

# Hutchinson Road Sand Quarry

## Hamilton City Council Consent Compliance Report period ending December 2019

No.	Condition	Comments	Status
1	<p>The development should be carried out in general accordance with the report submitted by the consent holder titled "Proposed Sand Quarry, Horotiu Applications for Resource Consents Assessment of Effects on the Environment", and in particular Section 10 of the Proposed Management Plan; Appendix D – Quarry Excavation Stages; and Appendix E – Landscape Development and Restoration Sequence (Plans 1 to 5) and contained in the Woodward-Clyde New Zealand Limited report dated October 1994 and in accordance with the 'Management Plan, Version 2, February 2010', dated the 11th of March 2010 and the recommendations in the 'Report to Waikato District Council for Hutchinson Road Sandpit Annual Report, 1st January 2009 – 31st of December 2009', dated February 2010.</p> <p>a) (a) Development and Layout in area K is to be amended by the works shown on Bernard Brown Associates Plans (3 plans) as submitted on the 6th of July 1995 for application 69/96/002 and the plan submitted to Council on 28 November 2002 for consent 69 95 341 for a tennis court pavilion.</p>		Compliant
2	<p>a) That the hours of operation for the site preparation, top soil removal, subsequent reinstatement of land, sand winning, and transportation of sand (processed or unprocessed from the site shall be restricted to: -</p> <p style="padding-left: 40px;">Monday to Friday                      0700 to 1800 hours Saturday                                      0730 to 1200 hours</p> <p>b) That the hours of operation for aggregate processing shall be restricted to: -</p> <p style="padding-left: 40px;">Monday to Friday                      0700 to 2200 hours Saturday                                      0700 to 1800 hours</p>		Compliant
3	<p>The extraction and processing of sand and aggregate shall not exceed the following noise levels at the notional boundary of any rural dwelling. The notional boundary means a line 20 metres from the facade of any rural dwelling or the legal boundary where this is closer to the dwelling.</p> <p style="padding-left: 40px;">Monday to Friday    7.00am to 7.00pm 50dBA(L10) Saturday              7.00am to 6.00pm 50dBA(L10) At all other times including public holidays 40 dBA(L10)</p> <p>Measurements shall be measured and assessed in accordance with New Zealand Standards: NZS 6801:1991 - Measurement of Sound NZS 6802:1991 - Assessment of Environmental Sound</p>	Was measured at an early stage by N Hegley and there has been no changes	Compliant

<p><b>4</b></p>	<p>The site preparation, top soil removal and reinstatement of land shall ensure that the noise levels do not exceed the following limits as specified in NZS 6803P : 1984 The Measurement and Assessment of Noise from Construction Maintenance and Demolition Work.</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Time</th> <th style="text-align: center;">L10</th> <th style="text-align: center;">L95</th> <th style="text-align: center;">Lmax</th> </tr> </thead> <tbody> <tr> <td colspan="4"><b>Weekdays</b></td> </tr> <tr> <td>0630 to 0730 hours</td> <td style="text-align: center;">60</td> <td style="text-align: center;">45</td> <td style="text-align: center;">70</td> </tr> <tr> <td>0730 to 1800 hours</td> <td style="text-align: center;">75</td> <td style="text-align: center;">60</td> <td style="text-align: center;">90</td> </tr> <tr> <td>1800 to 2000 hours</td> <td style="text-align: center;">70</td> <td style="text-align: center;">55</td> <td style="text-align: center;">85</td> </tr> <tr> <td colspan="4"><b>Saturdays</b></td> </tr> <tr> <td>0730 - 1800 hours</td> <td style="text-align: center;">75</td> <td style="text-align: center;">60</td> <td style="text-align: center;">90</td> </tr> </tbody> </table>	Time	L10	L95	Lmax	<b>Weekdays</b>				0630 to 0730 hours	60	45	70	0730 to 1800 hours	75	60	90	1800 to 2000 hours	70	55	85	<b>Saturdays</b>				0730 - 1800 hours	75	60	90	<p>Was measured at an early stage by N Hegley and there has been no changes</p>	<p>Compliant</p>
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<p><b>5</b></p>	<p>When sand excavation is undertaken in the areas N, K, L, as identified on Plan 2, contained in Appendix E, Section 10 of the Woodward - Clyde document, dated October 1994, titled "Proposed Sand Quarry Horotiu Applications for Resource Consents - Assessment of Effects on the Environment" the extraction shall:-</p> <ul style="list-style-type: none"> <li>i. Be undertaken from the base of the pit.</li> <li>ii. Be worked towards the residence, business, school or community facility to ensure maximum screening and noise reduction is achieved by the face of the excavation.</li> <li>iii. That the excavation shall not encroach closer than 80 metres to any residential building, business, school or community facility.</li> </ul> <p>iii(a) The residential building and tennis court pavilion proposed under consent 69/96/002 and the plan submitted to Council on 28 November 2002 for consent 69 95 341 shall be exempt from condition 5(iii) because noise mitigation is achieved through earth mounding and tree planting as outlined on the Bernard Brown Associates Plans (3) submitted for application 69/96/002.</p>	<p>Areas all completed</p>	<p>Compliant</p>																												
