

Resource consents sought for:

- RM200488 Land use consent to disturb land and rehabilitate for the purpose of gravel extraction within the Rural 1 Zone.
- RM200489 Land use consent to erect signage and establish access via an unformed legal road.



Recommended conditions

General

1. The consent holder shall ensure that all works are carried out in general accordance with:
 - (a) the application documents received by the Council on 15 June 2020;
 - (b) the further information received on 8 and 10 June 2021 and 2 September 2022;
 - (c) the evidence received on 15 July 2022 and 4 November 2022;
 - (d) Plan XX;

Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

2. The consent holder shall ensure all persons undertaking activities authorised by this resource consent are made aware of the conditions of the consent and ensure compliance with those conditions. A copy of the consent documents shall be kept available on site and shall be produced without unreasonable delay upon request from a servant or agent of the Council.
3. Quarrying in the Stage 1 area shall not commence until the Landscape Mitigation Planting required by condition 3 below has been successfully established (at least an 80% survival rate) for a period of at least 6 years. Quarrying activities in the Stage 2 and 3 areas may take place in any order provided that all other conditions of this consent are met.

Review

4. For the purposes of, and pursuant to section 128 of the Resource Management Act 1991 ('the Act'), the Council may review this consent annually commencing 6 months from the commencement of the consented activities, for the purposes of:

- (a) dealing with any adverse effect on the environment which may arise from the exercise of this consent that were not foreseen at the time of granting of the consent, and which it is therefore more appropriate to deal with at a later stage; and/or
- (b) requiring the consent holder to adopt the best practical option to remove or reduce any adverse effects on the environment resulting from the exercise of this consent.

Lapse and expiry

5. Pursuant to section 125 of the Act, this consent shall lapse 5 years after the date it commences unless either the consent is given effect to, or the Council has granted extensions pursuant to section 125(1A)(b) of the Act.
6. This consent shall expire 15 years after the date it commences.

Bond

7. Prior to starting work the consent holder shall enter into a performance bond with the Council. The performance bond shall be for \$40,000.

The sum secured by the bond shall be increased by the annual increase in the consumer price index for each year that the bond required by this condition remains in force, commencing with the first anniversary of the date of issue of the consent and confirmed on each subsequent anniversary. The movements in the relevant consumer price indices shall be taken from the published increases available on 31 December following the issue of the consent and on 31 December in each subsequent year.

8. The performance bond is to be prepared by the consent holder's Bank or Solicitor and submitted to the Council's Team Leader - Monitoring & Enforcement for approval.
9. The purpose of the performance bond required by **condition** 7 shall be to conduct remedial, repair, or rehabilitation works to the site, stopbank and/or access road, in the event that the consent holder fails to comply with conditions of this consent to the satisfaction of the Council's Team Leader - Monitoring & Enforcement.

Advice notes

*The Council will make reasonable attempts (if practicable in the circumstances) to contact the person identified in condition **14(b)** (i) who is the Council's principal contact person in regard to this consent, to give the consent holder the opportunity to remedy the matter prior to the Council taking any action.*

The consent holder remains liable under the Act for any breach of the conditions of this consent and for any adverse effect on the environment which becomes apparent during or after the expiry of this consent.

Prior to the work

10. At least one month prior to commencement of the consent, the consent holder shall contact Te Rūnanga o Ngāti Rārua and Te Ātiawa o Te Waka-a-Māui Trust to advise them of the commencement date of the earthworks and to provide an opportunity for a cultural induction to be undertaken by relevant representatives who will be working on the site.
11. The Consent Holder shall engage a representative of Te Rūnanga o Ngāti Rārua, Te Ātiawa o Te Waka a Māui Trust, Ngāti Toa Rangatira, Te Rūnanga o Ngāti Kuia and Ngāti Tama ki Te Waipounamu Trust to be present during any stripping of topsoil and subsoil on site. The purpose of the monitor is to identify any archaeological artefacts (e.g., midden, hangi or ovens, garden soils, pit depressions, occupation evidence, burials, taonga, etc) uncovered during the disturbance of cultural layers, and to monitor the observance of tikanga. The Consent Holder shall notify the above iwi at least 10 working days prior to commencing initial stripping of topsoil and subsoil and advise them of the planned commencement date and likely duration of the works. Where the above notification is given, and an Iwi Monitor is unable to be present for any reason, the Consent Holder may commence works regardless. For the avoidance of doubt, this condition requires only a single monitor to be engaged by the Consent Holder to be on site at any given time.
12. In the event of any archaeological artefacts being uncovered, the consent holder shall:
 - (a) cease the works immediately, as required by the Heritage New Zealand Pouhere Taonga Act 2014,
 - (b) consult with the Heritage New Zealand's Central Regional Office (email infocentral@heritage.org.nz, PO Box 2629, Wellington 6140, phone (04) 494 8320, and
 - (c) shall not recommence works in the area of the discovery until the relevant Heritage New Zealand approvals to damage, destroy or modify such sites have been obtained.

Advice Note:

At the time this consent was granted the contact details for Te Rūnanga o Ngāti Rārua:
56 Vickerman Street, Port Nelson, Nelson 7010, Phone (03) 553-1198, Email taiao@ngatirarua.iwi.nz

And, for Te Ātiawa o Te Waka a Māui Trust:

Beach Road, Waikawa Marina, Waikawa, Picton 7220, Phone (03) 573 5170, Email taiao@teatiawatrust.co.nz

This condition has been volunteered by the applicant in response to iwi consultation.

