



CENTRAL HAWKE'S BAY DISTRICT COUNCIL

RUATANIWHA STREET, PO BOX 127, WAIPAWA 4240, NEW ZEALAND
TELEPHONE: (06) 857-8060, FAX: (06) 857-7179
EMAIL: info@chbdc.govt.nz
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12 January 2016

Hatuma Lime Company Limited
Maharakeke Road
RD 1
Waipukurau 4281

Attention: Clifford Topp

Dear Sir/Madam

Re: Extension of Limestone Quarry Winning Activities – Hatuma Lime Company Limited – RM100095

The Chief Executive under delegated authority from the Central Hawke's Bay District Council on **Tuesday 12 January 2016** approved the application as follows:

That pursuant to Section 125 of the Resource Management Act 1991, the Central Hawke's Bay District Council grants consent to Hatuma Lime Company Limited to an extension of the lapse date of resource consent RM100095 granted for the extension of limestone quarry winning activities and height waiver at Maharakeke Road, Waipukurau being Part Lot 1 DP 6141 and Section 58 Block 1 Motuotaraia SD, until 25 January 2021.

REASONS FOR DECISION

- (1) The effects of the proposed extension of time will be no more than minor. The existing consent provided for the quarrying activity to be undertaken over a 90 year period. The effects of allowing an additional five years for works to commence are considered minor.
- (2) The Council is satisfied that the extension of time for commencement of the activity is not contrary to the objectives and policies of the District Plan.

Should you have any queries with regard to this consent please do not hesitate to contact me.

Yours faithfully,

Angela McFlynn
Senior Consent Planner

CENTRAL HAWKE'S BAY DISTRICT COUNCIL

**Delegations Committee Meeting
12 January 2016**

RC Type: S125 (EXTENSION OF TIME) RM100095

Applicants: Hatuma Lime Company Limited

Valuation Number: 1095011100

Location: Maharakeke Road, Waipukurau

Zone: Rural

1.0 DESCRIPTION

The Council approved an application for land use consent to extend a quarry on the property at Maharakeke Road, Waipukurau on 24 January 2011. The resource consent has not yet been given effect to, therefore will lapse on 24 January 2016.

The applicants seek approval to an extension of time to allow the consent to be given effect to pursuant to S125 of the Resource Management Act 1991.

2.0 RESOURCE MANAGEMENT ACT 1991

Section 125 of the Resource Management Act 1991 prescribes those matters which must be considered when assessing an application to extend the period after which a consent lapses, as follows:

- (i) Whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and
- (ii) Whether the applicant has obtained approval from persons who may be adversely affected by the granting of an extension; and
- (iii) The effect of the extension on the policies and objectives of any plan or proposed plan.

3.1 Progress towards giving effect to the consent

The conditions of consent require that:

- 1. The activity proceeds in accordance with the plans and information submitted in support of the application, and the accompanying Quarry Management Plan;
- 2. Prior to the commencement of operations, the applicant obtains discharge consents from the Regional Council; and
- 3. The Lime Storage building shall not exceed 12m in height.

The Quarry Management Plan provides for the establishment and operation of the quarry through to the year 2100. The consent will be considered to have been given effect to once the necessary regional council consents have been obtained, and quarrying activities have commenced on the site.

Prior to commencement of the quarrying activity, physical works have been completed within the site, including the establishment of a level crossing over the railway line

separating the extended quarry area from the existing quarry, and the formation of access tracks within the new quarry site to the initial quarry face.

The consent includes provision for an underpass and underground conveyor system, but does not specify a time for construction of this facility. A permit for construction of the underpass has been obtained from Kiwirail, allowing construction to commence at any time.

The construction of a storage building also has not yet been completed, and is not anticipated to be required for some time after quarrying operations are fully established on the site.

A site visit on 22 December 2015 confirmed that the site works have been completed to the point where the quarrying activity can now commence, and it is anticipated that this will have occurred within the next couple of months.

3.2 Approval from adversely affected persons

The written approval of potentially affected persons was provided with the original application. At this time it was anticipated that the quarrying activity would be ongoing until the year 2100 (i.e., covering a period of 90 years). It is not considered that allowing a delay to the start / end of the activity on the site will result in any additional adverse effects on these parties.

3.3 Effects of extension on the policies and objectives of the plan

There have been no changes to the Operative District Plan since the consent was granted, therefore the proposed extension of time remains consistent with the objectives and policies of the plan.

3.0 SUMMARY

It is considered that substantial progress has been made towards giving effect to the consent, in that all works required to allow the quarrying activity to commence have been undertaken. An extension of time is required to allow the actual commencement of the quarrying activity, and the construction of the overheight lime storage building. As the storage building will not be required until quarrying has been underway for some time, and the building will be site in a location where it is not visible from the surrounding properties, it is considered that approval of the requested extension of time is appropriate.

RECOMMENDATION:

That pursuant to Section 125 of the Resource Management Act 1991, the Central Hawke's Bay District Council grants consent to Hatuma Lime Company Limited to an extension of the lapse date of resource consent RM100095 granted for the extension of limestone quarry winning activities and height waiver at Maharakeke Road, Waipukurau being Part Lot 1 DP 6141 and Section 58 Block 1 Motuotaraia SD, until 25 January 2021.

REASONS FOR DECISION

- (1) The effects of the proposed extension of time will be no more than minor. The existing consent provided for the quarrying activity to be undertaken over a 90 year period. The effects of allowing an additional five years for works to commence are considered minor.

- (2) The Council is satisfied that the extension of time for commencement of the activity is not contrary to the objectives and policies of the District Plan.

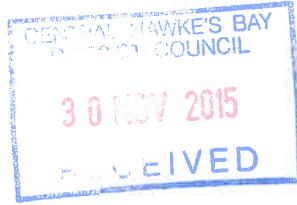
DELEGATION:

Under delegated authority from the Council, the Chief Executive approves this application.

Signed.......... Date 12/1/16..

Report Prepared By:

Angela McFlynn
PLANNER



Hatuma Lime Company Ltd
RD1 Waipukurau 4281
Freephone 0800 80 65 65
Fax 06 85 88 018

enquire@hatuma.co.nz
www.hatuma.co.nz

25th November 2015.

Ms Angela McFlynn,
Senior Consent Planner/Licencing Inspector,
CHB District Council,
P.O.Box 127,
WAIPAWA 4240.

Dear Angela,

Re: Resource Consent RM100095

Further to your email dialogue with George Eivers, TDG, on our behalf, we hereby notify Council that we are activating the quarry activity but would like an extension to the Consent for the Lime Storage Building that is part of the above Resource Consent.

We would like to arrange a convenient time with you to visit the site to confirm that we have made considerable progress towards part a) of the Consent.

Accordingly we also attach the Application for Extension of Resource Consent Time for part b) of the Consent.

We look forward to hearing from you in due course.

Yours faithfully,



Clifford Topp,
Managing Director.

