **Figure 16**). The ambient noise environment is dominated by the nearby road network and the operational noise will be similar to that generated by other rural activities, including the operation of large farm machinery. The site

works will comprise of predominantly digging and recontouring works. For these reasons, the application is consistent with the above objective and policies.

Transport Provisions

Part 2, Chapter 3 of the proposed WDP sets out objectives and policies relating to the land transport network. Those provisions of most relevance are discussed below:

> ***AINF-O8 - Land transport network.***
>
> *(1) An integrated land transport network where:*
>
> *a) All transport modes are accessible, safe and efficient; and*
>
> *b) Adverse effects from the construction, maintenance, upgrading and operation of the transport network are avoided, remedied or mitigated;*
>
> *c) Strategic road and rail corridors play an important role in the district for facilitating the movement of inter and intra-regional freight; and*
>
> *d) There is an effective and efficient land transport system that enhances economic well-being and supports growth and productivity within the Waikato region and upper North Island.*
>
> ***AINF-P28 - Land transport network.***
>
> *(1) Avoid, remedy or mitigate effects of subdivision, use and development that would compromise:*
>
> *a) The road function, as specified in the road hierarchy;*
>
> *b) The access by emergency services and their vehicles; and*
>
> *c) The safety and efficiency, including the maintenance, upgrading, development and operation of the land transport network.*

CKL has assessed the potential transportation effects associated with the proposed sand quarry (refer to the ITA in **Appendix B**). Based on their conclusions, it is considered that the proposal is generally compliant with the above objective and policies for the following reasons:

- The proposal includes the provision of an appropriate access for vehicles. The existing entrance will be upgraded to Diagram E standard. The proposal is therefore consistent with AINF-O8.
- The site is located on Cambridge Road and has ready access to SH1 and 1B, making it easily accessible to various locations in the Waikato Region. The volume of traffic proposed is appropriate for the site and can safely be accommodated within the existing roading network.

- The proposed activity is consistent with AINF-P28 above in avoiding, remedying or mitigating adverse effects on the safety and efficiency of the transport network.
- The existing vehicle entrance is well positioned to provide safe access to the site. The entrance is located on a straight stretch of road, with clear sightlines in either direction. Sufficient space is available on site to accommodate parking, loading and manoeuvring areas. The proposal is therefore consistent with the relevant objectives and policies related to land transport within the WDP.

6.13 TE TURE WHAIMANA O WAIKATO

The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Ngāti Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 inserted the Vision and Strategy for the Waikato River ("**Vision and Strategy**") into the Waikato Regional Policy Statement . The Vision and Strategy prevails over any inconsistent provisions in a national policy statement or the New Zealand Coastal Policy Statement.

The Vision and Strategy applies to the area of the Waikato River from Huka Falls to Te Puuaha o Waikato (Port Waikato) and the Waipā River from its junction with the Punui River to its confluence with the Waikato River at Ngaruawahia. This area includes the area that is the subject of this application.

The Vision for the Waikato River is:

"... for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come."

There are 13 objectives included to realise the above Vision, 12 strategies to achieve those objectives and 18 methods to implement those strategies.

Of these provisions, it is the 13 objectives which contain the desired outcomes for the management of the Waikato River, and which are most relevant to the proposal. These are:

A. *The restoration and protection of the health and wellbeing of the Waikato River.*

B. *The restoration and protection of the relationship of Waikato-Tainui with the Waikato River, including their economic, social, cultural, and spiritual relationships.*

C. *The restoration and protection of the relationship of Waikato River Iwi according to their tikanga and kawa, with the Waikato River, including their economic, social, cultural and spiritual relationships.*

D. *The restoration and protection of the relationship of the Waikato Region's communities with the Waikato River including their economic, social, cultural and spiritual relationships.*

E. *The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River.*

F. *The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.*

G. *The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.*

H. *The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities.*

I. *The protection and enhancement of significant sites, fisheries, flora and fauna.*

J. *The recognition that the strategic importance of the Waikato River to New Zealand's social, cultural, environmental and economic wellbeing is subject to the restoration and protection of the health and wellbeing of the Waikato River.*

K. *The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length.*

L. *The promotion of improved access to the Waikato River to better enable sporting, recreational, and cultural opportunities.*

M. *The application to the above of both maatauranga Maaori and latest available scientific methods.*

The key points in respect of each of the relevant objectives are discussed below.

