

26 March 2024

Todd Whittaker
Waipā District Council
Private Bag 2402
Te Awamutu
3840

Resource Consent Application LU/0077/23 – Further Information Response

Dear Todd

Thank you for your further information response dated 19 June 2023, below are our responses in relation to the information requested.

Scale of Activities and Operational Management

- (1) *Please confirm how any average truck movement restrictions will be applied and monitored including over what period the averaging threshold is to apply.*
- (2) *The Draft Management Plan refers to an average of 71 trucks per day (142 truck movements) with a peak of 200 trucks per day (400 truck movements). The AEE refers to the busiest days occurring 'once every couple of months). If a significant contract to supply sand is secured, it does not seem realistic to assess the peak truck movement as an irregular occurrence equating to only 6 times a year. Can you please elaborate on the basis for proposing this frequency?*

Comment:

These requests have been responded to within the transportation responses dated 16th August 2023 and 21st December 2023.

- (3) *We note that the noise assessment appears to be based on single excavator and dump truck working on the site. Is this correct and can 'maximum plant operating' in Section 4 be described in more detail. Again, if significant contracts are secured, will this potentially lead to multiple heavy machinery vehicles and will this affect the overall noise emissions?*

Comment:

Hegley Acoustic Consultants' specialist Nevil Hegley has reviewed this question and provided the following response:

"The plant modelled varies depending on the scenario being considered. In each case the maximum amount of plant for the given activity has been assumed as set out below.



For the bund construction (Figure 10 in the noise assessment) there is the bulldozer, a dump truck and excavator at each of the two bund sites operating all day and, in each case, fully exposed to the closer dwellings.

For the sand plant processing with excavation to the west of the site (Figure 11) there are both dump trucks and road trucks, two loaders, the plant plus screens operating all day.

For the sand plant processing with excavation at half the final depth (Figure 12) the same plant operating as set out for Figure 11 has been modelled.

It is understood this is the maximum amount of plant likely to be operating in each of the above scenarios. Often there will be fewer trucks/dump trucks operating and the loaders, excavators and bulldozer will not operate all day.”

- (4) *Please clarify the hours of operation for the proposed quarry. The Draft Quarry Management Plan provided specified hours of operation Monday to Friday 7am – 7pm but as part of Kinetic’s Rule Assessment this was specified as Monday to Friday 7am – 5pm.*

Comment:

The hours of operation are Monday to Friday 7:00am to 5:00pm and Saturday 7:00am to 12:00pm. The quarry is closed on Sundays and Public Holidays.

- (5) *Erosion and Sediment Control Plan provided by Southern Skies Environmental Ltd did not include the erosion and sediment control drawings in Appendix A. There is a table with the drawing numbers and titles, but the actual drawings were not provided. Please provide.*

Comment:

These were provided as Appendices O2 and E in the original application. Please confirm receipt of these? We note there was a revision to ESCP-PA-01 completed following a request for further information from WRC, this plan has been attached as **Attachment A** and is Revision B. This revision has been accepted as having resolved the WRC request for further information.

Noise

- (6) *Please provide a response to the peer review comments and specific questions set out in the attached Marshal Day letter dated 9 June 2023.*
- (a) *We assume noise modelling is based on the trip generation estimates noted in the CKL report. However, ask Hegley to confirm that this is the case.*
 - (b) *Can Hegley confirm whether all modelled moving sources follow the terrain. If they do not, we ask that Hegley comment on how this will affect calculated levels at all identified receivers. The re generation of noise contours may be required.*
 - (c) *For general clarity and to make it easy for any potentially affected parties who may read the assessment, we suggest that Table 1 be updated to include addresses, and Figures 10 to 12 be updated to include dwelling numbering.*
- (7) *The PDP Air Quality report provides a wind rose (see Figure 1) which shows the prevailing wind to the west and which is towards the sensitive noise receivers located adjacent to the western boundary of the site. Has the wind direction been assessed as part of the noise assessment and is likely to influence the noise modelling?*

Comment:

A response to the noise questions (prepared by Hegley Acoustic Consultants) was sent to you on the 20th of October 2023. As per the Marshall Day letter dated 13 November 2023, the questions within the noise section of the further information request have been resolved.