EMAILED



CENTRAL HAWKES BAY DISTRICT COUNCIL
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RM

DEPOSIT: \$600
GST Inclusive

EXTENSION OF RESOURCE CONSENT TIME LIMIT APPLICATION

(under the Resource Management Act 1991)

Applicants Name: HATUMA LIME COMPANY LTD

SITE ADDRESS

Street/Road Name: MAHARAKEKE ROAD, WAIPUKURAU

Street/Rapid No: 520 Phone: 06 8588567 E-mail helen@hatuma.co.nz

MAILING ADDRESS (if different than above)

LEGAL DESCRIPTION

Lot No: 1 DP: 6141 Section: 58 Block: 1 Survey District: Motuotaraia

Valuation Roll No: _____

Consent to which application relates:

RM: 100095 Description: Height Waiver - Extension of Quarry
winning Activities.

Extension sought: Application Extension of Resource Consent
Time limit.

Please attach justification for extension sought.

This must demonstrate the following:

- That substantial progress or effort has been made, and is continuing to be made toward giving effect to the consent;
- That the consent holder has obtained approval from every person who may be adversely affected by the granting of the extension; and
- The effect of the extension on the policies and objectives of any plan or proposed plan

Signature of Applicant: [Signature] Date: 24-11-2015

Angela McFlynn

From: Helen Topp <Helen@hatuma.co.nz>
Sent: Friday, 27 November 2015 10:04 a.m.
To: Angela McFlynn
Subject: RE: Resource Consent Extension.doc

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Angela,

Thank you for your response and the payment of the application fee is being attended to today. I look forward to hearing from you in due course.

Kind regards,
Clifford

From: Angela McFlynn [<mailto:angelam@chbdc.govt.nz>]
Sent: Wednesday, 25 November 2015 2:05 p.m.
To: Helen Topp
Subject: RE: Resource Consent Extension.doc

Thanks Clifford.

If you haven't already done so, can you please arrange payment of the application fee – either at the Council office or Waipukurau Library, or by direct credit to bank account 01 0777 0038665 00; reference RM100095.

I anticipate being allowed back to work on 7 December, so I will be in touch then to arrange a site visit.

Kind Regards,

Angela McFlynn SENIOR CONSENT PLANNER / LICENSING INSPECTOR
Central Hawke's Bay District Council
28-32 Ruataniwha Street, Waipawa 4210 | P O Box 127, Waipawa 4240
Ph: 06 857 8060 | Mobile: 027 556 3211 | Fax: 06 857 7179
Email: angela.mcflynn@chbdc.govt.nz | Web: www.chbdc.govt.nz

From: Helen Topp [<mailto:Helen@hatuma.co.nz>]
Sent: Wednesday, 25 November 2015 1:57 p.m.
To: Angela McFlynn
Cc: george.eivers@tdg.co.nz
Subject: Resource Consent Extension.doc

Good afternoon Angela,

Please find attached the following:

- Notification of progress towards part A) of our Resource Consent
- Application for Extension of Resource Consent Time for part B)

Yours faithfully,
Clifford Topp

Clifford Topp
Managing Director
helen@hatuma.co.nz

Hatuma Lime Company Ltd
RD1 Waipukurau, Hawke's Bay 4281
ph: 0800 80 65 65
www.hatuma.co.nz www.futureminds.co.nz www.hatumastone.co.nz

Angela McFlynn

From: George Eivers <george.eivers@tdg.co.nz>
Sent: Monday, 23 November 2015 2:31 p.m.
To: Angela McFlynn
Subject: Resource Consent RM100095 - Hatuma Lime Company

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Angela

I am writing regarding Resource Consent RM100095 - Hatuma Lime Company. I called your office but understand you are out-of-office until December 7th.

Further to correspondence in May 2015 and our subsequent telephone conversation the level rail crossing has been constructed and is now in use as required. The new quarry has been developed and Hatuma will start regularly transporting lime across the railway line to the processing plant next week.

Your letter (dated 11 May 2015 – attached) identifies two separate aspects to the issued consent:

- (a) The quarrying activity
- (b) The lime storage building

When I rang and we discussed the situation you suggested it could be considered as two different consents and therefore be activated or delayed separately (please correct me if my memory / interpretation is incorrect). Accordingly Hatuma are now activating (a) but would like to apply for an extension for (b).

Therefore what do CHBDC require from Hatuma to demonstrate that quarrying activities have commenced (photos, videos, a site visit)? Similarly how do Hatuma apply for an extension to the lime storage building consent – can you please forward the appropriate form or is a letter suitable?

Happy to discuss.

Regards
George

George Eivers
Principal Design Engineer

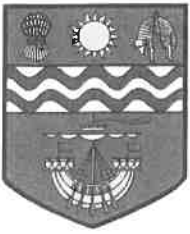


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11 May 2015

Clifford Topp
Hatuma Lime Company Ltd
RD 1
Waipukurau 4281

Dear Clifford

Re: Resource Consent RM100095 – Height Waiver and Extension of Quarry Winning Activities – Hatuma Lime Company

I refer to your letter dated 4 May 2015. Having reviewed the application and resource consent decision, I consider that there are two separate aspects to the consent issued. These comprise the (a) the quarrying activity and (b) the construction of a lime storage building with a height of 12m.

For the consent to have been given effect to, both aspects must be undertaken. If it is your intention to commence the quarrying activity prior to the consent lapse date of 25 January 2016, including the construction of a level crossing across the railway line, it is likely that Council would consider that you had made substantial progress towards giving effect to the consent, and therefore grant an extension of time to allow the storage building to be constructed at a later date. Note however that details of the works undertaken in accordance with the consent would need to be provided to satisfy the Council's Delegations Committee that substantial progress had been made at the time of application for an extension of time. You would also be required to specify a reasonable timeframe in which the construction of the storage building is intended to be constructed.

If you wish to discuss this matter further please contact me on 06 857 8060.

Yours faithfully

Angela McFlynn
Senior Consent Planner

CENTRAL HAWKE'S BAY
DISTRICT COUNCIL

- 7 MAY 2015

RECEIVED



Hatuma
Lime Company Limited

Hatuma Lime Company Ltd

RD1 Waipukurau 4281

Freephone 0800 80 65 65

Fax 06 85 88 018

enquire@hatuma.co.nz

www.hatuma.co.nz

4th May 2015.

Ms Angela McFlynn,
Senior Consent Planner
CHB District Council
P.O.Box 127,
WAIPAWA.

Dear Angela,

Re: Resource Consent RM100095 – Height Waiver & Extension of Quarry Winning Activities

Thank you for your letter of the 16th January regarding the above Resource Consent. We apologise for the delay in responding, but we now feel that we have enough specific information to provide to you.

We have finally obtained the appropriate permissions and approvals from KiwiRail which includes an Underpass Deed of Grant (number G89191) and a Level Crossing Deed of Grant (number G89891) and we would like to confirm that the Hatuma Lime Company Ltd intends to activate the Resource Consent within the next two months.

At this beginning stage of our quarry development, we plan to activate the Consent and start to recover rocks and the larger particles of limestone by using vehicles over the level crossing only.

While the conveyor and underpass are still part of our major plans, this system is more suitable at a later stage of our quarry development as it is only practical for transporting fine/smaller material, so we have deferred its construction at this time.

In accordance with the Resource Consent, activation was to occur upon Council signing off the building associated with the conveyor, therefore, without the immediate need for the conveyor system, we anticipate that a new activation activity/action is now required.