Objective A – Restoration and Protection of the Health and Wellbeing of the Waikato River

The sand quarry and cleanfilling proposal, as presented, has been developed to ensure the overarching objective of restoring and protecting of the health and wellbeing of the Waikato River is not compromised. In this regard, the following mitigating factors are noted;

> All active quarry areas will be limited to four hectares at any one time and restricted to areas of existing flat terrain (i.e. low risk erosion areas);

> All activities will avoid the adjacent Waikato River and associated indigenous vegetation;

> Runoff generated from un-stabilised ground within the site will be minimised by limiting active quarry areas to four hectares, and managed in accordance with appropriate sediment and erosion control structures before being directed to the active quarry pit

area, where it will soak to ground through naturally occurring sand and gravel materials that provide a natural filtering effect;

- In accordance with industry best practice, strict acceptance criteria will be imposed on all cleanfill entering the site to avoid unwanted contaminants entering local groundwater;
- Groundwater abstracted for wheel washing will be minimised through recycling prior to being discharged to ground soakage resulting in the net water consumption being generally limited to evaporative losses only.

Overall, due to these mitigating factors, the actual and potential effects of the development on the Waikato River are considered to be inconsequential.

It is recognised that the consenting authorities have a statutory requirement to give effect to the Vision and Strategy, including those matters relating to the "betterment" of health and wellbeing of the Waikato River. In this regard, it is submitted that, the need for a resource consent within the Waikato catchment should not automatically require the applicant to achieve a net improvement or betterment of the Waikato River's health and wellbeing. Moreover, such outcomes should instead be applied to proposed activities that result in an adverse effect or risk to the River. It is on this basis, and in light of the absence of any effects expected on the Waikato River from this proposal, that the Applicants have not proposed any specific mitigation or betterment as part of the application.

Despite this view, it is noted that the applicant has recently embarked on a consultation process with local Iwi (Ngāti Korokī-Kahukura, and Ngāti Hauā). In this respect, if there are any cultural concerns expressed from Iwi about the proposal's impact on the health and wellbeing of the Waikato River, these will be discussed in good faith, with the aim of reaching a satisfactory outcome which may include aspects of restoration, protection or betterment (if considered appropriate).

<u>Objectives B, C and D – Restoration and Protection of the Relationship of Waikato Tainui, Waikato River Iwi and the Waikato Community with the Waikato River</u>

As a result of the mitigating factors listed above, the proposal is also not considered to involve activities that are of a type, scale or nature that will adversely affect the relationship iwi or the wider Waikato community have with the Waikato River. As noted, the applicant has recently embarked on a consultation process with Ngāti Korokī-Kahukura, and Ngāti Hauā. If there are any concerns expressed with respect to the proposals impact on river Iwi's relationship with the Waikato River, these too will be discussed in good faith with the aim of reaching a satisfactory outcome.

<u>Objective E – Integrated, Coordinated and Holistic Approach to Management</u>

In respect of Objective E, the approach taken to assessing and managing the effects of the proposal has included consideration of the physical values of the site and its surrounds. A better understanding of the cultural values of the site, and in particular the values of the borrow pits on site, will be gained through consultation with mana whenua.

Objective F, G, and H – Adverse Effects

With respect to Objectives F, G, and H, no further degradation of the Waikato River is expected as a result of the proposal and there are no expected effects on the River's catchment – certainly nothing that are of the type that would require the adoption of a precautionary approach.

Objective I – Protection and Enhancement of Significant Sites, Fisheries, Flora, and Fauna

The proposal will not impact fisheries or indigenous flora or fauna, however, it will result in the loss of 14 archaeological sites. Using the Heritage NZ Guidelines, RedOx has assessed these to have high archaeological value. Conditions of consent proposed by the applicant, along with separate requirements that will form part of any Heritage NZ authority (to be informed through Iwi consultation) is considered an appropriate response to Objective I.

Objective J – Strategic Importance of the Waikato River to Community Wellbeing

The applicant recognises the importance of the Waikato River to New Zealand's social, cultural, environmental and economic wellbeing, and has ensured the design and operation of the sand quarry protects this valuable taonga accordingly. As described above, these protections will ensure no further degradation occurs to the health and wellbeing of the Waikato River.