Cultural Values and Assessment

- (8) *The executive summary includes a text box which appears incomplete and refers to the final position of hapu as 'supports/opposes the application'. This compares to the 'neutral position' discussed in the Decision text box on. Would it be possible to have the report updated to clarify the position of hapu in the executive summary?*

Comment:

The updated Cultural Impact Assessment (CIA) was provided on the 8th February 2024.

- (9) *We note that the CIA refers to operational aspects of the proposed quarry including provision for ecological mitigation and compensation. Can you please confirm whether the final and full set of application material have been presented to hapu including the reports on terrestrial ecological and the modifications and discharges to wetlands and riparian margins.*

Comment:

The final and full set of application material has been presented to hapu, including all the reports mentioned in your request.

- (10) *The CIA refers to their position being subject to the acceptance of conditions and recommendations. Can these agreements and conditions be clarified in terms of what is intended or proposed to be included as part of agreed mitigation for the purpose of consent conditions? We also acknowledge the CIA commentary on betterment and other agreements which sit outside the resource consent process and confirm that this approach is endorsed insofar as it does need to involve the consent authorities.*

Comment:

The conditions and recommendations referred to in the CIA relate to the proposed conditions and recommendations included in various specialist reports provided within the application. Additionally, the following matters have been mutually agreed upon by the Applicant and hapu, and will be implemented:

- **Cultural Induction and Training:** The Applicant shall invite hapu to provide a cultural induction and training to the Applicant before commencing any works.
- **Cultural Protocols:** The Applicant shall invite the hapu to provide cultural protocols for activities conducted on the site and assist hapu in providing the necessary ceremonial requirements, including karakia or blessings.
- **Site Monitoring:** The hapu shall appoint a dedicated kaitiaki to participate in any agreed-upon monitoring of the site.
- **Ecological Enhancement:** The Applicant shall invite hapu to participate in ecological enhancement planning and implementation for the care of the Karāpiro Stream, wetlands, and surrounds.
- **Input on Signage and Protection:** The Applicant shall invite hapu to provide input on signage and effective measures for the protection and preservation of areas that are of cultural significance.
- **Facilitating Hapu Access:** The Applicant shall provide reasonable access for the hapu and their representatives to areas managed by the Applicant. Should the hapu request access, appropriate prior arrangements will be made by the Applicant.
- **Archaeological Discovery Procedures:** The Applicant also agrees to the standard archaeological discovery procedures and protocols.

Landscape Values and Assessment

Comment:

A response to the landscape and visual questions (prepared by Mansergh Graham) was sent to you on the 19th of October 2023. We are yet to hear from you and/or Boffa Miskell whether this response has satisfied the requests for information.



Transportation Assessment

Comment:

A response to BBO's transportation requests was sent to you on the 19th of October 2023 and further information was provided directly to BBO on the 21st December 2023 and yourself on the 15th January 2024. We are yet to hear from you and/or BBO whether these responses have satisfied the request for information.

Terrestrial Ecological

Comment:

A complete response to the ecology requests for information was prepared by Alliance Ecology and provided to both the Waipa District and Waikato Regional Councils on the 7th December 2023.

National Policy Statement for Highly Productive Land (NPS-HPL)

- (14) *We assume based on the assessment in 11.2.1 of the AEE that the proposed quarry is only considered to satisfy the exemption sub-clause 3.9(2)(j) iv and that the quarry has not been assessed as providing a national benefit under sub-clause 3.9(2)(j) iii. Please discuss/confirm.*

Comment:

That is correct, the AEE assessment is in relation to the significant regional benefits the high-quality sand (aggregate) resource will provide the Auckland, Waikato and Bay of Plenty regions.

The NPS – HPL has deliberately separated (iii) mineral extraction and (iv) aggregate extraction, allowing for aggregate extraction to have a significant regional benefit as aggregate tends to have a low value when considered nationally due to transport costs and the relative abundance of aggregate within NZ when compared with 'minerals' (gold, coal, rare earth minerals such as antimony etc) which have higher national value and tend not to be used within local/regional markets.