13. The Consent Holder shall seek interest from Te Ātiawa o Te Waka a Māui and Te Rūnanga o Ngāti Rārua for a cultural audit of the site to be undertaken prior to the commencement of the consented activities. If advised by Te Runanga o Ngāti Rārua and/or Te Atiawa o Te Waka a Maui Trust that mana whenua iwi desire a cultural audit, this will be funded by the Consent Holder.

Advice note

This condition has been volunteered by the applicant in response to iwi consultation.

14. The Council's Team Leader - Monitoring & Enforcement shall be notified in writing:
- (a) A minimum of 10 working days prior to commencement of work for each Stage; and
 - (b) Prior to the recommencement of work where works have been discontinued for more than one month.

Notification shall include:

- (a) The proposed start date for the period of work; and
- (b) The name and contact details of the following persons:
 - (i) A representative nominated by the consent holder who shall be the Council's principal contact person in regard to matters relating to this resource consent; and
 - (ii) The Site Manager (if not the consent holder's representative).

Should either of the above persons change during the term of this resource consent, the consent holder shall provide the new name and contact details, in writing, to the Council's Team Leader - Monitoring & Compliance within five working days.

Submission of plans

15. The consent holder shall, at least 10 working days prior to the commencement of works, prepare and submit the following plans and management plans to the Council's Team Leader - Monitoring & Enforcement for certification. No works shall be undertaken until these plans/ management plans have been certified by the Council's Team Leader - Monitoring & Enforcement, unless **condition** 15 is invoked.

- (a) existing and proposed Contour Plans prepared in accordance with **condition** 16;
- (b) a Noise Management Plan (NMP) prepared in accordance with **condition** 1718;
- (c) a Soil Management Plan (SMP) prepared in accordance with **condition** 18;
- (d) a Dust Management and Monitoring Plan (DMMP) prepared in accordance with **condition** 19;
- (e) a Groundwater and Clean Fill Management Plan (GCMP) prepared in accordance with **condition** 20.
- (f) a Landscape Mitigation Plan, a Stage 1 River Terrace Restoration Plan and a Maintenance and Establishment Plan prepared in accordance with **Condition** 232.

Advice note

Certification of the management plans above is in the nature of certifying that adoption of the management plans will result in compliance with the conditions of this consent.

- 16. The following shall apply in respect of **condition** 14:
 - (a) the consent holder may commence the activities in accordance with the submitted plans 15 working days after their submission, unless the Council advises the consent holder in writing that it refuses to certify them on the grounds that it fails to meet the requirements of the condition and gives reasons for its decision; and
 - (b) should the Council refuse to certify the plan, the consent holder shall submit a revised plan to the Council for certification. Clause (a) shall apply to any resubmitted plan.
 - (c) Any consequential amendments to the plans required by **condition** 14 must be certified by the Council's Team Leader - Monitoring & Enforcement, prior to being implemented.
- 17. The Contour Plans required by **condition** 15(a) are required to ensure that finished ground levels across the site are generally consistent with existing ground contours. The plans shall include as a minimum:
 - (a) A topographic survey to New Zealand Vertical Datum 2016 (NZVD 2016) of the existing site, with contour intervals at 0.2 metres;
 - (b) A plan, referenced to NZVD 2016, of the proposed finished levels on site after excavation and recontouring has occurred, with intervals at 0.2 metres.
 - (c) A site plan showing the location of property boundaries, surface water bodies, stopbanks, legal roads, survey benchmarks, and other details as appropriate.

Advice note: LiDAR survey may be used to prepare this plan.

18. The Noise Management Plan (NMP) required by **condition** 15(b) shall detail the best practicable option for ensuring the noise standards specified at **conditions** 578 and 609 of this consent are complied with. The NMP shall be in general accordance with the draft NMP prepared by Hegley Acoustic Consultants dated March 2023, and shall address, as a minimum:
 - (a) Mitigation measures proposed
 - (b) Training of staff
 - (c) Equipment Maintenance
 - (d) Neighbour Liaison
 - (e) Complaints
 - (f) Contingency Plan
 - (g) Key Personnel and their Responsibilities
19. The SMP required by **condition** 15(c) shall demonstrate the best practicable option to ensure that the restored soils achieve the standards specified in **condition** 55 and that **condition** 54 is complied with in respect of the control of surface water quality. The SMP shall be in general accordance with the draft SMP prepared by LandSystems Ltd dated 8 March 2023 and shall address, as a minimum:
 - (a) Procedures to mitigate the potential effects on soil properties including for:
 - (i) soil removal;
 - (ii) soil storage;
 - (iii) soil placement (including the sequence of soil placement);
 - (iv) transport;
 - (v) the preparation of the receiving surface;
 - (vi) fill (overburden), subsoil and topsoil properties; and
 - (vii) post soil placement management.
 - (b) Procedures to minimise the risk of soil loss from overland flow including:
 - (i) during soil removal;
 - (ii) for soil storage; and
 - (iii) during vegetation establishment.
 - (c) Soil monitoring required including
 - (i) Baseline sampling and analysis.
 - (ii) Ongoing sampling and analysis of reinstated areas.

