

15 June 2007

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Te Awamutu 2400, New Zealand
DX GA 29034
0800 WAIPADC (0800 924 723)
www.waipadc.govt.nz*

04581/554.01
LU/0040/07

Bloxam, Burnett and Olliver
Chris Dawson
PO Box 9041
Hamilton

Dear Sir

LAND USE CONSENT: EXTENSION OF WINSTONE AGGREGATES SAND QUARRY - 191 KAIPAKI ROAD, CAMBRIDGE

Enclosed is a copy of the Land Use Consent for the aforementioned application decided under delegated authority.

Right of Objection

Section 357 of the Resource Management Act 1991 allows you to make an objection to Council in respect of all or any part of this decision including any additional charge imposed in processing this application. Any objection must be in writing setting out the grounds thereof, and received by Council within 15 working days of receiving this decision or the invoice for the additional charge respectively.

Note: A working day means any day except a Saturday, a Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's birthday, Waitangi Day, and any day between 20 December and 10 January (inclusive).

Commencement and Lapsing of Consent

This resource consent commences on the date you are deemed to received this letter under the Act. The resource consent will not commence if you or another person make an objection under section 357 of the Act or lodge an appeal to the Environment Court.

This resource consent lapses on the date specified in the consent or, if no date is specified, 5 years after the date of the commencement of the resource consent unless the consent is 'given effect to' or the Council grants an extension.

Compliance with Conditions

Unless otherwise a specific time limit is stated in the conditions of the consent, all conditions must be complied with before the use to which the consent relates is established.

Locations:

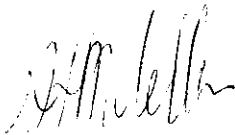
*Te Awamutu - 101 Bank Street
Ph: (07) 872 0030
Fax: (07) 872 0033*

*Cambridge - 23 Wilson Street
Ph: (07) 823 3800
Fax: (07) 823 3820*

Changes to Conditions

Your attention is drawn to Section 127 of the Resource Management Act 1991. Section 127 enables an application to be made at any time to Council by the holder of the resource consent to change or cancel any condition of this consent, subject to meeting the specified criteria of Section 127.

Yours faithfully



Anna McLellan
PLANNER

Cc Kevin Bligh
C/O Winstone Aggregates
PO Box 17-195
Greenlane
Auckland

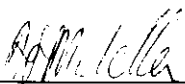
**DECISION UNDER DELEGATED AUTHORITY ON A LIMITED NOTIFIED
RESOURCE CONSENT APPLICATION TO UNDERTAKE THE OPERATION OF
AN EXTRACTIVE INDUSTRY FOR THE PURPOSE OF SAND WINNING IN THE
RURAL ZONE PURSUANT TO THE RESOURCE MANAGEMENT ACT 1991**

That in consideration of Section 104, and pursuant to Sections 104B and 108 of the Resource Management Act 1991 and the Operative Waipa District Plan the Waipa District Council grants consent to Winstone Aggregates to undertake the operation of an extractive industry for the purpose of sand winning at 191 Kaipaki Road, legally described as Lot 2 DPS 53662.

This consent is subject to the conditions, reasons and advisory notes detailed in the attached Schedule A.

Dated this 15th day of June 2007

For and on behalf of Waipa District Council



Anna McLellan

PLANNER

Schedule A

Conditions, Reasons & Advisory Notes

Application No: LU/0040/07

General

1. The proposed activity must proceed in general accordance with the plans and details prepared by Bloxam, Burnett and Olliver and submitted with the application LU/0040/07 unless otherwise altered by the consent conditions.

Monitoring

2. That charges set out in accordance with Section 36 of the Resource Management Act 1991 must be paid to the Waipa District Council for carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent.

Noise

3. The removal of vegetation, stripping of topsoil, subsoil, overburden and the construction of any bunds must comply with the requirements of NZS 6803P: 1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work.
4. All sand extraction activities, which are the subject of this consent must be conducted to ensure that noise levels at the notional boundary of any existing dwellings do not exceed the following limits:

Daytime	7:00am to 8:00pm	55dBA (L10)
Night time	8:00pm to 7:00am	40dBA (L10)

Noise must be measured and assessed in accordance with New Zealand Standards

NZS 6801:1991 – Measurement of Sound

NZS 6802: 1991 – Assessment of Environmental Sound

Note: Notional Boundary means a line 20 metres from the façade of any existing rural dwelling or legal boundary of the rural property whichever is the closer to the rural dwelling. This condition excludes the existing dwellings on the subject site. It is understood that the private arrangement has been reached between the site owner and the applicant.