<p><b>6</b></p>	<ul style="list-style-type: none"> <li>i. The aggregate screening plants are to be located generally in accordance with the position identified on Plan 2, contained in Appendix E, Section 10 of the Woodward - Clyde document, dated October 1994, titled "Proposed Sand Quarry Horotiu Applications for Resource Consents - Assessment of Effects on the Environment."</li> <li>ii. The aggregate screening plants shall not be closer than 350 metres to any residence, school or community facility located on adjoining properties unless satisfactory acoustic screening has been established to ensure compliance with the noise standards contained in Condition (3).</li> </ul>		<p>Compliant</p>																												
<p><b>7</b></p>	<p>Where additional noise screening is required in the future, the consent holder is required to engage an acoustic engineer to make the necessary assessment and recommendation for an effective noise screen to ensure compliance with the noise standards contained in Conditions (3) or (4) as applicable.</p>	<p>Not required</p>	<p>Compliant</p>																												

8	<p>The noise monitoring shall be carried out by the consent holder as directed by the <del>Waikato District</del> Hamilton City Council. Such monitoring will more specifically relate to: -</p> <ul style="list-style-type: none"> <li>i. Assessment during the commissioning of the proposal to confirm the predicted noise levels as submitted by Hegley Acoustic Consultants Report in section 14.9 of the Application.</li> <li>ii. Topsoil removal and the sand winning operations within the sensitive areas of N, K, L, and close to the Waikato River in areas of M and P as submitted in Plan 2, contained in Appendix E, Section 10 of the Woodward-Clyde document, dated October 1994, titled "Proposed Sand Quarry Horotiu Applications for Resource Consents-Assessment of Effects on the Environment."</li> <li>iii. Operation of the sand processing plant as provided for in Condition 2(b) to confirm compliance with the noise levels specified in Condition 3.</li> </ul>	Was measured at an early stage by N Hegley and there has been no changes	Compliant
9	Noise generated by the ancillary forestry and milling activities are required to comply with the noise standards contained in Condition 3.	No activities underway	Compliant
10	<p>That the proposed activity does not create a noise nuisance to any resident on site.</p> <p>Note: The term Nuisance in these recommendations shall have the same meaning as defined in the Health Act 1956.</p>	No complaints received	Compliant
11	That only vehicle entrance, egress point for traffic associated with the extraction, processing and transportation of sand be from the access gained off Hutchinson Road which is to be located a minimum distance of 200 metres from the intersection of Hutchinson Road with State Highway One.	Completed by Tanlaw	Compliant
12	That the site entrance onto Hutchinson Road from the sand quarry site be designed, constructed and maintained to accommodate two-way heavy commercial vehicle movements to the satisfaction of Council.	Completed by Tanlaw	Compliant
13	That the site entrance and quarry access road be sealed from the proposed edge of seal on Hutchinson Road to the proposed truck wash to the satisfaction of Council.	Completed by Tanlaw, note that the road has been sealed beyond the truck wash all the way to the office, approx 600m	Compliant
14	That Hutchinson Road be upgraded between the site entrance and the State Highway to provide a minimum pavement design life of 20 years and a minimum sealed width of 6 metres to the satisfaction of Council. The pavement shall be designed in accordance with the standards specified for premium flexible pavements in the State Highway Pavement Design and Rehabilitation Manual. The road shall be constructed with sufficient crossfall to facilitate washing of any sand spillage from trucks.	Completed by Tanlaw	Compliant
15	That the upgrading of the intersection of Hutchinson Road and State Highway 1 including associated pavement widening, road signage, delineation and roadmarking be designed and constructed generally in accordance with Transit New Zealand Standard RD 468 as shown in Traffic Design Group Drawing Number CAD 1958-7E dated 28 February 1995 to the satisfaction of Council.	Completed by Tanlaw	Compliant