(iii) Sampling and analysis of the following:

- Soil quality properties of the topsoil.
- Trace elements (total recoverable concentrations) of the topsoil and subsoil.
- Soil profile condition soil profile description.
- Visual Soil Assessment of the topsoil.

(d) Requirements for soil management training for staff and for supervision.

20. The DMMP required by **condition** 15(d) shall demonstrate the best practicable option to ensure that dust is managed on site to minimise the adverse impacts of potential dust discharges on the receiving environment and to achieve the standard specified in **condition** 48. The DMMP shall be in general accordance with the draft DMMP prepared by Pattle Delamore Partners dated March 2023 and shall address, as a minimum:

- (a) Consent Compliance and Key Performance Indicator
- (b) Sources of Dust
- (c) Management and Mitigation Measures
- (d) Roles and Responsibilities
- (e) Implementation and Operation of DMMP
- (f) Environmental Monitoring Programme
- (g) DMMP Review
- (h) Complaints
- (i) Emergency Contacts
- (j) Annual Reporting

21. The GCMP required by **condition** 14(e) shall demonstrate the best practicable option to ensure that discharge of Clean Fill to land is managed to avoid adverse effects on groundwater, to:

- Ensure that excavations do not expose groundwater in excavations (**conditions 99 and 100**) with the exception of small scale temporary test pits that are back filled within 30 minutes.
- Ensure that all backfill material is strictly managed to ensure it meets the requirements of **Condition 109** or this consent.
- Minimise any change to the physical and chemical properties of groundwater as result of the land use and discharge activities associated with clean fill activities (as defined by the groundwater chemistry monitoring requirements).

- Ensure that under no circumstances will the land use and discharge activities associated with quarry activities result in groundwater quality exceeding the acceptable values in the Water Services (Drinking Water Standards for New Zealand) Regulations 2022 in downgradient water supply bores.

22. The GCMP shall be in general accordance with the draft GCMP prepared by Pattle Delamore Partners dated March 2023 and shall address, as a minimum:

- (a) Consent Compliance and Key Performance Indicators, to be consistent with these conditions of consent
- (b) Clean fill materials
- (c) Proposed clean fill management system
- (d) Groundwater level monitoring and excavation controls
- (e) Response and mitigation to a spill
- (f) Groundwater quality monitoring
- (g) Water quality complaints
- (h) Reporting requirements

23. The Landscape Mitigation Plan, Stage 1 River Terrace Restoration Plan, and Maintenance and Establishment Plan required by **condition** 15(f) shall be prepared in general accordance with the plans prepared by Canopy, dated November 2022. These plans shall be prepared to ensure that the proposed landscape mitigation and restoration plantings successfully establish and shall include, as a minimum:

- Species and grade of plantings. The Consent Holder will use eco-sourced native species only, except for the use of poplar and eucalyptus species used in shelter belt planting where required to provide fast-growing visual screening of the site. Where such exotic species are used, they shall be removed from the site within 2 years of the cessation of the quarrying activity.
- Timing of plantings
- Preparation
- Setout and spacings. All plantings shall be set back at least 5m from the toe of stopbanks
- Mulching
- Pest management
- Staking and plant guards. Cardboard plant guards shall be used.

- Maintenance
- Replacement plantings

Confirmation shall be obtained from Council's River Engineer that the Landscape Mitigation Plan and Stage 1 River Terrace Restoration Plan are acceptable from a flood flow perspective prior to being certified under **Condition 15.**

24. The consent holder shall, prior to work on the vehicle entrance commencing, prepare and submit engineering drawings for the vehicle entrance upgrade to the Council's Team Leader - Monitoring & Enforcement for approval.

Earth bund (acoustic barrier and dust screen)

25. An earth bund of at least 3m height, as shown in the Canopy Landscape Mitigation Plan, shall be constructed prior to the commencement of quarrying activities on site to provide an acoustic barrier and dust screen to 131 Peach Island Road. The earth bund must be maintained for the duration of the consented activities.

Site meeting

26. The consent holder shall arrange for a site meeting between the consent holder's representative and the Council's assigned monitoring officer, which shall be held on site prior to any works commencing. No works shall commence until the Council's assigned monitoring officer has completed the site meeting.

Signage

27. Signage shall be installed on Motueka River West Bank Road to provide warning to oncoming vehicles of the potential presence of trucks. As a minimum, permanent warning signs (PW-50) "Trucks Crossing" signs shall be installed on West Bank Road either side of the site entrance, at a position to be confirmed with the Council's assigned monitoring officer.

Upgrade of vehicle entrance and site access

28. The consent holder shall remove the willow trees north and south of the entrance to the site and undertake trimming on the bank on the eastern side of Motueka River West Bank Road, as identified in the Traffic Concepts report submitted with the application, to improve site access visibility.
29. The consent holder shall undertake ongoing trimming of vegetation to ensure that visibility is not impaired and shall ensure that the sight distances at the intersection with

Motueka River West Bank Road meet the minimum requirements set out in Table 4-14 of the Nelson Tasman Land Development Manual 2020 (NTLDM).