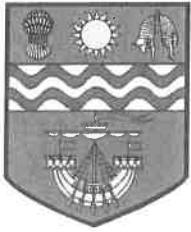
We suggest that this activation should be the construction of the level crossing, to the satisfaction of KiwiRail, and transportation of the first load of quarried lime across the railway line.

We would appreciate your confirmation that the Resource Consent may be activated in this way, and we would also like to know whether consent to install the conveyor and underpass remains valid once activation is achieved through this alternative method.

We look forward to your response, and please do not hesitate to contact the writer if you require further information.

Yours faithfully,

CLIFFORD TOPP
MANAGING DIRECTOR.



CENTRAL HAWKE'S BAY DISTRICT COUNCIL

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www.chbdc.govt.nz

16 January 2015

Daniel Topp
Hatuma Lime Company Ltd
RD 1
Waipukurau 4281

Dear Daniel

Re: Resource Consent RM100095 – Height Waiver and Extension of Quarry Winning Activities – Hatuma Lime Company

I note that the above resource consent, granted on 25 January 2011, has not yet been given effect to. Please note that if all buildings associated with the consent have not been established, and all activities commenced, the consent will lapse on 25 January 2016.

Note that an extension to the lapse date of the consent can only be issued by Council where substantial progress has been made towards giving effect to the consent at the time of application.

If you do not intend to undertake the works associated with this consent, no action is required, and the consent will duly lapse.

If you wish to discuss this matter further please contact me on 06 857 8060.

Yours faithfully

Angela McFlynn
Senior Consent Planner



CENTRAL HAWKE'S BAY DISTRICT COUNCIL

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www.chbdc.govt.nz

25 January 2011

Daniel Topp
Hatuma Lime Company Ltd
RD 1
Waipukurau 4281

Dear Sir

**Re: Height Waiver and Extension of Quarry Winning Activities –
Hatuma Lime Company Ltd – RM100095**

The Chief Executive under delegated authority from the Central Hawke's Bay District Council on Monday 24 January 2011 approved the application as follows:

That pursuant to Sections 104B and 108 of the Resource Management Act 1991, a consent be granted to Hatuma Lime Company Limited for the extension of limestone quarry winning activities and height waiver at Maharakeke Road, Waipukurau, being Part Lot 1 DP 6141 and Section 58 Block 1 Motuotaraia SD in accordance with application plan RM100095, subject to the following condition:

- 1.0 That the activity proceeds in accordance with the plans and information submitted in support of the application by Roger Wiffin, received on 30th November 2010, and accompanying Quarry Management Plan dated May 2009 (CHBDC ref. RM100095).
- 2.0 That prior to commencement of operations on the extension site, the applicant shall obtain discharge consents as appropriate from the Hawke's Bay Regional Council.
- 3.0 That the proposed lime storage building shall not exceed 12m in height unless otherwise agreed in writing with Council up to a maximum height of 15m.

Unless otherwise stated the above conditions shall be met at the expense of the subdivider and prior to the release of a certificate in accordance with Section 224(c) of the Resource Management Act 1991.

Reasons for Decision:

Council is satisfied that subject to the above conditions, the subdivision is consistent with the policies and objectives of the District Plan and that the effects on the environment will be minor.

Advice Notes:

Variations - Should the subdivider wish to apply for a change or cancellation of any of the conditions of consent in accordance with section 127 of the Resource Management Act 1991 such application must be made to the Council in writing prior to issue of a certificate under Section 224(c) of the Resource Management Act 1991.

Objections - Any objection to the Council's decision on such application must be made in writing in accordance with Section 357 of the Resource Management Act 1991 within 15 working days of notification of this decision and be accompanied by the required Council fee.

Lapsing Period – The consent holder is advised that the consent will lapse after a period of 5 years unless the consent is given effect to.

Should you have any queries with regard to this consent please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Ken Kalirai', written in a cursive style.

Ken Kalirai
Planner

DELEGATION PANEL MEETING –

Proposal : Height Waiver and Extension of Quarry Winning Activities

Applicant: Hatuma Lime Co. Ltd.

RM: 100095

Valuation Number: 1095011100

Location: Maharakeke Road

Activity Status: Discretionary

Zone: Rural

Project Description:

This proposal is to extend the existing limestone mining activity onto a 31ha site north of the existing Hatuma Lime quarry processing and distribution site and to construct a storage shed as well as a conveyor belt (overhead elevator) for the transportation of winnings from the quarry extension underneath the railway line and onto the existing processing plant. This would allow the company to secure future mining rights to the limestone that is present within the quarry extension site. The proposed extension would not increase the amount of processing at the existing plant.

The new storage shed would exceed the 10m height restriction imposed by the performance standards of the rural zone in the District Plan, although it is unlikely to exceed 15m in height. As such a height waiver would also be required.

The proposed quarry extension area is located to the north of the existing quarry site. The western boundary has a long frontage to Maharakeke Road. The northern boundary has a frontage to Waiou Road and the southern boundary is defined by the Palmerston North – Gisborne Railway Line.

Accompanying the application is a Quarry Management Plan prepared by the applicant which includes details of:

- The method by which limestone is to be harvested in the extension area.
- The staging of the quarrying activities through to the year 2100.
- The staging and extent of earthworks including land reclamation.
- The extent and location of facilities for storage of excavated material.
- The route and design of proposed conveyor system from the storage facilities underneath railway track to the existing processing plant.

Background:

The Hatuma Lime Company is a family owned company that was first established at the existing site in approximately 1932. Between 1977 – 1982, the company constructed large storage sheds and blending plants and installed heavy processing plant and machinery.

In 1981 conditional use approval was granted to extend the winning area over some 40 acres south of the initial quarry, which is the current extraction area. This area has been worked for some 30 years and is now coming close to being exhausted.

In 1985 consent was granted by Waipukurau District Council allowing the use of the land in the Rural B zone at the time, to be used as a limestone quarry. The consent was not exercised and was allowed to lapse. This is the same parcel of land that is the subject of this application.

Non Notification of Consent:

Section 104(3) (b) of the RMA specifies that the Council must not, when considering an application, have regard to any effect on a person who has given written approval to the application.

Under Section 95D(1)(e) and 95E(3)(a) of the Act the effects on a person who has given their written approval must be disregarded when forming an opinion as to whether adverse effects are minor or more than minor both for public and limited notification when the application is considered.

Part 2.1.4 of the District Plan states that an application for a discretionary activity is not required to be notified if:

- "i The Council is satisfied that the adverse effect on the environment of the activity for which consent is sought will be minor: and,*
- ii written approval has been obtained from every person who the Council is satisfied may be adversely affected by the granting of the resource consent;"*

The applicant has consulted with all landowners in the vicinity of the site and written approval both on the affected persons consent form and the site plan has been obtained. The affected persons are as follows:

D and M Topp – 482 Maharakeke Road
A Topp - 497 Maharakeke Road
R and J Donaldson - 472 Maharakeke Road
GI and HM Annettes Children's Trust - 572 Maharakeke Road
D Murphy and J Armstrong – c/o PO Box 54 Waipukurau
D and K Kirk – 325 Waiou Road
D and C Elderkamp - 387 Maharakeke Road

In addition, the applicant has undertaken consultations with Ontrack regarding the establishment of the conveyor system underneath the railway tracks and across the rail corridor. Ontrack have agreed to enter into a Deed of Grant allowing the occupation and proposed use. Written documentation to this effect has been provided by the applicant.