Hazardous Substances

5. That all machinery be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so that it does not enter any stream/tributary.

6. That the storage/dispensing facilities for fuel, oil or similar contaminants must be contained within the existing quarry site on Airport Road. Hazardous substances must not be stored on the subject site.

Site Development & Rehabilitation

7. Within six (6) months of the date of the commencement of this consent, the Consent Holder must prepare and submit, to the satisfaction of Council's Planning Manager, a finalised Landscape Rehabilitation Plan. The finalised Landscape Rehabilitation Plan must include all mitigation and restoration measures outlined in the AEE Documentation, and shall be based on the Proposed Landscape Rehabilitation Plan submitted with the consent application (Reference Bloxam, Burnett & Olliver Drawing Number 134900/03/P004, titled Figure 7 – Site Rehabilitation Plan). This plan must detail all work required to be undertaken during the operational life of the quarry and include the following:
 - a. An implementation strategy identifying when the mitigation and rehabilitation works will be undertaken and a description of the proposed end use for the site.
 - b. The identification of the botanical name, common name, size at time of planting, mature height and quantities of all mitigation and rehabilitation planting.
 - c. The height and location of any earth bunds or mounds created for visual or noise mitigation purposes.
 - d. Management of topsoils, subsoils and overburden material during overburden stripping and disposal.
 - e. Overburden rehabilitation including land form restoration and revegetation to be undertaken upon decommissioning of the quarry: the identification of the location of all overburden stockpiles and methods to be employed to ensure slope stability and erosion control within areas to be planted.
 - f. A maintenance schedule of vegetation.
8. All mitigation and rehabilitation planting (existing and proposed) must be maintained in a satisfactory manner while the activity is in operation. Maintenance must include replanting of any gaps created by any dead or damaged trees. The species and height at the time of planting shall be selected in order to allow a continuous canopy or screen to re-establish for the duration of the quarries operation life.
9. The Consent Holder must ensure that overburden disposal, sequence of work and direction of extraction is in general accordance with the Figure 3 - Site Plan and Sequence of Development (Reference Boffa Miskell Drawing No. 06300 -16 dated 30/01/2007).
10. The following matters must be complied with in respect of progressive rehabilitation on the site:
 - a. The area of land open for sand extraction activities (excluding access roads) shall not exceed 8 hectares at any one time and shall include land open for progressive rehabilitation and the operation working face.
 - b. Rehabilitation shall occur progressively in general accordance with the contours described in the Site Water Management and Rehabilitation Plan.

- c. Any changes to the rehabilitation aspects of the Site Water Management and Rehabilitation Plan will only be made after consultation with Council's Planning Manager and shall not increase the scale and intensity of adverse environmental effects beyond the site boundary.

11. The Consent Holder must provide Council with an annual report for the period ending 31 March, which shall include details of rehabilitation activities undertaken during the previous year.

Air Quality & Dust Control

12. That as a result of the activities authorised by this resource consent, there must be no discharge of dust to air that causes an objectionable or offensive effect beyond the boundaries of the subject site.
13. That the Consent Holder must ensure that remediation activities must not occur in Cell E, when the wind is blowing from the west ($270 \pm 45^\circ$) and wind speeds are greater than 10 m/s, unless it is raining.
14. Prior to the commencement of this consent, the consent holder must install deposition gauges at the locations marked on Figure 2-1 in the report titled 'Assessment of Air Quality Effects of the Proposed Extension of the Airport Road Sand Pit' prepared by URS dated February 2007 attached as Appendix 9 to the application.

Light/Glare

15. That outdoor lighting on the site shall be so selected, located, aimed adjusted and screened as to ensure that glare resulting from the lighting does not cause a level of light spill in excess of 10 lux to any adjoining property, measured 2 m inside the boundary of the neighbouring property.

Roading and Traffic

16. The consent holder must implement suitable measures to prevent earth being deposited on District Roads by trucks and other heavy vehicles leaving the site. In the event that the material is deposited on the road from vehicles leaving the site, the consent holder shall take immediate action at their own expense, to clean the road. The consent holder shall be responsible for the cost of repairing any damage to the berm as a result of the heavy vehicle movements. All such repair work shall be carried out within four weeks of the damage occurring.
17. All site access must be via the inter-site gully access road linking to the existing Airport Road extraction and processing site, with the exception of the following circumstances:
 - for initial establishment of the site and to construct the inter-site crossing;
 - to allow access to the southern side of the inter-site gully access for the purpose of repair and reinstatement;
 - in the event of an emergency, such an emergency shall be limited to a natural event or similar which renders the gully unusable.

NB. This condition refers to sand winning activity only and does not preclude use by the existing dwellings onsite.