30. The existing vehicle crossing at 493 Motueka River West Bank Road shall be upgraded/formed generally to the standard shown in Diagram 2 of Drawing SD409 in the of NTLDM, except where modifications as approved by Council are necessary to ensure vehicle tracking and its connection to the new bridge are fit for purpose.
31. The vehicle access shall be formed to a minimum sealed carriageway width of 6m from the existing seal edge of Motueka Valley Westbank Road up to the western end of the bridge (approximately 35m from the edge of the existing seal) to allow for two trucks to pass by each other.
32. The proposed access, beyond the bridge, shall be formed to a sealed carriage width of generally no less than 3.5 with 0.5m gravel shoulders and side drains to drain to existing drain paths and/or soakpits. Localised widening on corners shall be provided to accommodate vehicle tracking, and a single passing bay shall be provided on the bend in the haul road within the marginal strip. The access shall be maintained for the duration of this consent by the Consent Holder.

Advice note

This consent does not grant access to the excavation area. Site access and management of the tracks should be arranged with the landowner.

33. The proposed access shall not connect to the southern end of Peach Island Road, unless requested to by Council.

Bridge

34. Prior to it being used under this consent, the appropriateness of the existing bridge across the overflow channel (located on Section 1 SO 15112) shall be assessed by a suitably qualified engineer to demonstrate compliance with **condition** 354.
35. The bridge shall be able to carry Class 1 loads (or higher loads if the applicant proposes to use HPMV trucks for the operation), and any necessary upgrade or replacement to achieve this shall be carried out by the consent holder prior to the bridge being used under this consent.
36. The bridge shall be widened to at least 3.5m to match the proposed 3.5m access width.

Survey

37. The consent holder shall survey the boundaries of the unformed legal road and shall clearly identify the boundaries of the legal road on site. There shall be no extraction of gravel from the unformed legal road.
38. The consent holder shall survey the stopbank crossing point prior to works commencing and upon completion of the works. The consent holder shall repair / reinstate any damage caused to the stopbank crossing at the consent holder's cost.

Stopbank

39. The location of the toe of the stopbank adjacent to the proposed excavation sites shall be clearly identified and marked on site by a suitably qualified and experienced geotechnical professional or river engineer.
40. The 20m setback from the toe of the stopbank on both sides of the stopbank shall be clearly marked and maintained (e.g., by a fence) to ensure that earthworks do not encroach into the setback, except for the stopbank crossing (required by **condition 41**)
41. The construction of any fence within bermland (i.e., on the outer side of the stopbank), shall be of a post and wire construction only and, if required by the Council, shall be removed on completion of the works.
42. The consent holder shall form and maintain a ramp over the stopbank to provide vehicle access. This shall include a 200mm sacrificial gravel layer on top of the stopbank crest, which shall be maintained for the duration of, and removed upon completion of, the consented activities. The crest of the ramp shall be maintained so as to be no lower than the adjacent stopbank crest immediately up- and downstream of the ramp, to the satisfaction of the Council's Asset Engineer - Rivers.
43. The consent holder shall not block the stopbank, and shall ensure that it is available to the Council's Rivers Engineers at all times for flood monitoring.

Landscape mitigation and restoration planting

44. Within the first planting season following the granting of consent, landscape mitigation planting shall be carried out in accordance with the certified Landscape Mitigation Plan and Maintenance and Establishment Plan required by **Condition 22**.
45. All plantings shall be set back at least 5 m from the toe of the stopbank to minimise tree roots affecting the stopbank.
46. Within the first planting season following the completion of the Stage 1 quarrying activities (including soil rehabilitation), restoration planting of the Stage 1 area shall be

undertaken in accordance with the certified Stage 1 River Terrace Restoration Plan and Maintenance and Establishment Plan required by **Condition 22**.

Baseline soil sampling and analysis

47. Prior to the commencement of quarrying activities on the site, baseline soil sampling and analysis shall be undertaken on the site in accordance with the certified SMP.

Operational conditions

Dust

48. There shall be no noxious, dangerous, objectionable or offensive dust beyond the boundary of the site.
49. Specific dust control measure described in the DMMP shall be implemented. These dust control measures shall reflect best practical option and be undertaken in accordance with the accepted best practice.
50. No material shall be disturbed during periods of high wind (>7.5m/s) and where there are sensitive receptors within 250m in a downwind direction. No excavations shall be undertaken if high wind is forecast in the period before measures can be implemented to secure the excavated area and any stockpiles from the effects of dust generation. This condition does not prevent the consent holder from backfilling excavations with clean fill if groundwater levels are rising.
51. No quarrying activities shall take place within 100m of orcharding activities on neighbouring properties between the months of January and May (inclusive).
52. No soil stockpiles may be placed within 100 m of orcharding activities on neighbouring properties.
53. Only water will be used for dust suppression. The Consent Holder will not use polymer or chemical stabilization methods, including Waste Oil or Reprocessed Oil, to control dust.
54. The consent holder shall undertake meteorological monitoring (i.e., wind direction, wind speed, temperature and relative humidity) on site and store this data electronically and it shall be made available to the Council's Team Leader - Monitoring & Enforcement on request. The meteorological monitoring station shall be located and established so as to be, to the extent practicable on site, consistent with AS/NZS 3580.1.1:2016.

Surface water quality

55. Land disturbance shall not result in runoff of sedimentation that results, after reasonable mixing, in any of the following effects in the receiving waters:

- (a) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials:
- (b) any conspicuous change in the colour or visual clarity:
- (c) any emission of objectionable odour:
- (d) the rendering of fresh water unsuitable for consumption by farm animals:
- (e) any significant adverse effects on aquatic life.