- (15) *The wording of sub-clause 3.9(2)(j)(iv) is potentially problematic in terms of how this should be implemented. Taken literally, it would essentially mean that any quarry activity would only satisfy the exemption criteria if the same material could not otherwise be supplied from around New Zealand. This would appear to be a fanciful proposition which fails to take into account any economic, logistical and market factors involved with the supply and transportation of sand or other aggregate. In our opinion, the interpretation of this sub-clause will need to take into account the practical issues of supply. However, that said, we note your AEE refers to other local quarries and that these are also located on high class land. Can you please provide further assessment and commentary on how the same resource could be supplied from around New Zealand in accordance with sub-clause 3.9(2)(j) iv and any commentary on how this sub-clause should be implemented?*

Comment:

I agree with your assessment of 3.9(2)(j)(iv), in that the way it's been worded and if assessed literally would seem to remove any possibility of another aggregate source on highly productive land (HPL) being granted resource consent if it could be supplied elsewhere within the borders of New Zealand. I believe this is both otiose and fanciful.

I agree that economic, logistical and market factors involved with in situ aggregate supply limit the ability for resources to be quarried elsewhere within New Zealand. As identified above, carting aggregate long distances increases the cost (and carbon emissions), which is why a local source is favoured. The Aggregate & Quarrying Association has estimated that once aggregate is taken more than 30km from the quarry it was removed from, the end user pays more in cartage costs than for the actual aggregate. Therefore, for aggregates to be affordable they must be sourced as close as possible to where they are going to be used.

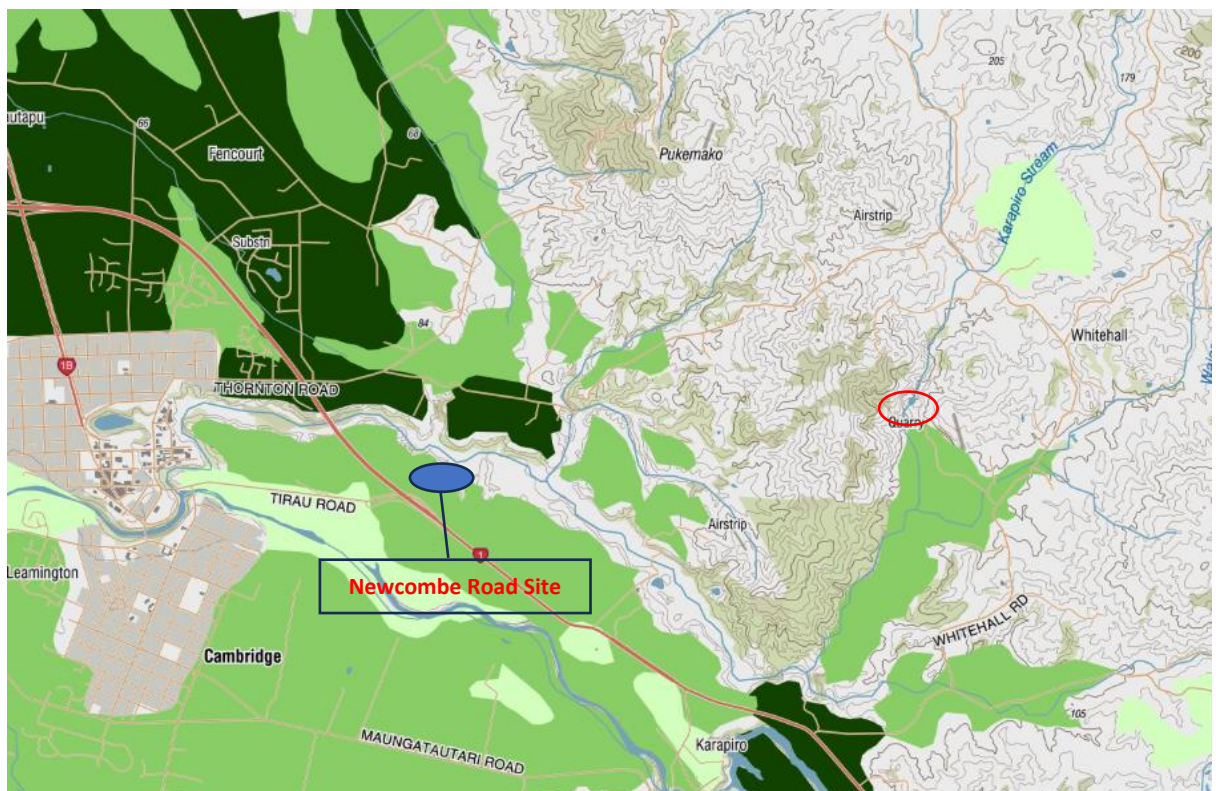
RS Sand General Manager Arthur Fulton has prepared a letter (Attachment B) outlining the companies search for a sand resource to replace its Bay of Plenty sand operation. This included an extensive search within the Bay of Plenty before investigating the Waikato Region, its market and potential in situ resource. Through this investigation it was confirmed that while there are multiple sand operations within the region very few offer