Discovery of Archaeological or Culturally Significant Finds

18. Where during activity, any archaeological features, artefact or human remains are accidentally uncovered or are suspected to have been discovered, the following protocol must apply:

- (i) All works within the vicinity must cease immediately.

In cases other than suspected human remains:

- (ii) The Consent Holder must immediately secure the area and advise the NZ Historic Places Trust of the occurrence.
- (iii) The Consent Holder must consult with a representative of the relevant iwi authority and the NZ Historic Places Trust to determine what further actions are appropriate to safeguard the site or its contents.

Where human remains are suspected:

- (iv) The contractor must take steps immediately to secure the area in a way that ensures human remains are not further disturbed.
- (v) The consent holder must notify the NZ Police of the suspected human remains as soon as is practicably possible after the remains have been disturbed. The consent holder must notify the relevant iwi authority and the NZ Historic Places Trust within 12 hours of the suspected human remains being disturbed or otherwise as soon as practicably possible.
- (vi) Excavation of the site must not resume until the NZ Police, NZ Historic Places Trust and relevant Kaumatua have each given the necessary approvals for excavation to proceed.

Complaints Register

19. The consent holder must maintain a complaints register. The register must include the following:

- a) The date, time and duration of the incident that has resulted in the complaint;
- b) The location of the complainant;
- c) The cause of the incident where appropriate;
- d) Any corrective action undertaken by the consent holder in response to the complaint.

The register must be available to Council within two (2) working days of its request.

Review Condition

20. That the Waipa District Council may give notice pursuant to Section 128(1) of the Resource Management Act (RMA) 1991 to review the conditions of consent. This may be undertaken twelve months following the commencement of the consent and every two years thereafter and will be at the Consent Holder's expense. The purpose is to review the conditions of this consent for the following purposes:
- a) To review the effectiveness of the conditions of this consent in avoiding or mitigating any adverse effects on the environment from the exercise of this resource consent (in particular noise, dust and visual components of the application) and if necessary to avoid, remedy, or mitigate such effects by way of further or amended conditions; or
 - b) To address any adverse effect on the environment which has arisen as a result of the exercise of this consent; or
 - c) If necessary and appropriate, to require the holder of this resource consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment; or
 - d) To review the adequacy of and the necessity for monitoring undertaken by the consent holder.

Reasons for Decision

- a. The proposed activity was considered under the Operative Waipa District Plan and the Resource Management Act 1991. The relevant Objectives and Policies under the District Plan relate to rural activities, mineral extraction, cultural values and noise. The proposal is not contrary to the Objectives and Policies of the Operative Waipa District Plan. Furthermore the proposed activity is not contrary to Part II of the Resource Management Act 1991.
- b. Pursuant to section 94 of the Resource Management Act 1991 the application has not been publicly notified as the adverse effects of the proposal are deemed to be minor. Written approval was not provided by all parties considered to be potentially affected by the activity; accordingly the application was processed on a Limited Notified basis.
- c. The sand resource will continue to be processed at the existing facilities located on Airport Road, therefore conditions imposed on the original consent will continue to apply.
- d. Conditions 3-4 will ensure that the activity complies with the relevant noise limits of the District Plan and does not create a nuisance for surrounding neighbours.
- e. Conditions 7-11 have been imposed in order to adequately mitigate any adverse effect on existing visual, landscape and amenity values.
- f. Conditions 12-14 have been imposed to ensure dust does not cause a nuisance beyond the boundaries of the extraction site.
- g. The works described in the submission from Transit NZ have been undertaken by the applicant. As such it was not considered necessary to impose these as a conditions of consent.

- h.* The review condition provides Council with the flexibility to review the exercise of the consent and address any significant adverse effects that might arise during the exercise of the consent.
- i.* Any adverse environmental effects resulting from the proposal are deemed to be no more than minor, or can be mitigated by the imposition of appropriate consent conditions.