Soil

56. Following completion of soil restoration and rehabilitation activities, restored soils shall achieve the following:
- (a) A minimum of 800 mm of plant growth medium with little or no limitations to root penetration. As a guide, soil penetration resistance should not exceed approximately 2300 kPa.
 - (b) Soil profile condition to be such that there is no obvious contrasting compacted layers within the restored soil profile, especially between the subsoil and the topsoil, and no visually obvious compaction within the upper 300–400 mm of topsoil.
 - (c) Be at least imperfectly drained, preferably moderately well or well drained where the inherent soil drainage characteristics of the land allow.

Noise

57. Vehicles operating on site shall be fitted with broadband, rather than tonal, reversing alarms.
58. Trucks operating on site shall be fitted with plastic deck liners to reduce impact noise as loads are added.
59. Noise associated with construction activities on site (such as construction of the noise bund and haul roads) shall not exceed 70dB LAeq and 85dB LAFmax when measured 1m from the most exposed façade of any dwelling located beyond the subject site.
Construction noise shall be measured and assessed in accordance with the provisions of NZS6803:1999 Acoustics – Construction noise.
60. The consent holder shall ensure that all other activities on site (other than construction work) are designed and conducted, and all equipment used on site is maintained, so that noise generated by activities on site does not exceed a noise level of 55 dBA Leq (day) when measured at or within the notional boundary of any dwelling.

All noise (other than construction noise) shall be measured and assessed in accordance with the provisions of NZS6801:2008 – Acoustics – Measurement of environmental sound and NZS 6802:2008 - Acoustics - Environmental Noise.

Advice note

Construction work relates to activities defined as construction under NZS6803:1999. This includes the construction of the earth bund and the haul road, but not the gravel extraction operation or truck movements on site.

61. Noise monitoring shall be undertaken:
- (a) At the commencement of any activity that is expected to approach the noise limits identified in **Conditions 58 and 59**, and;
 - (b) When requested to by Council in response to a complaint.

Hours of work

62. Work shall only be carried out between 7:00 am and 5:00 pm Monday to Friday. No heavy machinery shall be operated on site earlier than 7.30am. No operations shall occur on Saturdays, Sundays, public holidays, or between 20 December and 10 January the following year (Christmas holiday period).

Access and vehicle entrance

63. Access to the site by vehicles associated with quarrying activities shall only be via the upgraded vehicle crossing at 493 Motueka River West Bank Road.

Advice note

This consent does not grant access to the excavation area. Site access and management of the tracks should be arranged with the landowner.

Traffic movements

64. There shall be no more than 30 truck movements per day to and from the site (a return trip being two truck movements). A truck may include a trailer.
65. All vehicles shall observe a speed limit of 15 kilometres per hour when travelling within the site (including on haul roads). It is the consent holder's responsibility to inform drivers of this speed limit.
66. All trucks shall observe a speed limit of 60 kilometres per hour when travelling along Motueka River West Bank Road.
67. All trucks shall be fitted with GPS based speed logging and records shall be supplied to the Council's Team Leader - Monitoring & Enforcement on request. The GPS system shall

be set up to provide alerts to the quarry manager if the speed limits specified in the conditions above are exceeded.

Site management

68. Works shall be undertaken in accordance with the certified NMP, DMMP, GCMP and SMP.
69. No processing, washing, crushing or screening of gravel shall be carried out on the site.
70. The consent holder shall maintain the site in a clean and tidy manner. Redundant machinery and equipment not required for the operation of the quarry (or for other residential and farming activities on the site) shall be removed from site.
71. The consent holder shall undertake pest plant management across the site for the duration of the consent.
72. No backfill or any other material shall be stored or stockpiled on the river side (outside) of the stopbank, except for topsoil awaiting reinstatement placement on that day. In the event that there is temporarily stockpiled material on the river side of the stopbanks and heavy rain is forecast, the stockpiled material shall be relocated to the landward side of the stopbank.
73. Stockpiled materials (excluding soil and any materials to be used for backfilling on the same day, shall be located in the area identified on the Landscape Mitigation Plan as 'Stockpile and Service Area'. This area shall be excavated to a level 1m below existing ground level. Stockpiles in this area shall be managed so as to be no greater than 4m in height above the lowered ground level (3m above surrounding ground level).
74. No excavations shall be undertaken if heavy rain is forecast in the period before measures can be implemented to secure the excavated area and any stockpiles from the effects of overland flows.
75. If heavy rain is forecast, heavy machinery shall be moved inside the stopbank for overnight storage. This condition is not intended to prevent machinery from backfilling excavations to meet other conditions of this consent or RM220578 under conditions of rising groundwater levels;
76. All practicable measures shall be undertaken to prevent, as a result of the works:
 - (a) erosion of the Motueka River berm; and
 - (b) the discharge of sediment to the Motueka River.

Advice note

This consent does not authorise the discharge of any sediment to water. Relevant TRMP and / or national environmental standards permitted rules must be met or consent applied for accordingly.

Refuelling and spill management

77. All machinery shall be maintained and operated in such a manner minimising, so far as practicable, any spillage of fuel, oil and similar contaminants to water or land, particularly during machinery refuelling.
78. No refuelling or machinery maintenance shall be undertaken within 20 metres of surface water (including exposed groundwater).
79. No heavy vehicle maintenance apart from servicing (e.g., an oil change by trained personnel) shall occur on site.

Advice note

An example of heavy vehicle maintenance is engineering maintenance, such as work on a digger bucket.