16	That engineering design plans of the State Highway intersection layout, upgrading of Hutchinson Road, site entrance and wheel wash facilities, be approved by Council prior to any construction being undertaken. The engineering design plans of the State Highway intersection upgrading shall be designed in consultation with Transit New Zealand.	Completed by Tanlaw	Compliant
17	The applicant shall install either a wheel wash that is designed, operated and maintained to minimise the deposit of sand and metal onto Hutchinson Road or a well maintained sealed pavement and grass swales between Hutchinson Road and the weigh bridge (approximately 600m) to minimise the deposit of sand and metal onto Hutchinson Road. The wheel wash or sealed pavement and swales shall be maintained to the satisfaction of Council.	Sealed road	Compliant

18	That construction of the widened State Highway intersection, upgrading of Hutchinson Road, site entrance, quarry access road and wheel wash facilities be completed to the satisfaction of Council prior to any sand product being transported from the site.	Completed by Tanlaw	Compliant
19	That any sand spillage onto public roads be removed as soon as practicable to the satisfaction of Council	No sand spillage. No complaints	Compliant
20	That land drainage channels and streams within the site be constructed and maintained to provide unimpeded stormwater drainage to upstream properties including roads to the satisfaction of Council.	Checked no issues	Compliant
21	Machine access to drainage channels and streams within the site for drain cleaning purposes shall be maintained to the satisfaction of Council.	No issues. Minimal machinery on site and none that goes near the channels and streams.	Compliant
22	That a 6m x 6m boundary splay be vested in Council at the intersection of Hutchinson Road and State Highway 1 to the satisfaction of Council.	Completed	Compliant
23	<p>The consent holder shall prepare a management plan which details the operational procedures which will be implemented to achieve compliance with the conditions of this consent to the satisfaction of Council. The approved management plan shall be lodged with the Council and made available to interested parties prior to the exercise of this consent. Following consultation with Waikato Regional Council, <del>Waikato District</del> Hamilton City Council and interested parties that plan shall be reviewed and updated; annually for the first two years of the exercise of this consent, and thereafter at intervals to coincide with the review of the conditions of the consent as outlined in Condition 31.23</p> <p>a) The management plan required by condition 23 is to acknowledge the inclusion of the dwelling and tennis court pavilion at the end of Horotiu Landing Road and the proposed amendments to the quarry layout in area K as shown on Brown Associates Plans (3) as submitted for application 69/96/002 as well as the plans and information shown in the document titled 'Management Plan, Version 2, February 2010', dated the 11th of March 2010.</p>	<p>Management plan was updated to version 3 in September 2012.</p> <p>Excavation and clean fill activities have ceased.</p>	Compliant
24	<p>The consent holder shall undertake ongoing consultation with local residents and interested parties on an annual basis or more frequently. The management plan referred to in Condition 23 shall incorporate the following requirements in the consultative programme:-</p> <ol style="list-style-type: none"> <li>i. Any meetings are to be called and arranged at the applicant's expense.</li> <li>ii. The minimum information to be made available to attendees of such meetings will include:- <ol style="list-style-type: none"> <li>a. The previous year's noise monitoring results.</li> <li>b. The proposed work programme for the following year with specific reference to the areas of the site in which topsoil is to be removed, sand is to be excavated and any visual impact mitigation works to be undertaken.</li> <li>c. How any departures from the monitoring standards have been dealt with by the consent holder.</li> <li>d. A summary of the previous years sand quarrying operations including site development and maintenance works, topsoil stripping, rehabilitation works and the establishment and maintenance of visual mitigation works.</li> <li>e. Proposed alterations to the management plan for the site.</li> </ol> </li> </ol>	Excavation has stopped. Community engagement has largely been on a one on one basis.	Compliant