Hawke's Bay Regional Council

The applicant will be required to obtain discharge consents as appropriate from the Hawke's Bay Regional Council under the provisions of the Hawke's Bay Regional Resource Management Plan for discharges to air and discharge of stormwater to land/water.

Effects on the Environment:

The effects on the environment will be minor and are further addressed below.

Assessment Matter Issues:

The assessment matters in the District Plan require Council to assess the activity against the following issues;

“a) The degree to which the activities of vegetation clearance and the excavation and removal of material associated with mining impact on amenity values, landscapes values and nature conservation values (including the degree of significance of a species or community of indigenous plants and animals at the specific locality of the proposed mining activity).

b) The ability of the proposal to rehabilitate the site after mining so that:

i) long term stability of the site is ensured;

ii) landforms or vegetation on finished areas are visually integrated into the landscape;

iii) land is returned to its original productive capacity, where appropriate;

iv) water and soil values are protected.

c) The ability of operation to avoid or mitigate dust, noise, lighting and vibration so that amenity value is not at risk.

d) The ability of the company to provide a contingency plan for early mine closure, including an evaluation of the risk to the neighbouring community and environment and the ability of the company to provide a bond to the Council for the purpose of rehabilitating operation areas in the event of a premature closure.

e) Where a building is to be erected as part of a mining operations refer to the assessment matters in 14.2.1-14.2.5 of the District Plan.”

Impact of mining on amenity, landscape and nature conservation values:

The proposed area to be mined is not of significant landscape or conservation value.

The quarry extension as an addition to the existing operation, should not result in any adverse effect on local rural landscape, conservation or amenity value. Over the years the company has undertaken considerable planting of trees on the site (mainly Poplar and Redwood). These trees are now established and mature and provide some screening to the site from the west.

The Ability of Proposal to Rehabilitate the Site After Mining

The Management Plan includes details of how the extension area will be reclaimed, and addresses the issues of long term stability, the land being returned to its original productive capacity etc. The effective rehabilitation of the sites already quarried has been proven by the company.

The ability of operation to avoid or mitigate dust, noise, lighting and vibration

The proposed quarry operation will not give rise to any adverse effects in relation to noise, dust, lighting or vibration. The extension of the quarry would not result in any significant additional vehicle movements along Maharakeke Road. There would be intermittent movement of heavy excavating machinery between the sites for periodic maintenance. These movements are anticipated not to exceed or be more frequent than vehicle movements generated by local farming activities.

The mining activity is not anticipated to result in any detectable vibration beyond the boundaries of the site. Due to the generally soft nature of the limestone deposits, blasting and the use of explosives is not required.

According to the Quarry Management Plan, an elevated earth bund would be constructed along Maharakeke Road which will achieve some mitigation of noise effects. Also, noise from the conveyor belt (elevator) is expected to be significantly less than the potential effects of repeated vehicle movements between the sites.

The ability of the company to provide a contingency plan for early mine closure

As stated in the Management Plan, in the event that the facility experiences premature closure, the rehabilitation works would already be closely following the new area of quarry as they are opened. The company has taken the stance that given its long history at the site, its successful rehabilitation history and the fact that the provision of fertiliser to the rural agricultural industry is an essential service, the risk of premature closure in a manner that would require Council to undertake rehabilitation work is considered extremely low and hence the company wishes to proceed without the requirement for a bond.

Relevant Assessment Matters in 14.2.1 to 14.2.5 of the District Plan

The proposed lime storage building and overhead elevator will have only limited visibility and should not adversely affect local amenities. Both these structures would not exceed the building site coverage as stipulated in the District Plan. The elevator will not exceed the maximum height restriction (10m), however the storage building would exceed it and hence this application includes a proposal for a height waiver for this building.

Resource Management Act 1991

Subject to Part II of the RMA (The Act) Section 104(1) sets out those matters that Council must have regard to in assessing a resource consent application. Such matters include:

- (a) Any actual and potential effects on the environment of allowing the activity:
and
- (b) Any relevant provision of:
 - (iv) a plan or proposed plan: and
- (c) Any other matters the consent authority considers relevant and reasonably necessary to determine the application.

Section 104D of the Act states that a consent authority shall not grant a resource consent for a Discretionary Activity unless it is satisfied that:

- (a) The adverse effects of the activity will be minor: or
- (b) The application is for an activity which will not be contrary to the objectives and policies of the relevant district plan.

An activity need only satisfy one of the limbs under Section 104D to enable the consent to be granted.

Section 104(B) of the Act states that after considering an application for resource consent for a discretionary activity a consent authority –

- (a) May grant or refuse the application; and
- If it grants the application may impose conditions under Section 108.

Matters Relating to Part II

It is considered that sections 5 and 7 of the Act are relevant to this application.

The purpose of the Act in section 5 is to;

“promote the sustainable management of natural and physical resources.”

“Sustainable management” in the Act means managing the use, development and protection of natural and physical resources in a way, or at a rate, that enable people and communities to provide for their social, economic, and cultural well being, and for their health and safety, while sustaining the potential of natural and physical resources to meet the foreseeable needs of future generations, safeguarding the life-supporting capacity of the air, water soil and ecosystems, and avoiding, remedying or mitigating any adverse effects of activities on the environment.

Section 7 of the Act relates to “Other Matters”. Other matters of relevance to this application are:

- 7(b) The efficient use and development of natural resource;
- 7(c) The maintenance and enhancement of amenity values;
- 7(f) Maintenance and enhancement of the quality of the environment; and
- 7(g) Any finite characteristics of natural and physical resources.

Limestone quarrying is considered to contribute to the economic sustainability of agricultural production and also ensures that there is sufficient supply of fertiliser resource to primary producers. As such the proposal would make a positive contribution to people’s social well being. The activity would also contribute in the long and short term to the social and economic fabric of society in that fertiliser enhances rural productive output and directly and indirectly provides employment. The Hatuma operations site currently employs 15 people.

The proposal involves an efficient use of an existing physical resource, in that it will utilise the existing processing plant without the need to establish a new plant or distributing materials to another site. The proposal would also employ an efficient and sustainable method for the transportation of harvested material to the processing plant (using a conveyor belt) without undue reliance on fossil fuel.

It is considered that the proposal would not directly enhance amenity values. However the existing rural character of the locality would be maintained. Owing to progressive land reclamation, the rural pastoral amenity would be continuously reinstated.

It is therefore considered that the proposed activity will be consistent with the purpose and principles of the Resource Management Act 1991.