Advisory Notes

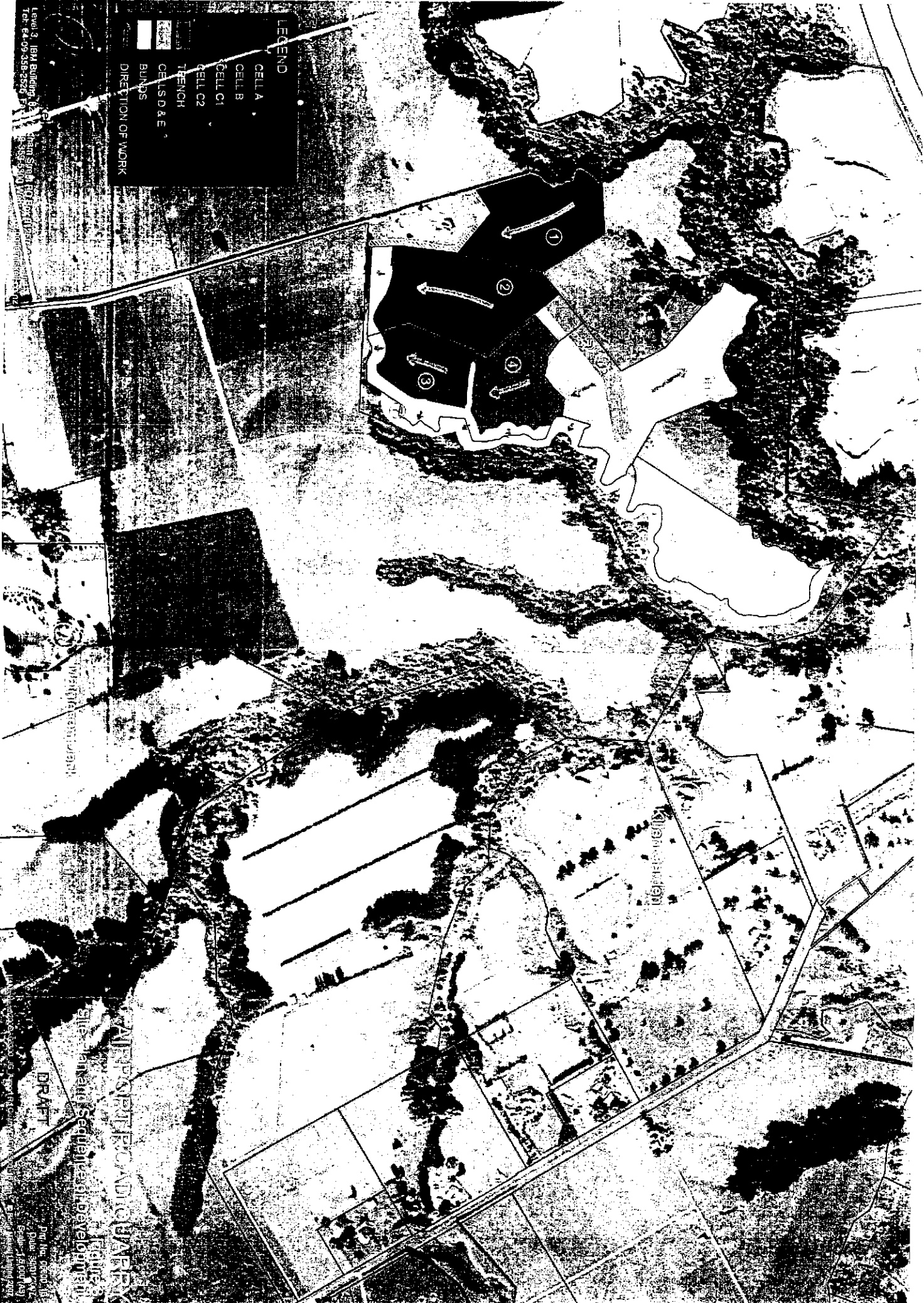
- The proposed activity is to be undertaken in conjunction with the processing activities described in Land Use Consent RC/3702.

Building Consent

- The Consent Holder shall obtain the necessary building consents prior to the commencement of works on site.

Sedimentation Ponds

- If the Consent Holder chooses to transfer the Environment Waikato consent to Waipa District Council at a later date, Waipa District Council must approve the construction of the retention/sedimentation ponds.