Objective K and L – Use of, and Access to, the Waikato River

With respect to Objective K and L, the sand quarrying and cleanfilling is entirely limited to privately owned land located more than 800 metres from the Waikato River. This land does not currently restrict the use of, or access to, the Waikato River, and this will not change as a result of the proposed activities going ahead.

Objective M – Use of Maatauranga Maaori and Latest Scientific Methods

Given the nature of the site and the likely absence of any conceivable or measurable environmental effects on the Waikato River or its tributaries, the use of Maatauranga Maaori has not been considered in this instance. The effects have instead been considered using scientific methods.

As discussed above, Iwi consultation is about to be undertaken. Matters associated with the use of maatauranga maaori may be raised in that process if Iwi consider it appropriate.

Conclusion

The Applicants' proposal will result in the provision of much needed sand - a resource vital to support the significant level of growth being experienced in Cambridge.

To the extent this proposal relates to the Vision and Strategy, a key point to note is that the Vision and Strategy provides an additional consideration for decision-makers assessing any resource consent application relating to the Waikato River. There is an obligation on decision-makers under section 18 of the Ngāti Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 and section 17 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 to have "particular regard" to the Vision and Strategy in their decision-making (and the Vision and Strategy refers, amongst other things, to restoring and protecting the health and wellbeing of the Waikato River). This obligation must be considered along with the decision-maker's other duties under section 104 and Part 2 of the RMA.

Chapter 8 of the RPS sets out the policies and implementation methods for freshwater bodies, including measures intended to give effect to the Vision and Strategy. The focus of these policies is on maintaining or enhancing the values associated with freshwater bodies.

In this case, the AEE addresses the effects of the proposed sand quarry and cleanfilling activities. Due to various mitigating factors, any adverse effect or risk relating to the Waikato River is considered inconsequential. Although the applicant recognises that we all have a role to play in the process of improving the Waikato River, on the basis that, through active protection and avoidance, there is an absence of any adverse effects expected on the Waikato River, it considers this proposal will not denigrate from achieving the Vision and Strategy. Accordingly, the proposal does not include any specific offer of betterment to the Waikato River.

Finally, and noting that Iwi consultation is ongoing, if there are any concerns expressed from Iwi about the proposal's impact on the health and wellbeing of the Waikato River, these matters will be discussed in good faith, with the aim of reaching a satisfactory outcome. The applicant is open to these outcomes involving elements of restoration, protection or betterment if these are considered appropriate, however, it is reluctant to propose such initiatives at this stage.

6.14 OTHER MATTERS

Under section 104(1)(c) there is one relevant iwi management plans that requires consideration:

- Tai Tumu Tai Pari Tai Ao, the Waikato-Tainui Environment Plan;
- The Raukawa Environmental Management Plan 2015; and
- Te Rautaki Tāmata Ao Turoa o Hauā, the Ngāti Hauā Environmental Management Plan.

The provisions of the plans are primarily aimed at regional and district councils within their rohe (in undertaking regional and district planning processes). However, the provisions are also to be used to inform and guide engagement processes and decisions associated with resource consent applications. In that respect, the plans contain provisions relating to the land use planning and the management of the built environment and seek to ensure that the effects of urban land use and development are managed.

The proposal seeks the development and operation of a sand extraction and cleanfill. Although it is for mana whenua to articulate how a proposal will impact upon cultural and spiritual values, through the proposed management of the site as articulated by the QCMP, and the avoidance of waterways or other sites of significance, it is considered that the proposal is not inconsistent with the direction of these iwi management plans.

6.15 PART 2 OF THE RMA

All of the matters specified in section 104 of the RMA to which the consent authority must 'have regard to' are subject to Part 2 of the RMA which sets out the purpose and principles of the Act and which are central to the determination of the applications for resource consent.

Following recent direction from the Courts, when making a decision on an application a consent authority is generally no longer required to consider Part 2 of the RMA beyond its expression in the relevant statutory planning documents, unless it is appropriate to do so. In this case, it is considered that the planning context is clear, and that the proposed activities align well with the various planning directions set out earlier. Therefore, a detailed assessment of Part 2 of the RMA is not presented.