RECOMMENDATION:

That pursuant to Sections 104B and 108 of the Resource Management Act 1991, a consent be granted to Hatuma Lime Company Limited for the extension of limestone quarry winning activities and height waiver at Maharakeke Road, Waipukurau, being Part Lot 1 DP 6141 and Section 58 Block 1 Motuotaraia SD in accordance with application plan RM100095, subject to the following condition:

- 1.0 That the activity proceeds in accordance with the plans and information submitted in support of the application by Roger Wiffin, received on 30th November 2010, and accompanying Quarry Management Plan dated May 2009 (CHBDC ref.RM100095).
- 2.0 That prior to commencement of operations on the extension site, the applicant shall obtain discharge consents as appropriate from the Hawke's Bay Regional Council.
- 3.0 That the proposed lime storage building shall not exceed 12m in height unless otherwise agreed in writing with Council up to a maximum height of 15m.

Unless otherwise stated the above conditions shall be met at the expense of the subdivider and prior to the release of a certificate in accordance with Section 224(c) of the Resource Management Act 1991.

Reasons for Decision:

Council is satisfied that subject to the above conditions, the subdivision is consistent with the policies and objectives of the District Plan and that the effects on the environment will be minor.

Advice Notes:

Variations - Should the subdivider wish to apply for a change or cancellation of any of the conditions of consent in accordance with section 127 of the Resource Management Act 1991 such application must be made to the Council in writing prior to issue of a certificate under Section 224(c) of the Resource Management Act 1991.

Objections - Any objection to the Council's decision on such application must be made in writing in accordance with Section 357 of the Resource Management Act 1991 within 15 working days of notification of this decision and be accompanied by the required Council fee.

Lapsing Period – The consent holder is advised that the consent will lapse after a period of 5 years unless the consent is given effect to.

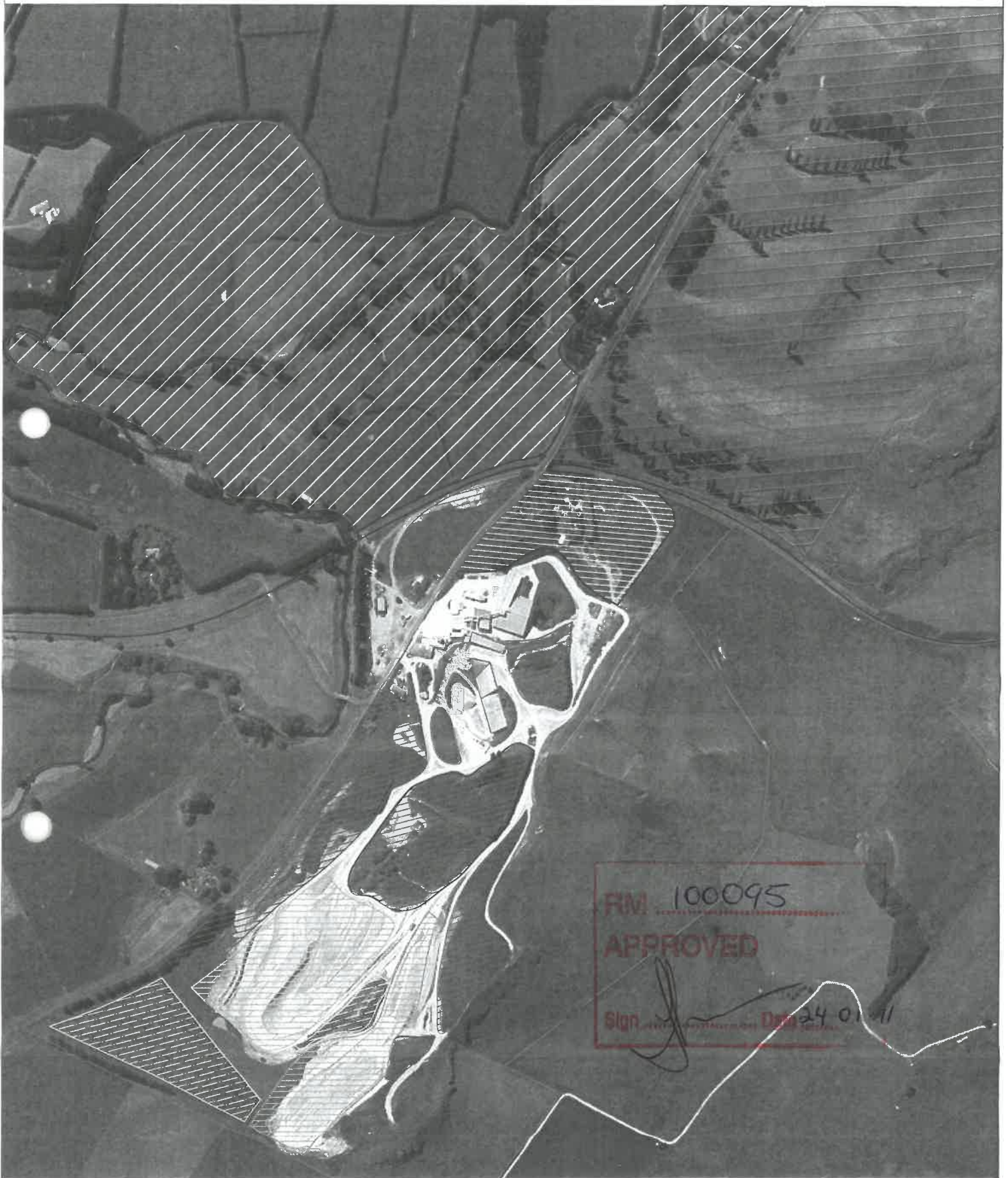
DELEGATION:

Under delegated authority from Council the Chief Executive approves this application.

Signed Date 24.01.11

Report Prepared by:

Ken Kalirai
Planner

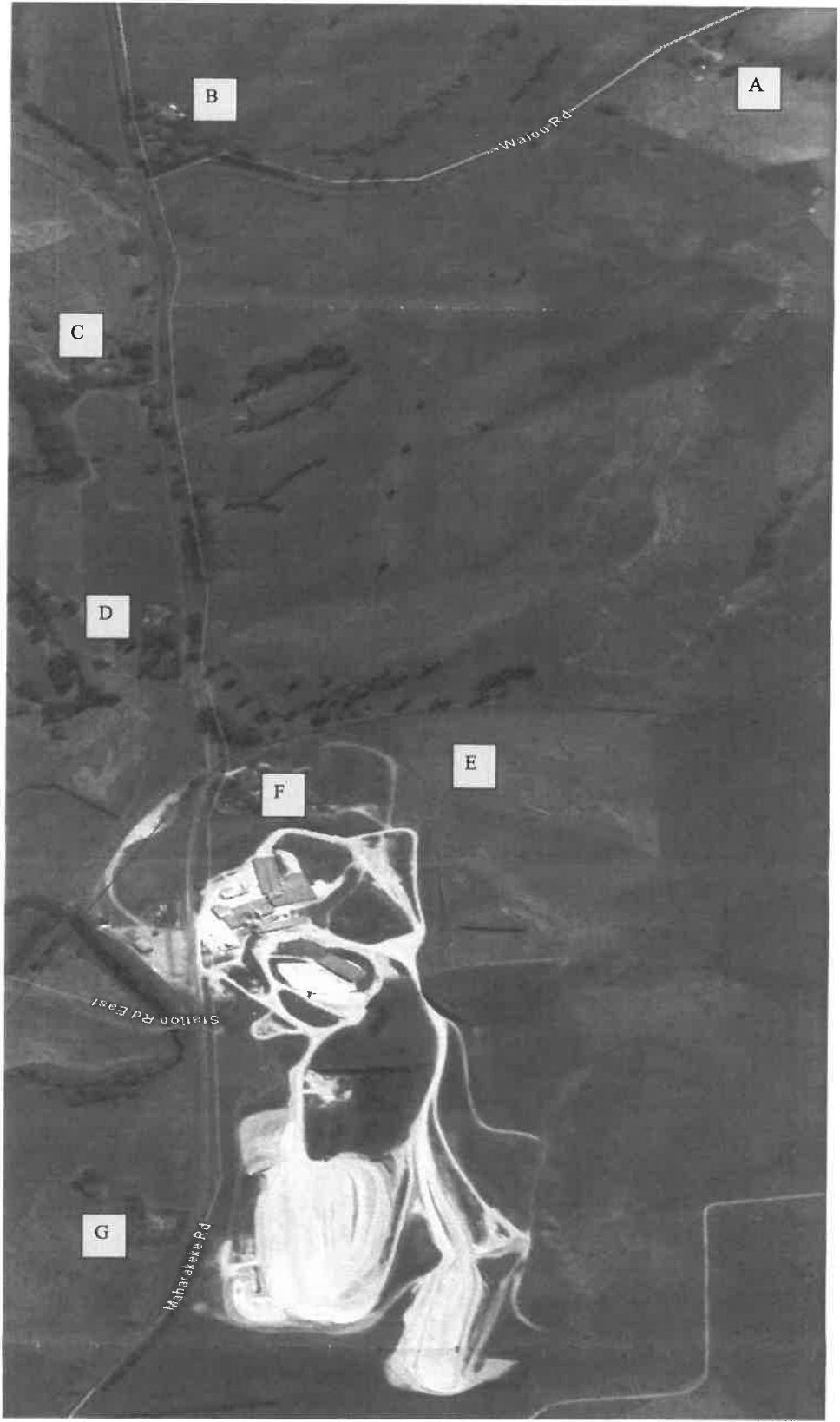


Client	Sheet	1
Date	7/05/09	
Map	N.T.S	
Project Name	QUARRY DEVELOPMENT	
Project Address	C	
Drawing Name	WORKS BOUNDARIES AND LAYOUT	

KEY

RECLAIMED LAND	QUARRY EXPANSION	QUARRY CONSENT BEING APPLIED FOR
WORKING QUARRY	MAHARAKEKE STREAM	COMPANY OWNED FARMLAND
RESIDENTIAL LAND	BOUNDARY FENCE	





Affected Persons A
 David and Kiri Kirk
 325 Wairou road
 R.D.1 Waipukurau

[Signature]

Affected Persons B
 Dan and Cecelia Elderkamp
 387 Maharakeke road
 4242 Waipukurau
[Signature]

Affected Persons C
 Daniel and Maia Topp
 428 Maharakeke road
 R.D.1 Waipukuau
[Signature]

Affected Persons D
 Russell and Joan Donaldson
 472 Maharakeke road
 R.D.1 Waipukurau

[Signature]

Affected Persons E
 Diana Murphy
 P.O Box 54
 Waipukurau

[Signature]

Affected Persons F
 Aaron and Joanna Topp
 492 Maharakeke road
 R.D.1 Waipukurau

[Signature]

Affected Persons G
 G.I and H.M Annetts
 572 Maharakeke road
 R.D.1 Waipukurau

[Signature]
[Signature]



CENTRAL HAWKE'S BAY DISTRICT COUNCIL

Ruataniwha Street, PO Box 127, Waipawa 4240, New Zealand
Telephone: (06) 857-8060, Fax: (06) 857-7179
Email: info@chbdc.govt.nz
www.chbdc.govt.nz

21st December 2010

Daniel Topp
Hatuma Lime Company Ltd
RD 1
Waipukurau
4281

Dear Sir,

RE: RM100095 – Application – Extension of Limestone Quarry Winning Activities

Thank you for the above application.

Mining activity is a discretionary activity in the rural zone. Affected party consent would be required in accordance with Section 95(E) of the Resource Management Act 1991. I notice that signed affected party consent forms have been provided with your application. However the affected parties signatures are also required on the site plan as per the instructions on the resource consent application form, and no such signatures have been provided. I will therefore be returning the application file to you for these signatures when I meet you for the site inspection.

The application is therefore on hold pursuant to Section 92(2) of the Resource Management Act 1991, pending the provision of the signatures as per the above request.

If you have any queries or would like any additional information, please contact me on 06 857 8060.

Yours Sincerely,

Ken Kalirai
PLANNER

Resource Consent Checklist for Applicants

Applicant(s) Name: Hatana Lime Company Limited
Address: R.O.1 Waipukurau
4281.

Have you included the following items with your Resource Consent or Certificate of compliance application

- Name and address of any occupiers/owners of the land subject to the application other than the applicant
- List of type/s of resource consents sought from this Council e.g. Land use/Subdivision.
- List of type/s of resource consents sought from another Council (eg discharge to land/air/water)
- Certificate/s of Title for the subject site
(If not council can obtain one for you at a cost of \$25.50 GST Inclusive)
- Locality plan (scale 1:500) or aerial photograph (scale 1:500)
(Showing the physical location of the subject site in relation to adjoining streets and sites) Please Obtain
HB34/1327
HBK4/1327
- Site Plan of existing and proposed activities including:
 - North point
 - Title or Reference No.
 - Scale
 - Date the plans were drawn
 - Topographical information
 - Natural features, including protected trees, indigenous vegetation, water courses
 - Certificate of Title boundaries
 - Road frontages
 - Existing buildings
 - Existing wells and/or effluent disposal systems
 - Buildings on adjacent sites
 - Layout and location of proposed building and activity
 - Earthworks design and contours
 - Landscaping
 - Site coverage calculation
 - Details of any signage (sign design, dimensions and location on buildings)

Assessment of Environment Effects (AEE)
*An AEE is an essential part of the application. If an AEE is not provided Council cannot assess the application. The AEE should discuss **all** the actual and potential effects of your proposed activity or structure on the environment. The amount of detail provided must reflect the scale and nature of the effects. For example, if there are major effects arising from the proposal, a detailed analysis and discussion of these effects should be included in the AEE. It may require the provision of information from specific experts (e.g. a traffic engineer). If the effects of the proposal are very minor, then a less detailed AEE can be submitted.*

The Council has information available to assist you prepare the AEE – please contact us if you have any questions.

- Application fee paid All Resource Consent fees are GST inclusive unless otherwise stated
- Date and Signature of Applicant or someone authorised to sign on their behalf
- Address for Service if different to applicant's details



CENTRAL HAWKES BAY DISTRICT COUNCIL
 RUATANIWHA STREET, PO BOX 127, WAIPAWA, 4170, NEW ZEALAND
 TELEPHONE: (06) 857 8060, FAX: (06) 8577179
 EMAIL: info @chbdc.govt.nz

RM 1000.95.

FEE: \$256.00

RESOURCE CONSENT APPLICATION
 (under the Resource Management Act 1991)

Applicants Name: Hatoma Lime Company Limited.

SITE ADDRESS

Street/Road Name: Maharakeke Road.