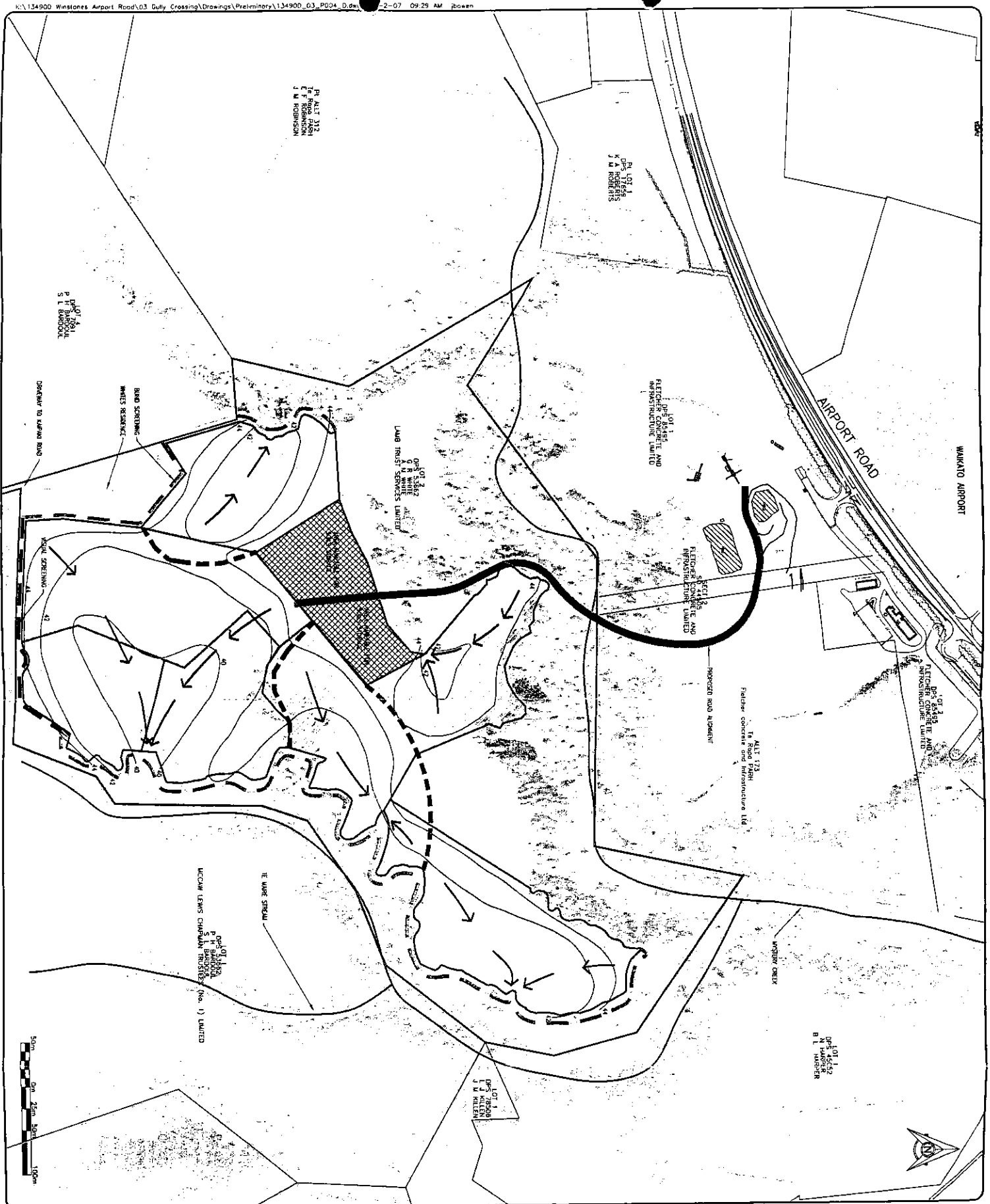


LEGEND

- CELL A
- CELL B
- CELL C1
- CELL C2
- TRENCH
- CELLS D&E
- BUDS
- DIRECTION OF WORK

Level 3, IBA Building
 100 Brockton Ave
 Boston, MA 02126
 Tel: 617-352-2525

MPP&PT/ROAD/QUARRY
 Site Remediation
 DRAFT
 Date: 07/27/07
 Drawn: [illegible]



© copyright
 DATUMS
 COORDINATES 1949
 DATUM AT EDEN - EDEN
 CURVE AT EDEN - EDEN
 CURVE ORIGIN - 7055000N 300000E
 UTM
 MATHS
 DATUM

- KEY
- LEGAL BOUNDARIES
 - CURRENT OPERATIONS SITE
 - PROPOSED OPERATIONS SITE
 - SAND SCREENING
 - VEGETATION SCREENING
 - EXTENT OF SAND RESERVE
 - SAND STORAGE AREAS
 - GULLY DRAINAGE
 - MACHINE PAUL CONTIGUES
 - DISBURSE DITCH
 - GENERAL DRAINAGE PATH

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PRELIMINARY

BLAYNEY BUILDERS & CIVIL ENGINEERS
 Level 5, 181 London Street, Blayney, NSW
 Phone: 61-7-438 9144, Fax: 61-7-438 0431
 Email: consultation@blayney.com.au

WINSTONE
 CONSULTANTS

PROJECT:
 AIRPORT ROAD SAND QUARRY
 WHITE PROPERTY AND
 MYSTERY CREEK GULLY

FIGURE 7
 SITE REHABILITATION PLAN

scale	date
A1=1:2000	18/07/06
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title:	
drawing number:	
134900/03/P004	