Notwithstanding, it is worth noting that, overall, the Project will promote the sustainable management of natural and physical resources in accordance with Part 2 and the granting of consents is consistent with, and gives effect to, the purpose of the RMA.

6.16 SUMMARY

It is considered that the granting of resource consents, subject to imposition of appropriate conditions, would promote the sustainable management of natural and physical resources and ensure that adverse effects on the environment are less than minor and/or appropriately avoided, remedied or mitigated.

7. CONSULTATION

7.1 MANA WHENUA

Mana whenua engagement has been ongoing from mid-2025 with representatives of Ngāti Korokī Kahukura regarding the proposal and the approach to archaeology / removal of archaeological sites. Meetings with representatives of Ngāti Korokī Kahukura were held on 26 August 2025 and 24 March 2026.

This engagement has been positive and has led to the resolution of Norm Hill preparing a CIA on behalf of Ngāti Korokī Kahukura, Ngāti Hauā and Raukawa.

This CIA will be provided during the processing of this application.

7.2 NEIGHBOURING LANDOWNERS

Engagement with neighbouring landowners is being undertaken. Although, these surrounding landowners have not been identified as affected in terms of the RMA, engagement is being undertaken and written approval sought. Each landowner has been provided a summary of the application (in the form of a letter – refer **Appendix I**) and has been approach by the Applicants to discuss the project. The properties visited are set out below:

Waikato District

- 256B and 276A-C Hooker Road
- 298 Hooker Road
- 306 Hooker Road
- 316 Hooker Road

Waipā District

- 371 Racecourse Road
- 357 Racecourse Road
- 347 Racecourse Road
- 1/347 Racecourse Road
- 331 Racecourse Road
- 325 Racecourse Road
- 1534 Cambridge Road

> 1532 Cambridge Road

> 1544 Cambridge Road

> 1560 Cambridge Road

At the time of lodgement, the following written approvals have been received and are located in **Appendix I**:

> 298 Hooker Road;

> 256 Hooker Road;

> 306 Hooker Road; and

> 1534 Cambridge Road.

It is noted that the engagement with 256 Hooker Road has resulted in a reduction in proposed operational hours from 7.00 am to 6.00 pm to 7.00 am to 5.30 pm as reflected in this application.

Any further written approval or comments on the application will be provided during the processing of the application.

New Zealand Transport Agency

Engagement with NZTA is in progress insofar as the proposal relates to use and access to the State Highway network. This engagement is on-going and written approval has been requested, although as with the surrounding landowners, NZTA are not considered to be an affected party.

Te Awa River Ride Charitable Trust

A letter from Te Awa River Ride Charitable Trust has also been provided in **Appendix I** stating that the Trust will not oppose any future quarrying developments at the site.

Waipa Networks

Waipa networks have been engaged about the works, and it has been confirmed that works within proximity of the powerlines will be undertaken in accordance with NZECP34:2001[6].

Summary

Any further comment or written approval provided will be provided during the processing of the application.

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[6] New Zealand Electrical Code of Practice for Electrical Safe Distances 2001

7.3 WAIKATO REGIONAL COUNCIL

A pre-application meeting was held on 23 June 2026 to discuss the proposal. The following key matters were discussed:

- Air quality
- Water take
- Ecological matters; and
- Cleanfill testing.

Air quality

The requirement for an Air Quality assessment was discussed at the meeting, with WRC holding the position that having evidence that the permitted activity standards can be met is beneficial to the application. It is the position of the Applicants that the permitted activity standards for air quality could be proffered as a consent condition and this in combination with the operational measures of dust suppression and erosion and sediment controls will manage any air quality effect to the point of meeting the standards.

Water take

The required maximum water take of 900 m^3 per day was discussed with WRC, who requested that it is set out in the application the site activities that required water. WRC raised concerns that if the proposed sand processing is not undertaken the water take allocated will be too high. In response to this, a two-stage approach to the water take have been proposed as set out in Section 3.12.

WRC also raised concerns around ono pump testing being undertaken for the proposed bore. Although the Applicants note the point, it is not considered feasible to seek the bore drilling consent separately and undertake pump testing prior to this consent being granted.