25	<p>The consent holder shall implement the visual mitigation measures outlined in the Bernard Brown and Associates report titled The Assessment of the Landscape and Visual Amenity Effects and Proposed Mitigation Measures contained in Section 14.6 of the application in accordance with Plans C, 1, 2, 2a, 3, 4 and 5 attached to that report.</p> <p>The consent holder shall ensure that the planting and maintenance of the enhanced native planting area adjacent to the Waikato River is commenced within two years of the consent being granted.</p> <p>25(a) The implementation of the visual mitigation measures required by Condition 25 are to be amended to include the works proposed as shown on Bernard Brown Associates Plans (3) submitted for application 69/96/002 and the tennis court pavilion as identified on the plan submitted to Council on 28 November 2002 for consent 69 95 341 as well as the information provided in the 'Report to Waikato District Council for Hutchinson Road Sandpit Annual Report 1st January 2009 – 31st December 2009', dated February</p>		Compliant

	2010.		
26	<p><i>That prior to the felling of the forestry planting area adjacent to Areas K, M and P as identified on Plan 2 Perry Aggregates Limited Proposed Horotiu Afco Sand Quarry Rehabilitation Sequence Years 1 to 10 contained in Bernard Brown and Associates report titled "Perry Aggregates Limited Horotiu Afco Site Proposed Sand Quarry Assessment of Rehabilitation Procedures and End Use" referenced in Section 14.6 of the application, the consent holder shall provide a visual impact assessment prepared by mitigation and design concepts set out on Plan C referred to in Condition 25.</i></p> <p><i>26(a) The implementation of the visual mitigation measures required by Condition 26 are to be amended to include the works proposed as shown on Bernard Brown Associates Plans (3) submitted for application 69/96/002 and the tennis court pavilion as identified on the plan submitted to Council on 28 November 2002 for consent 69 95 341 as well as the information and plans provided in the report titled 'Report to Waikato District Council for Hutchinson Road Sandpit Annual Report 1st January 2009 – 31st December 2009', dated February 2010.</i></p>	No trees removed	Compliant
27	<p><i>That no topsoil stripping or sand excavation be undertaken within 10m from any boundary of the existing 12m wide gas pipeline easements which run through the consent holder's site.</i></p>	Excavation stopped in 2016	Compliant
28	<p><i>The consent holder must obtain the prior written approval of the Natural Gas Corporation of New Zealand Limited before carrying out any activity on the land within their site which is contained in the Te Kowhai-Morrinsville high pressure natural gas pipeline registered easement number B.091691.5 and the Te Rapa lateral high pressure easement number H.751518.3.</i></p> <p><i>28(a) The written approval of the Natural Gas Corporation of New Zealand Limited must be obtained for any works as shown on Bernard Brown Associates Plans (3) submitted for application 69/96/002 and the tennis court pavilion as identified on the plan submitted to Council on 28 November 2002 for consent 69 95 341 that are adjacent to or across the natural gas pipeline easements referred to in Condition 28.</i></p>	Excavation has stopped. Previous work near the gas main complies with condition 27	Compliant
29	<p><i>The consent holder shall obtain all the necessary regulatory consents required from the Council prior to undertaking the relocation of the Te Rapa lateral high pressure natural gas pipeline and easement as it affects the consent site.</i></p>	Excavation has stopped. Previous work near the gas main complies with condition 27	Compliant
30	<p><i>Should a human burial site be unearthed during the topsoil stripping phase or excavation of sand, then the earthmoving or sand extraction operation, affecting the burial site, shall cease immediately.</i></p> <p><i>30(a) The requirements of Condition 30 shall also apply to the works proposed as shown on Bernard Brown Associates Plans (3) submitted for application 69/96/002 and the tennis court pavilion as identified on the plan submitted to Council on 28 November 2002 for consent 69 95 341.</i></p> <p><i>The plant operator shall advise the applicant who shall secure the area and notify the New Zealand Police and the Historic Places Trust and the Turangawāwae Board of Trustees.</i></p> <p><i>Work may recommence on the affected portion of the site when these parties advise the <del>Waikato District</del> Hamilton City Council that they are satisfied the necessary procedures to deal with the situation have been followed.</i></p>	No remains found	Compliant
31	<p><i>The Council may review the conditions of this consent every five years, from the date of the granting of this consent, for the purpose of dealing with any adverse effects on the environment arising from the exercise of this consent. Such a review shall only be commenced after consultation between the Council and the consent holder.</i></p>		Compliant

			Noted
32	The Council will, pursuant to Section 36 of the Resource Management Act 1991, charge the applicant on the basis of actual and reasonable costs incurred in the collection, analysis and if necessary, undertaking independent auditing of the monitoring data derived from monitoring the conditions of this consent.		