high quality concrete sand. Either through not wanting to make the investment in the plant, or through the sand resource itself not being suitable for further processing. It was also noted that a number of the existing sand operations were coming to the end of the lives making investment in these operations not suitable, on this basis a greenfield operation has been pursued. The scarcity of sand resource in the upper north island has recently been in the media, see RNZ article <https://www.rnz.co.nz/news/business/510392/ministerial-intervention-needed-to-solve-sand-shortage>

In terms of how an assessment of this clause should be implemented, an assessment could be made as to why HPL land around New Zealand should be used for this specific aggregate extraction, rather than non HPL. This has been outlined with the AEE in relation to river terraces within the Waikato Region having the best possibility for high quality concrete sand, like that resource that has been found on Newcombe Road. Within the Waikato poorer quality soils, or lower-class land is usually found within rolling or steep country away from current or historic river channels/terraces.

I have provided an image below from the Manaaki Whenua Our Environment website identifying the location of HPL (green shading) in and around our site and land considered to be non HPL (no shading). I note the location of the RS Sand site, as well as the location of a hard rock quarry within the local area. I have identified these sites to further reinforce that aggregate, be it hard rock or high-quality concrete sand is an in situ resource and not subject to movement depending on local or central government policy. One type of aggregate is found predominantly on high quality soils, another on lower quality soils, but both play an important role in New Zealand's regional infrastructure and building industries. On that basis WDC can assess this proposal as having a significant regional public benefit that could not be achieved using resources from non HPL land or from regions outside of the Waikato/Bay of Plenty or Auckland regions.



- (16) *The opportunity to return the land to a productive use would appear to align the proposal with subclause 3.9(3). However, further discussion on how this would be achieved is practice including the methodology proposed and any negative impacts on the final soil profile and composition is requested including the rehabilitation of access roads and processing area. Can you please provide further detail and assessment on*



this matter including the total area of high-class land that will be affected by works and the extent/proportion of land to be rehabilitated back to productive land?

Comment:

The act of quarrying this land for its sand resource does not involve removing all sand and overlaying the bedrock with topsoil. Rather a significant proportion of sand resource will remain in place, providing a sand base as it currently does. Further, to rehabilitate these stages it is proposed to provide a layer of 'pit sand' or sand with organics, clay, pumice etc before reapplying the topsoil layers. The topsoil layers will be stored within bunds on the property while awaiting respreading. It is important to note that this is a staged quarry (other than the access road and processing area) with only the working areas having been stripped of topsoil. The access roads and processing areas will be subject to the same rehabilitation methods at the end of the quarry life. The preparation of a rehabilitation plan a number of years before closure could be a condition of consent should the consent be recommended for grant.

I am unable to speak to negative effects of such rehabilitation, other than to note that there will be a reduction in land that could be considered HPL. At present other than the existing Karapiro Stream gully slope the remaining land to be excavated is flat, where following excavation a 3:1 batter slope around the pit will remain and be rehabilitated. However, this 3:1 slope equates to an approximate 33 degree angle of slope, which exceeds the 15 degrees maximum for land to be considered HPL. RS Sand are minimising the potential loss of HPL as much as they are able, while still being able to economically remove the resource.

With regard to your comment on the total area of HPL being impacted, this is not a mapping exercise we have undertaken due to the acceptance that the site is predominantly if not all HPL as per the Manaaki Whenua image above. The baseline HPL data is unsuitable for mapping above a scale of 1:25,000 and we are unable to provide a total area, other than to say it is likely to be predominantly all of the site used for quarrying or quarrying associated activities. The exception to this is the initial stage 1 quarrying which includes the steep bank adjoining the Karapiro Stream which looks to be Class 7 as identified on the Manaaki Whenua image at maximum resolution.

It is my view that mapping of this area by a suitably qualified and experienced person is unnecessary as the HPL status of the site is not in dispute.