Street/Rapid No: _____ Phone: 06 8588567. E-mail daniel@hatoma.co
 .nz

MAILING ADDRESS (if different than above)

R.D.1
Waipukurau
4281.

LEGAL DESCRIPTION

Lot No: 1 DP: 6141 Section: 58 Block: 1 Survey District: Motootaraia.

Valuation Roll No: 1095011100 C.T Hbk4/1327.

Description of Proposal

(Please describe your proposal in detail including the reasons for requiring this resource consent)

Application for extension of Limestone Quarry winning
activities and associated activities on an area adjacent
to the existing Hatoma Lime Company quarry, processing and
distribution site

Signature of Applicant: [Signature] Date: 25-11-2010

Consent has been obtained from the following affected persons.
 An Affected Persons form is to be completed by all those listed
 & their signatures are to be shown on the site plan.

Don & Celia Eldertkamp - 387 Maharakeke Rd.
 (Name)

David & Kiri Kirk - 325 Waiau Rd.
 (Name)

Di Murphy
 (Name)

Russell & Joan Donaldson - 472 Maharakeke Road.
 New Zealand Railways Corporation - Wellington.

G.I & H.M Annetts - 572 Maharakeke Road.

please refer to application for signatures.

Terranet Document Ordering Service

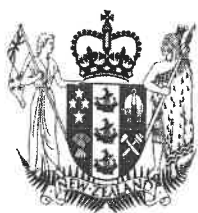
Certificate of Title with diagram : K4/1327

Billing Code: 2021333
Terralink Reference: 572843/1

Processed: 30 November 2010

Sourced from www.terranel.co.nz a service provided by Terralink International Limited. For queries about this document or this service please call 0508 483 772 or email tdo@terralink.co.nz.





**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy


R. W. Muir
Registrar-General
of Land

Identifier **HBK4/1327**
Land Registration District **Hawkes Bay**
Date Issued 14 February 1985

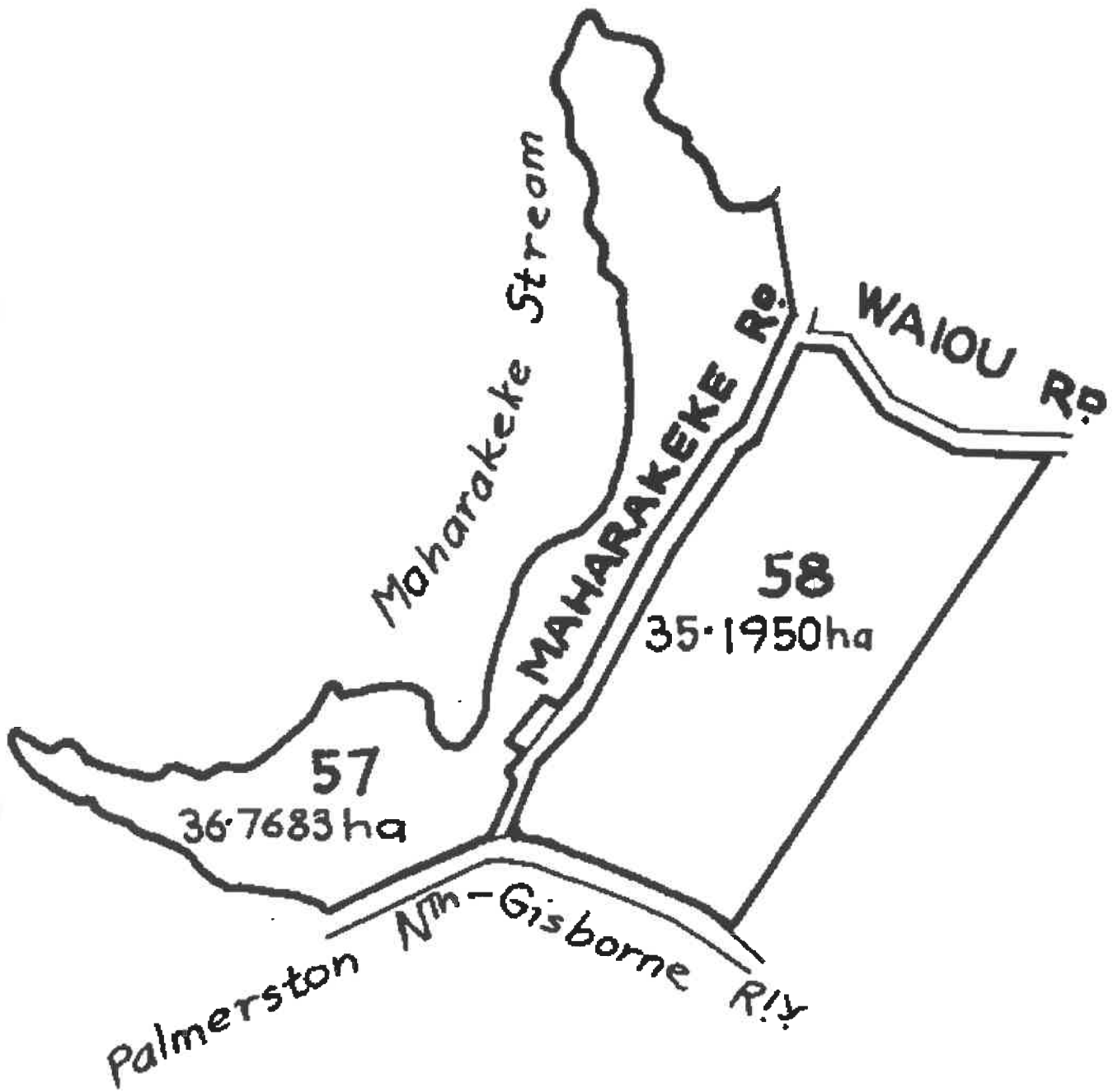
Prior References
HBPRK2/843

Estate	Fee Simple
Area	71.9633 hectares more or less
Legal Description	Section 57-58 Block I Motuotaraia Survey District

Proprietors
Hatuma Lime Company Limited

Interests

Subject to Section 8 Mining Act 1971
Subject to Section 5 Coal Mines Act 1979
Subject to water and pipeline rights (in gross) over part in favour of The Hawke's Bay Education Board created by Transfer 123880 - 15.8.1955 at 12.00 pm
Subject to a right to convey water over part created by Transfer 496106.1 - 29.7.1988 at 11.50 am
Subject to a right to convey water and electric power over part created by Transfer 610973.1 - 2.8.1994 at 11.20 am
7148521.2 Mortgage to Westpac New Zealand Limited - 6.12.2006 at 9:00 am



57
36.7683 ha

58
35.1950 ha

Maharakeke Stream

MAHARAKEKE RD

WAIYOU RD

Palmerston Nth - Gisborne Rly



CENTRAL HAWKE'S BAY DISTRICT COUNCIL

Ruataniwha Street, PO Box 127, Waipawa 4240, New Zealand
Telephone: (06) 857-8060, Fax: (06) 857-7179
Email: info@chbdc.govt.nz
www.chbdc.govt.nz

30 November 2010

Hatuma Lime Company Limited
Maharakeke Road
RD 1
Waipukurau 4281

Dear Sir/Madam,

Resource Consent Application – RM100095

Receipt is acknowledged of the Resource Consent Application received on 30 November 2010 .