80. All spills shall be immediately contained and controlled by an approved product and shall be removed from the site for appropriate disposal. Any spills greater than 20 litres shall be immediately reported to the Council's Team Leader - Monitoring & Enforcement. Spill kits shall be available on site, and site staff shall be trained in procedures for using them.
81. Fuel shall be stored securely or removed from site overnight.

Groundwater Level Monitoring

82. The Consent Holder shall monitor groundwater levels in two dedicated upgradient monitoring bores located at the southern extent of the site (bores 24544 and 24546) and two dedicated downgradient monitoring bores located at the northern extent of the site (bores 24543 and 24545).

All groundwater level measurements:

- (a) Shall be measured to a local common relative level to the nearest 10 mm accuracy (i.e., Nelson vertical datum 1955, NZVD 2016 or similar).
- (b) Shall be recorded via a tamper-proof electronic recording device such as a data logger(s) that shall record groundwater levels taken at least once every 60 minutes.

The groundwater level recording device:

- (c) Shall be connected to a telemetry system that collects and stores all of the data continuously with an independent network provider. No data shall be deliberately changed or deleted.
 - (d) Shall be accessible to Tasman District Council at all times for inspection and/or data retrieval.
- 83. The Consent Holder shall use all the groundwater level measurement data to generate groundwater level elevation contour maps for the entire clean fill area that can be accessed by the Clean Fill Operator and excavator operator(s). The groundwater elevation contour maps will be used daily to inform the excavator operator(s) of excavation depths (outlined in **Condition 86**).

Excavation

- 84. All excavations between 0.3 and 1 m above groundwater level shall occur during stable weather conditions which are defined as:
 - (a) Decreasing or stable groundwater level trends, based on the measurements described in **Condition 882**; and
 - (b) Decreasing or stable flow within the Motueka River as measured at the TDC Woodmans Bend flow recorder site.
- 85. Excavations between 0.3 and 1 m above groundwater level shall immediately cease and backfilling shall occur if any of the following occur:
 - (a) Tasman District Council issue any flood warnings for the Motueka River catchment.
 - (b) Any weather warnings are issued for the Nelson/Tasman region that might be expected to cause groundwater levels at the clean fill to rise.
 - (c) When groundwater levels measured in **Condition 882** display an increasing trend.
- 86. All onsite excavation machinery used for excavation of pit(s) shall be equipped with onboard GPS and elevation systems that will determine the elevation of the digging implement (i.e., excavator bucket). The onboard GPS and elevation systems shall record elevation measurements to a local common relative level (as per **Condition 81((a))** (i.e., Nelson vertical datum 1955, NZVD 2016 or similar).
- 87. To assess the occurrence of groundwater beneath the excavation, the Consent Holder shall ensure that the excavator operator(s) undertakes a temporary excavation down to a depth of 1 m below the working level of the excavation on each day when excavation is occurring. This check on the occurrence of groundwater will be used to inform the depths to which excavations can occur on that day, as per Table 1 of the GCMP. Only

the digging implement of the excavator shall enter the temporary excavation and if groundwater is encountered, the excavation shall be back filled within 30 minutes of the groundwater being observed, to at least 0.3 m above the level at which groundwater was encountered. The backfilling material must be the same material that was excavated to create the temporary excavation.

88. If any of the triggers described in **Condition** 84 occur, then backfilling of the excavation to maintain at least 1 m above groundwater level at the time of the excavation but no more than the elevation of pre-quarry land surface shall occur, taking into account land surface restoration requirements.
89. If any uncontrolled exposure of groundwater occurs in the excavation pit(s) all excavation activities will cease. Placement of clean fill material must occur as soon as practicable to fill in the exposed groundwater.
90. The Consent Holder will notify their consent compliance monitoring officer at Tasman District Council if groundwater enters the excavation pit area.
91. Topsoil and subsoil shall be stripped and stockpiled separately for the purpose of reuse on site. All soil stockpiles shall be:
 - (a) no more than 3 metres in height;
 - (a) stored on site for no more than 6 months before use.
92. Machinery movement over stockpiled soil is prohibited, other than in the construction of the proposed noise bund on the northern boundary. This condition is applicable to all excavation, backfilling and soil rehabilitation activities.
93. Topsoil and subsoil shall only be excavated in dry soil condition, as defined in the SMP.
94. Any excavation in berm land shall occur in strips aligned parallel to the general direction of flood flow across the berm land. No individual strip shall be wider than 20 m.
95. The excavation shall be progressively backfilled so that the maximum size of excavation open at any one time shall not exceed 1600m² (generally 20 m in width and 80 m in length).
96. Sufficient Clean Fill shall always be available on the site for backfilling of any excavation to 1m below original ground level.

Advice Note:

This condition is volunteered to demonstrate that there will, at all times, be sufficient Clean Fill available to enable backfilling of the excavation pit, in the event of rising groundwater levels.