33	The consent holder shall prepare an Annual Sand Quarry Work Plan for the Horotiu Sand Quarry and associated activities to the satisfaction of the Council and shall forward the same to the <del>Waikato District</del> Hamilton City Council at annual intervals.	Currently no mining activity	Pending
34	The Annual Quarry Work Plan shall contain appropriate maps and describe mining activities and other relevant information and shall include documentation on the following:- i Quarrying operations for the following 12 months outlining:- A detailed work programme for the removal of sand from the site including topsoil removal and rehabilitation and visual impact mitigation works; and ii A summary of the previous years mining operations including site development and maintenance works, topsoil stripping and rehabilitation works and visual mitigation works.	Mining stopped in 2016. Remediation is pending the change in land use.	Covered under 33
35	The sand quarry site shall be security fenced to the satisfaction of Council.	All fenced	Compliant
36	The consent holder is to fence out from the sand quarry site and undertake planting on that part of the site to the north west of the existing natural gas pipeline easement bounded by Horotiu Bridge Road and Kernoff Road as shown on Plan 2 Perry Aggregates Limited Proposed Horotiu AFFCO Sand Quarry Rehabilitation Sequence Years 1 to 10 contained in Section 14.14 Assessment of Rehabilitation Procedures and End Use Proposals of the Application.  36(a) The works required by Condition 36 shall include amendments to cater form the works proposed as shown on Bernard Brown Associates Plans (3) submitted for application 69/96/002 and the tennis court pavilion as identified on the plan submitted to Council on 28 November 2002 for consent 69 95 341.	All fenced	Compliant
37	That the consent holder shall to the satisfaction of the Council, ensure that there is expertise available at all times to deal with public complaints, and in particular noise problems, which might arise after working hours and when the site is not occupied by suitably experienced personnel. To this end the consent holder shall provide a 24 hours per day, seven days per week contact service to facilitate the handling and resolution of any complaints. A complaints register shall be kept by the consent holder and the Council is to be advised of any complaint received and the remedial action taken within the 5 working days of the consent holder receiving the complaint. Details of this service shall be included in the management plan referred to in Condition 23.	All inquires now dealt with by Perry Group head office and Te Awa Lakes development team. Complaints (and general comments) registers is maintained.	Compliant
38	The rehabilitation of the land to which this consent relates shall be undertaken such that:- i to ensure that the productive versatility of the <u>permanently</u> rehabilitated soils is at least that prior to their disturbance as associated with the exercise of this consent; ii the site is rehabilitated progressively and in conjunction with the sand mine development, such that at any one time the total area disturbed by mining and <u>permanent</u> rehabilitated activities is generally limited to 10 hectares; iii to ensure that the development does not detract from existing site landscape and conservation values; iv an appropriate vegetation cover on disturbed land surfaces is sustained and final end use land uses and <u>contours outside of the Transit Land Designation as shown on the Mark T Mitchell Site Plan Drawing No. 6116-10</u> are compatible with	Site has been temporarily reinstated. Full remediation is pending the change in land use.	Pending

	<p>v the local soil qualities so as to avoid soil loss and adverse effects on water and air quality; it ensures long term management of <b>permanently</b> rehabilitated areas is at least consistent with soils under similar land uses.</p> <p>To this end, and to the satisfaction of the Council, the Consent Holder shall compile a management plan, which details the operational procedures, which would be implemented to achieve the above objectives. Following consultation with the <del>Waikato District</del> Hamilton City Council and any interested parties that plan shall be reviewed and updated annually for the first two years of the exercise of this Consent and thereafter at intervals to coincide with the review of the conditions of this Consent, as detailed in Condition 31.