I trust that the above and attached information satisfies your request and you can continue processing the application. If you wish to discuss the proposal further, please do not hesitate to contact me.

Kind regards



Christian McDean
Principal Planner



Processing Area and Site Establishment

To enable construction of the processing area SRP-1 will be constructed within the future water processing pond location. SRP-1 has been designed with a maximum contributing catchment area of 5ha and a length to width ratio of 5:1 to fit in the processing pond footprint. The contributing catchment area is approximately 4.8ha.

Topsoil will then be stripped from the area and stockpiled around the perimeter of the processing area to form the screening bunds and perimeter bunds as shown. As construction of the perimeter bunding is undertaken it will be progressively stabilised with grass seed and hay mulch.

The processing area will then be cut down an average of 2m.

The access road into site will be stripped and shaped before being stabilised with aggregate.

Once the earthworks are complete the entire processing area will be sheeted with aggregate.

Sediment Retention Pond 1

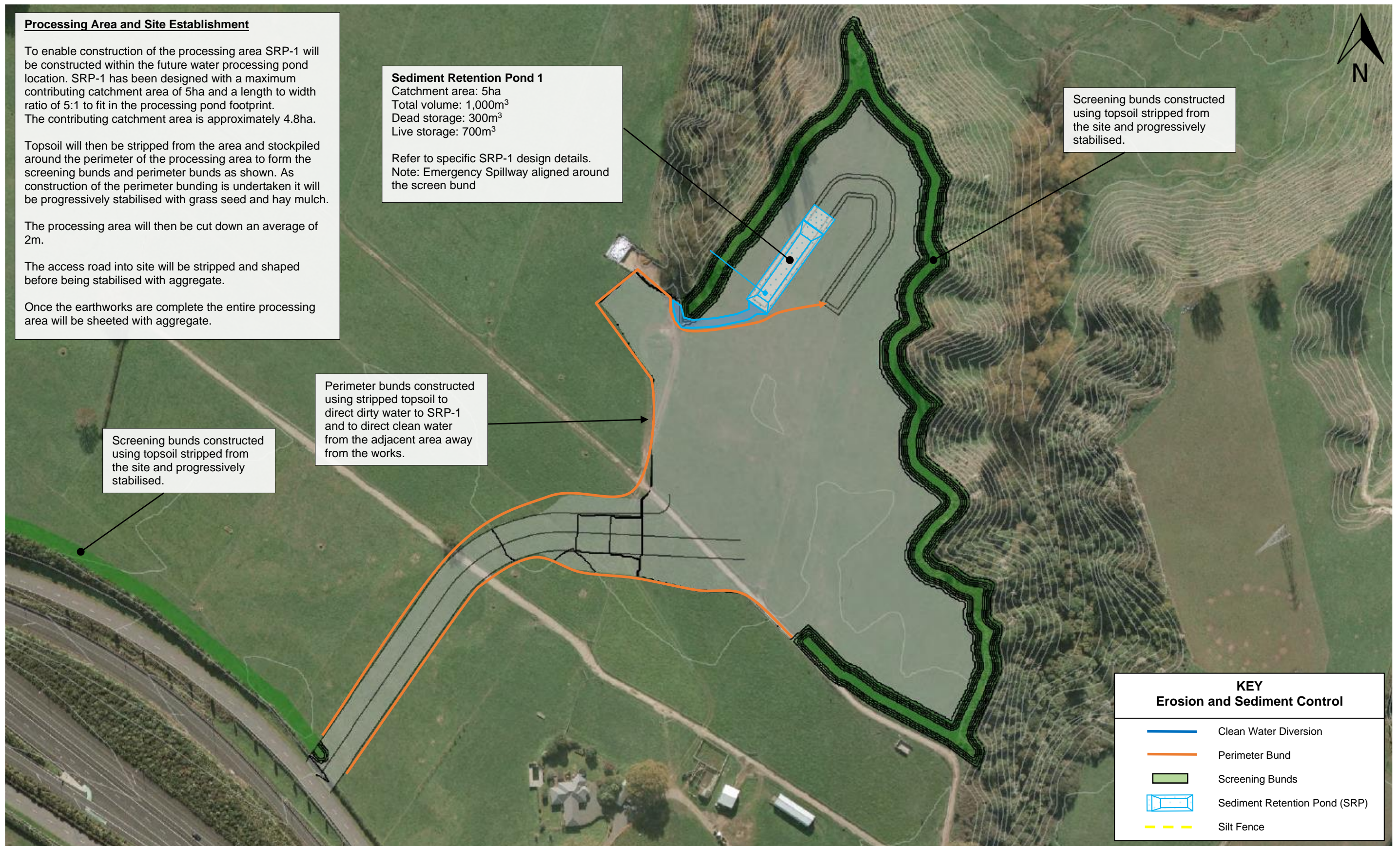
Catchment area: 5ha
 Total volume: 1,000m³
 Dead storage: 300m³
 Live storage: 700m³