Ecology

Although being noted as a District Council matter, the ecology of the site was discussed. As part of this it was discussed that the SNA areas and their associated vegetation and water features would be avoided by the works. Also discussed was the likelihood of bat roosting habitats in the mature vegetation within the site, in this regard the Applicants have looked at the vegetation on the site against the bat roost protocols and have not identified any vegetation that has bat roost features.

Cleanfill testing

The WasteMinz requirement to test cleanfill at a rate of 1 in 500 m^3 was discussed with WRC as the Applicant (who operate the Kaipaki Road Sand Quarry) don't consider the testing to be operationally effective. WRC suggested that if the Application would like to take another approach to cleanfill testing to set this out within the application for review during processing – this is set out in Section 3.5.6.

7.4 WAIPĀ DISTRICT COUNCIL

Two pre-application meetings were held with Waipā DC to discuss the proposal, as set out below.

17 December 2025

An initial pre-application meeting was held on 17 December 2025 with Waipā DC staff, the Applicant, Mitchell Daysh and CKL. At the meeting the project and technical assessments were outlined and discussed. Further discussion was held regarding the location of the accessway where it was determined CKL would undertake an MCA of the two accessways for further discussion with Waipā DC and Waikato DC.

16 March 2026

Following the completion of the accessway MCA, a meeting was held with representative of Waipā DC and Waikato DC to discuss the results and the intention of the applicant to prepare the application on the basis of the accessway being located on Cambridge Road. This approach was agreed with Waipā DC.

The pre-application meeting notes for both pre-apps above are included in **Appendix J**.

7.5 WAIKATO DISTRICT COUNCIL

As set out in Section 7.4 above, a pre-application meeting was held with representatives of Waipā DC and Waikato DC. Representative of Waikato DC raised the following matters:

- Whether consideration should be given to the establishment of a roundabout at Hooker Road in consultation with WTR Racing;
- The split of traffic through the existing road network; and
- The requirement to engage with NZTA.

With regard to the first point, it is noted that the Applicant is no longer proposing access from Hooker Road and as such it is not considered practical to enter into discussions with third parties regarding the construction of new road layouts.

The split of traffic through the existing road network is outlined in the ITA (refer **Appendix B**) and the NZTA engagement is discussed in Section 7.2.

8. NOTIFICATION ASSESSMENT

Sections 95A – 95G of the RMA set out the matters that a Consent Authority must consider when determining whether to notify an application for a resource consent. These sections are considered below.

As demonstrated in Section5 of this AEE, the effects on the environment associated with the proposed activities will predominantly be temporary or less than minor. Further details regarding the Section 95 assessment are set out below.

8.1 PUBLIC NOTIFICATION (SECTION 95A)

Step 1 (Mandatory Notification):

> The Applicant is not requesting public notification of the application (95A(3)(a));

> Public notification is not required under section 95C (95A(3)(b)); and

> The application is not made jointly with an application to exchange recreation reserve land (95A(3)(c)).

The application is not subject to mandatory public notification (95A(2)).

Step 2 (Public Notification Precluded):

> The application is not subject to a rule or national environmental standard that precludes public notification (95A(5)(a)); and

> The application is not for an activity listed in section 95A(5)(b).

Public notification is not precluded under section 95A(4).

Step 3 (Public Notification Required in Certain Circumstances):

> The application is not subject to a rule or national environmental standard that requires public notification (95A(8)(a)); and

> The activity will not have adverse effects on the environment that are more than minor (95A(8)(b)).

Public notification of the application is not required under section 95A(7).

Step 4 (Special Circumstances):

> No special circumstances requiring public notification apply to the application in regard to section 95A(4).

Public notification is not required under section 95A.

8.2 AFFECTED PERSONS AND LIMITED NOTIFICATION

If a Consent Authority does not publicly notify an application it must decide if there are any affected persons, an affected protected customary rights group, or affected customary marine title group in relation to the activity, whom it must give limited notification of the application.

With respect to the process set out in section 95B:

Step 1 (Certain Affected Groups and Persons):

> There are no protected customary rights groups (95F) relevant to the area (95B(2)(a));

> There are no protected customary marine rights groups (95G) relevant to the area (95B(2)(b));

> The proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement (95B(3)(a)).