</p> <p><i>Advisory Note: In order to achieve the above condition clean fill may need to be imported to the site. Clean fill is defined as follows:</i></p> <p><i>Means material that when discharged to the environment will have no adverse effect on people or the environment. This includes natural materials such as clay, soil and rock, and other inert materials such as broken concrete and brick, or mixtures of any of the above a, and excludes:</i></p> <ul style="list-style-type: none"> <li><i>(a) material that has combustible, putrescibles or degradable components, and</i></li> <li><i>(b) materials likely to create leachate by biological or chemical breakdown. and</i></li> <li><i>(c) products or materials derived from hazardous waste treatment, hazardous waste stabilisation of hazardous waste disposal practices, and</i></li> <li><i>(d) materials such as medical and veterinary waste, asbestos, or radioactive substances that may present a risk to human health, and</i></li> <li><i>(e) materials contaminated with hazardous substances or pathogens, and</i></li> <li><i>(f) hazardous substances.</i></li> </ul> <p>38(a) Rehabilitation works required by Condition 38 are to acknowledge and cater for the works proposed as shown on Bernard Brown Associates Plans (3) submitted for application 69/96/002 and the tennis court pavilion as identified on the plan submitted to Council on 28 November 2002 for consent 69 95 341 as well as plans and information that have been provided in the 'Hutchinson Road Revised Reinstatement Plan 2010' as shown in the reports titled 'Management Plan, Version 2, February 2010', dated the 11th of March 2010.</p> <p>38(b) Temporary reinstatement of those areas identified on the Mark T Mitchell Drawing No. 6116-12 as "Temporary Reinstatement" and "Year 1 to 5" may be carried out by re-topsoiling and grass seeding and those areas excluded from the requirements of condition number 38 (ii) and condition number 43.</p> <p>38(c) The applicant shall undertake soil testing to confirm to Council that the soil quality has been reinstated to 300mm of B-Horizon soils and at least 150mm of topsoil. The applicant shall also submit a contour plan of the site confirming that gradients are no steeper than 1 in 6 and no flatter than 1 in 100.</p> <p>The results of the soil test and copies of the contour plans shall be submitted to Council's Monitoring Department at the completion of rehabilitation for each mining stage.</p>		
39	Rehabilitation of the site shall be undertaken in accordance with the approved management plan required by Condition 38 and implemented under the supervision of persons with appropriate rehabilitation experience	Rehabilitation is pending land use change	Pending
40	The Consent Holder shall undertake monitoring to characterize the qualities and variability of the site rehabilitation. To this end, and to the satisfaction of Council, the Consent Holder shall prepare a monitoring plan which details the manner in which measurement of the objectives detailed in Condition 38 would be determined	Rehabilitation is pending land use change	Pending

41	<i>Results of monitoring shall be forwarded to the Council in association with the Annual Quarry Work Plan requirement detailed in Condition 33.</i>	Rehabilitation is pending land use change	Pending
42	<i>The Consent Holder shall, unless otherwise required in writing by the Council following consultation with the Consent Holder, submit to the Council a report prepared by the persons retained in accordance with Condition 38 above, on the status of the site rehabilitation works at 12 month intervals. That report shall also detail proposed rehabilitation works for the following 12 month period.</i>	Rehabilitation is pending land use change	Compliant
43	<i>That at any time only three 3.33 hectare sites involved with sand extraction and permanent rehabilitation works shall be undertaken by the consent holder on the subject site.</i>	No areas of site are subject to sand extraction or permanent rehabilitation worked.	Compliant
44	<i>That public access to the walkway and area of enhanced native bush planting where the subject site adjoins the Waikato River shall be at the discretion of the consent holder.</i>	Noted. Perry Group allow unimpeded access to the walkway.	Compliant