97. The number of excavations open at any one time shall not exceed one, except when the excavation of one strip has been completed and the excavation of a new strip is commencing, in which case two open excavations are permitted.
98. For any given Stage, excavation works shall commence at the most upgradient (with respect to groundwater flow) end of the Stage, this being generally the southern end of the Stage.
99. Stage 1 is to be quarried in 3 tranches, with a maximum of one third of the Stage 1 area to be actively quarried or being remediated at any time. Subsequent tranches within Stage 1 shall only commence when the previous tranche has been rehabilitated to the point that a vegetated cover is established.
100. Stage 1 quarrying and placement of Clean Fill, subsoil and soil is only to take place during the months of October to March, in order to ensure a vegetated cover is established before winter.
101. There shall be no excavation, removal of gravel or other disturbance of land within 20m of the toe of the stopbank. For the avoidance of doubt, this applies on both sides of the stopbank.
102. Excavations shall maintain a 10m setback from the southern boundary of the Stage 3 extraction area, shared with the neighbouring title (Lot 3 DP 1650, comprised in RTNL58/75).
103. Excavations adjacent to property boundaries or adjacent to the 20m setback from the toe of stopbanks shall not exceed (be steeper than) the following batter angles:
 - (a) Lower Gravels to be battered at 1H:1.3V max;
 - (b) Upper mantle to be battered at 1H:1.7V max.

These batter angles may only be exceeded adjacent to property boundaries where the adjacent landowner agrees to a proposal such that the consent holder is to repair/reinstate any damaged land caused by shallow surficial landslips during the gravel extraction pit works.

104. At the commencement of each Stage of excavation, the initial excavation shall be inspected by a Geo-professional so that they can verify that the above batter angles are appropriate given actual exposed ground conditions. The Geo-professional shall at the same time undertake test-pitting across the remainder of the Stage area and advise on the depths of upper mantle/lower gravel materials. If, during excavations over the remainder of the Stage the Consent Holder identifies any unforeseen ground conditions during the gravel pit extraction works (i.e. deep layer of topsoil than anticipated test-

pitting) then a Geo-professional shall inspect and advise what further steps (if any) are required to ensure ongoing land stability for the remaining duration of the Stage.

105. Appropriate stormwater controls shall be put in place to avoid concentrated stormwater flows discharging onto temporary cut slopes (within excavation pits).
106. No excavations shall occur within 20 m of flowing, open waterways.

Backfilling

107. During the course of excavations, backfilling shall be undertaken as soon as practicable. Any excavated area in a particular location shall not remain open for longer than 6 months.
108. Commencement of clean filling within a Stage shall occur at locations at the greatest upgradient distance from any water supply bores, as far as can practicably be achieved.
109. Backfilling shall be to 1m below the finished levels on site as specified in the Contour Plan required by **condition 6**.
110. Only material that meets the requirements of Table 1 below shall be imported to the site for backfill.

Table 1: Summary of Clean fill Acceptance Criteria¹		
Source	Acceptable Material	Unacceptable Material
Materials sourced onsite.	<ul style="list-style-type: none"> Uncontaminated natural material such as soil, clay, rock and gravel. Maximum biodegradable materials (i.e., vegetative matter) to be no more than 2% by volume per load of incidental and is limited to incidental organic materials. 	<ul style="list-style-type: none"> Contaminated soil, clay, rock and gravel. Materials containing more than 2% by volume per load of biodegradable organic matter, including peat, loams and topsoils with high organic content. Manufactured materials including concrete, bricks, tiles, etc.
Materials sourced offsite	<ul style="list-style-type: none"> Uncontaminated natural material such as soil, clay, rock and gravel. Compliance with this definition will be achieved by testing a representative composite sample of imported fill material to demonstrate that total soil contaminant concentrations do not 	<ul style="list-style-type: none"> Contaminated soil, clay, rock and gravel. Any material sourced from any site listed on the Tasman District Council Hazardous Activities and Industries List (HAIL) register (as defined by the Ministry for the Environment) or any site where the Clean fill Operator has

Table 1: Summary of Clean fill Acceptance Criteria¹		
Source	Acceptable Material	Unacceptable Material
	<p>exceed regional soil background concentration limits.</p> <ul style="list-style-type: none"> Maximum biodegradable materials (i.e., vegetative matter) to be no more than 2% by volume per load of incidental and is limited to incidental organic materials. 	<p>a reasonable expectation of HAIL activities occurring, even if it is not listed on TDC's HAIL register and for both these categories of sites, the HAIL activity is known to have been occurring before the date the clean fill material is received.</p> <ul style="list-style-type: none"> Materials containing more than 2% by volume per load of biodegradable organic matter, including peat, loams and topsoils with high organic content. Manufactured materials including concrete, bricks, tiles, etc.
<p>Note: ¹The clean fill acceptance criteria provided in this table shall be applied to all material placed at depths greater than 1 m below ground level. The Soil Management Plan applies to topsoil and sub soil.</p>		

Furthermore, any material, that is understood to comply with the Table 1 definition, but displays visual or olfactory evidence of contamination, shall be rejected.

111. Any backfill material sourced from offsite shall only be brought to the site by the Consent Holder, and shall be pre-screened for compliance with these clean fill requirements before being brought to site in accordance with the Clean Fill Procurement SOP detailed at Appendix A of the draft GCMP. A record shall be kept of all clean fill used as backfill. The record shall be in accordance with the requirements specified in the Clean Fill Procurement SOP. This record shall be kept available on site, and shall be produced without unreasonable delay upon request from a servant or agent of the Council.
112. Any part of an excavation pit that has been backfilled with clean fill shall not be re-excavated to enable further quarrying. This condition does not preclude re-excavation of virgin excavated material from the site that has been temporarily backfilled into excavation pits in the event of rising groundwater levels.