In respect of section 95B(3)(a), the Crown or statutory acknowledgements contained in the Waikato Tainui Raupatu Claims (Waikato River) Settlement Act 2010, and the Ngāti Hauā Claims Settlement Act 2014 are relevant since the site sits within the Acknowledgement Areas of these Iwi.

These Settlement Acts require the Councils to have regard these areas in deciding, under section 95E of the RMA, whether the settlement trustees of these Iwi are affected persons in relation to the activity. The key test here is whether the holders of the statutory acknowledgement are affected by a proposal in a manner that is minor or more than minor (but are not less than minor). In this regard, no effects have been identified as minor or more than minor.

Overall, the application is not subject to limited notification under section 95B step 1.

Step 2 (Limited Notification Precluded):

> The application is not subject to a rule or national environmental standard that precludes public notification (95B(6)(a)); and

> The application is not for an activity listed in section 95B(6)(b).

Limited notification is not precluded under section 95B(5).

Step 3 (Certain Other Affected Persons):

> The application is not for an activity listed in section 95B(7)(a); and

> The proposed activity is unlikely to have adverse effects on any person that are minor or more than minor (95B(8)) however it is recognised that cultural effects cannot yet be determined as the CIA is not complete.

Step 4 (Special Circumstances):

> No special circumstances requiring notification of any other person apply to the application in regard to section 95B(10).

8.3 NOTIFICATION CONCLUSION

It has been demonstrated that effects can be appropriately avoided, remedied or mitigated. Accordingly, it is considered that processing this application on a non-notified basis is available to Waipā DC, Waikato DC and WRC. However, further advice may be forthcoming in relation to cultural effects, and on this basis, it is requested that Waipā DC, Waikato DC and WRC confirm this position following the receipt of the CIA.

9. CONSENT DURATION

Section 123 sets out the duration period of resource consents:

> *(b) subject to paragraph (c), the period for which any other land use consent, or a subdivision consent, is granted is unlimited, unless otherwise specified in the consent:*
>
> *(d) the period for which any other resource consent is granted is the period (not exceeding 35 years from the date of granting) specified in the consent and, if no such period is specified, is 5 years from the date of commencement of the consent under section 116.*

It is expected that sand at the site could be fully extracted in 25 years. Although the market for high quality sand is expected to be strong in the coming years, driven by large development projects occurring and planned locally, the applicant requires some flexibility to manage potential future slow-downs in development activity and reductions in market demand for sand that may result. It is also expected that, in general, the demand for sand will be higher than the demand for cleanfill disposal space. This will result in cleanfilling activities occurring over a longer period than sand quarrying activities. Given these factors, and since the environmental effects of the proposal will be minor, an unlimited duration is requested for any District Council consents granted and a 30 year duration is requested on any Regional Council groundwater take and cleanfill discharge consents granted.

10. CONCLUSION

The application seeks authorisations to establish and operate a mineral extraction activity (sand quarry) and associated works at 1466 Cambridge Road, Cambridge. The assessment presented has addressed the matters to be considered under sections 104 and 105 of the RMA (including Part 2 of the RMA).

The Site is zoned General Rural Zone under the provisions of the Waikato DP and Rural under the Waipā DP, with quarrying activities expressly provided for as a Discretionary Activity within these zones. The activities proposed are, therefore, appropriate for both the site and the effects on the surrounding environment, including rural and rural lifestyle, can be appropriately mitigated.

The actual and potential effects associated with all the applications have also been considered in accordance with section 104(1)(a) of the RMA. This assessment confirms that:

- Following the effects mitigation initiatives proposed by the Applicants, any adverse environmental effects associated with the proposal will be less than minor;
- Following the effects mitigation initiatives proposed by the Applicant, any adverse environmental effects associated with the proposal on surrounding persons will be less than minor; and
- The Project will achieve other positive socio-economic impacts.

The Project has also been assessed as being generally consistent with the relevant provisions of applicable statutory documents in accordance with section 104(1)(b) of the RMA and other matters that are relevant and reasonably necessary to determine the Application pursuant to 104(1)(c) of the RMA.

Overall, it is considered that, subject to the imposition of appropriate conditions, granting of the resource consents as sought will ensure adverse effects on the environment as a result of the Project are appropriate and, the project overall will promote the sustainable management of natural and physical resources.