Refer to specific SRP-1 design details.
 Note: Emergency Spillway aligned around the screen bund

Screening bunds constructed using topsoil stripped from the site and progressively stabilised.

Perimeter bunds constructed using stripped topsoil to direct dirty water to SRP-1 and to direct clean water from the adjacent area away from the works.

Screening bunds constructed using topsoil stripped from the site and progressively stabilised.



KEY	
Erosion and Sediment Control	
	Clean Water Diversion
	Perimeter Bund
	Screening Bunds
	Sediment Retention Pond (SRP)
	Silt Fence

- NOTES**
- All erosion and sediment controls will be installed and maintained in accordance with the Waikato Regional Council's Technical Report No. 2009/02 'Erosion and Sediment Control Guideline for Soil Disturbing Activities, January 2009' (TR09/02).
 - Earthworks are to be programmed to ensure rapid stabilisation in accordance with TR09/02.
 - All erosion and sediment control measures will be inspected on a daily basis by the site foreman.
 - Site monitoring will be undertaken before and immediately after rain as well as during heavy rainfall events. Any required maintenance or improvements to control measures will be undertaken immediately.

REV	DATE	REVISION DETAILS	APPROVED
A	21.01.22	Draft for review.	
B	05.07.23	Clarification of spillway alignment (response to s.92)	

	Project	RS SANDS
	Title	Erosion & Sediment Control Plan Processing Area and Site Establishment
Drawn ZW	Checked CS	Drawing No. ESCP-PA-01
		Sheet No. 1



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26 March 2024

Re: Functional Need to Quarry Sand at 71 Newcombe Rd, Cambridge

History of Site Investigations

Due to urban development pressure and landowner intentions it became clear approximately a decade ago that Fulton Hogan's (now Stevenson's) BoP sand resource would have a finite life and the search for a new resource was initiated.

Geological maps, borehole databases and land parcel information were reviewed and potential sites shortlisted. In mid 2017 I reviewed this information in my role as North Island Resources Support Manager and started the process of looking at approximately 20 sites assessing their potential for providing suitable resource to supply the BoP concrete sand market and also undertaking discussions with land owners. I was able to investigate 2 sites carrying out test pits and testing samples. Unfortunately, no suitable sites were identified. Urban and Horticultural developments have covered the few areas of potentially suitable concrete sand resource making them unattractive for quarrying. Areas of sand in rural areas were found to have significant Light Weight Particle (Pumice) contents that made them unattractive due to the high cost of processing and low return for Pumice product.

Having exhausted our options in the Bay of Plenty in early 2018 we decided to widen our search area into the Waikato. I visited most of the operating sand quarries (both pit and concrete sand) in the area between Tauranga and Hamilton and found that the sand was either not suitable due to high fines content, the resource was running out or the owners had no desire to change their current operations. I visited 5 to 10 landowners whose properties showed promise from the geological maps and access to the transport network. 1 property close to Newcombe Rd was investigated with test pitting and drilling with samples tested but there was too much silt in the resource for it to work. Approximately mid 2019 the Newcombe Rd land and resource became apparent to us and after 2 years of significant effort including testing and negotiations it was decided that this was our best option going forward.

Stage 1 is required to be quarried to open up the face for quarrying subsequent stages and to ensure timely remediation back to farmland. Not quarrying Stage 1 initially would have many detrimental effects including, significantly more open area of quarry being required, farming activities would be hindered due to the isolated location of the paddock(s), a significant volume of the resource would be sterilised

and the seepages would dry up as the aquitard creating them would be discontinuous. The quarrying of Stage 1 is critical to the safe, efficient and economic extraction of resource and remediation back to productive farmland.

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