Reinstatement and rehabilitation

113. Subsoil and topsoil shall be reinstated, and ongoing management shall be undertaken, in accordance with the methodology specified in the certified SMP. Subsoil and topsoil shall be placed to reinstate the land to the finished levels on site as specified in the Contour Plan required by **condition** 16. Additional topsoil may need to be added following any settlement of the reinstated land surface.

114. Topsoil and subsoil shall only be reinstated in dry soil condition, as defined in the SMP.
115. Following the placement of the new soil profile, the consent holder shall engage a suitably qualified agronomist to advise on fertiliser application and other soil treatments to encourage effective revegetation.
116. Fertiliser shall be applied following the recommendations of the agronomist to facilitate pasture establishment, increase fertility and promote and maintain even revegetation.
117. Revegetation of reinstated areas shall occur within a month of reinstatement of the soil and be actively managed following revegetation (as detailed in the SMP) to ensure full vegetative cover is achieved and maintained. This revegetation requirement relates also to areas where additional topsoil is added to the land surface to rectify any settlement of the reinstated land surface.
118. The consent holder's responsibility with regard to revegetation shall not be considered to be met until a complete, healthy, predominantly rye grass/white clover sward has been achieved over the worked areas.

Accidental Discovery Protocol (ADP)

119. In the event of any Māori wāhi tapu/ Māori cultural sites of significance (e.g. midden, hangi or ovens, garden soils, pit depressions, occupation evidence, burials, taonga) or kōiwi (human remains) being uncovered, activities in the vicinity of the discovery shall cease. The consent holder shall notify a representative of Te Rūnanga o Ngāti Rārua and Te Ātiawa o Te Waka a Māui Trust and Heritage New Zealand Pouhere Taonga Central Regional Office (phone 04 494 8320), and shall not recommence works in the area of the discovery until the relevant approvals to damage, destroy or modify such sites have been obtained.

Advice Note:

At the time this consent was granted the contact details for Te Rūnanga o Ngāti Rārua:

56 Vickerman Street, Port Nelson, Nelson 7010, Phone (03) 553-1198, Email

taiao@ngatirarua.iwi.nz

And, for Te Ātiawa o Te Waka a Māui Trust:

Beach Road, Waikawa Marina, Waikawa, Picton 7220, Phone (03) 573 5170, Email

taiao@teatiawatrust.co.nz

Advice Note:

In the event that kōiwi (human remains) are uncovered, the New Zealand Police will need to be contacted to assess the site.

Reporting & monitoring

120. Monitoring and reporting of groundwater levels and groundwater quality shall be undertaken in accordance with the approved GCMP, and the conditions of discharge permit RM220578.
121. Monitoring and reporting in relation to dust management be undertaken in accordance with the requirements of the certified DMMP.
122. Monitoring and reporting in relation to soil properties shall be undertaken on the site in accordance with the certified SMP, and results provided to Council.
123. The consent holder shall maintain a complaints register, which shall detail the following as a minimum:
 - (a) The person responsible for the complaints register and appointment of a nominee who can be contacted in case of concerns/ complaints arising;
 - (b) The location, date and time of the complaint;
 - (c) The nature of the complaint (e.g., noise, dust, vehicle speeds etc.);
 - (d) A description of weather conditions at the time of complaint (notably wind speed and direction as per the meteorological monitoring required by **condition 53**);
 - (e) Any identified cause of the complaint;
 - (f) The action(s) taken to investigate and if appropriate remedy the issue.
124. The consent holder shall inform the Council's Team Leader Monitoring and Enforcement within one working day of any complaint being received.
125. The complaints register shall be forwarded to the Council's Team Leader - Monitoring & Enforcement on request.
126. A contact number of the nominee detailed in the complaint's register shall be provided to all adjoining property owners and occupiers.
127. The consent holder shall, no more than 20 working days following the completion of each Stage of work, notify the Council's Team Leader - Monitoring & Enforcement. Notification shall be in writing and include a visual representation (such as photo or video) of the completed Stage of work.
128. The consent holder shall keep a daily record of the weight of gravel extracted, which shall be submitted on a monthly basis to the Council's Team Leader - Monitoring & Enforcement.

Advice Note:

Returns are to be submitted in "solid measure". A multiplier of 0.80 should be used to convert "truck measure" to "solid measure".

129. Within 3 months of the completion of all recontouring work on site the consent holder shall forward to the Council's Team Leader - Monitoring & Enforcement a topographic survey to NZVD 2016 (or similar datum) of the final levels on site, with intervals at 0.2 metres, as required by **Condition 16(a)**.
130. A programme of Cultural Health Indicator (CHI) monitoring shall be undertaken with the cost covered by the Consent Holder. The consent holder shall assist Te Ātiawa o te Waka a Māui Trust, Te Rūnanga o Ngāti Rārua or their nominated representatives to develop a framework for this monitoring and any necessary responses to this monitoring. Monitoring shall occur prior to works, mid-way through the project, on completion of works, and two years post-works to assess remediation and enhancement measures. The framework for monitoring must be completed prior to any earthworks commencing.

Following completion of works

Unformed legal road

131. Following completion of the works, the consent holder shall confirm with the Council's Transportation Manager whether:
 - (a) the section of unformed legal road ("paper road") used to access the application site shall either be returned to pasture at the consent holder's cost; or
 - (b) retained in its current form.