Applicant: Hatuma Lime Company Limited
Address: Maharakeke Road, Waipukurau

Attached is the receipt for \$256.00

Your application has been checked and has been accepted as a complete application.

We are now currently checking your application to ensure we have all the information we require to properly assess your proposal. We will contact you when we need to make a site visit.

Further information

We may require further information or may want to commission a report:

- To help us understand and/or clarify any aspect of your proposal;
- To help us understand how you propose to mitigate any adverse effects that might arise; and/or
- Where we consider you have not adequately assessed all the potential effects.

We will advise you whether or not we require further information by 10 December, 2010. If we do require further information, the processing of your application will stop until you provide the information required in the first request. If the application is notified, the processing of your application may also be stopped a second time if another further information request is made after the close of submissions. If we want to commission a report then we will write to advise you about the costs of that report and request your permission to proceed.

If a further information request or request to commission a report is ignored or refused then the application may be publically notified.

Additional/Discounted Fees

Please note that additional fees may be charged for the processing of your application.

However, if your application is not processed within statutory time frames and council is deemed to be responsible, you may be eligible for discount on your administrative fees subject to Regulations which came into force in July 2010.

Processing your application

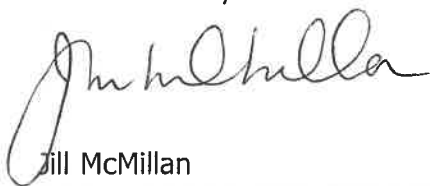
Once we are satisfied we have all the information we require, we will decide how your application will be processed. Either your application will be publicly notified (notified), notified to affected parties only (limited notification) or will be processed without public notification (non-notified).

If it is to be publicly or limited notified, we will advise you of this and notify it in the Central Hawke's Bay Mail &/or the HB Today or notify the identified affected parties in writing within 10 working days from the date you lodged your application, if we did not request further information. If further information is requested then the processing 'clock' can be stopped once before submissions close and will not start again until the initial further information requested has been supplied to the Council. Notification will still be no longer than 10 working days from the date of lodgement excluding the first time that the clock may be stopped.

If your application is to proceed on a non-notified basis, you will receive a decision on your application within 20 working days from the date you lodged your application provided no further information was requested. If further information was requested then the decision on the application will be issued within 20 working days excluding the first time the clock may be stopped to deal with the provision of any further information.

Your application has now been passed to a Council Officer/Consultant for further assessment and processing. If further information is required then a formal request will be forwarded to you in writing. If you have any questions about any part of these processes, please contact the Planning Team on 8578060.

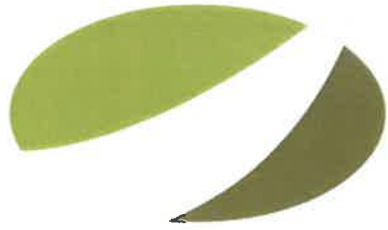
Yours faithfully



Jill McMillan

REGULATORY SERVICES OFFICER





Hatuma

Lime Company Limited

Application for Resource Consent – pursuant to Section 88 of the Resource Management Act 1991.

- **Application for extension of Limestone Quarry winning activities and associated activities on an area adjacent to the existing Hatuma Lime Company quarry, processing and distribution site.**

**Central Hawkes Bay District Council
PO Box 127
WAIPAWA 4240**

10 November 2010

**FORM 9
APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT
ACT 1991**

**To: The Chief Executive Officer
Central Hawkes Bay District Council
PO Box 127
WAIPAWA 4240**

We, the **Hatuma Lime Company Limited** apply for resource consent to extend an existing mining activity 'Limestone Quarry Winning Activity' onto a 31.1950 ha site situated adjacent to the existing Hatuma Lime quarry processing and distribution site, and to construct and operate an overhead elevator for the transportation of winnings from the quarry extension area underneath the railway and overhead on adjacent land to the existing processing plant. The names and addresses of the owner and occupier to which the application relates are as follows:

**Hatuma Lime Company Limited
Maharakeke Road
R D 1
Waipukarau 4281**

The location of the proposed activity is: **Maharakeke Road Waipukarau**

We attach in accordance with the Fourth Schedule of the Resource Management Act 1991, an assessment of environmental effects in the detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment and in the form required by the Central Hawkes Bay District Council. We attach information required to be included in this application by the Central Hawkes Bay District Plan and the Resource Management Act 1991 or any regulations made under that Act; as follows

- Appendix 1** Certificate of Title CT:HBK4/1327
Certificate of Title CT:HBJ3/430
- Appendix 2** Specified departure Consent
- Appendix 3** Quarry Management Plan
- Appendix 4** Affected Persons Consents
- Appendix 5** Ontrack consultation

As this is an application for landuse consent, I attach information that is sufficient to define:

- a) The position of existing structures and access and proposed structures and access;
- b) The location of and access to and extent of the proposed additional mining area;
- c) The effects of the proposal on the receiving environment
- d) A consideration of the proposal against the relevant rules, objectives and policies of the District Plan.

Signature:.....
Roger Wiffin (on behalf of applicant) Planner
Address for Service:

Date:.....

Action							Planning
Phone		No:	(06)	878			9142
P	O	Box	1200	Fax:	(06)	878	9129
HASTINGS							

APPLICATION PRECIS

Our Reference : 12642

Date : 12 October, 2009

**Location : Maharakeke Road
Waipukarau**

**Legal Description : Pt Lot 1 DP 6141 CT HBJ3/430 29.9202 ha
Section 58 Blk I Motuotaraia SD CT HBK4/1327
35.1950 ha**

Applicant : Hatuma Lime Company Limited

Land Owner : Hatuma Lime Company Limited

Local Authority : Central Hawkes Bay District Council

Proposal : Landuse Consent:

To extend an existing mining activity 'Limestone Quarry Winning Activity onto a 31.1950 ha site situated adjacent to the existing Hatuma Lime quarry processing and distribution site, and to construct and operate an overhead elevator for the transportation of winnings from the quarry extension area underneath the railway and overhead on adjacent land to the existing processing plant.

1.0 INTRODUCTION

1.0.1

This application for landuse consent is made pursuant to Section 88 of the Resource Management Act 1991 (the Act). This report and the attached supporting information act as an Assessment of Environmental Effects as required by the Act.

1.0.2

Resource consent is sought for the Hatuma Lime Company (the Company) to progressively establish a new limestone extraction mining and winning activity, over an abutting site of some 35 ha. The extension area is located to the north of the existing quarry processing and distribution plant site, at Maharakeke Road. The application includes construction of a large storage shed and erection of an electric conveyor for transportation of mined material underneath the Palmerston North – Gisborne Railway Line and overhead across land within the existing quarry site to the existing lime processing plant facilities.

1.0.3

The overall purpose of the application is for the Company to secure ongoing and future mining rights to the high quality mineral limestone resource that is present within the quarry extension site, the deposits of which extend into the proposed extension area. The certainty of access to a known high quality resource combined with close proximity to the existing processing plant is considered to be an efficient use of existing capital and infrastructure resources and also represents an efficient method of extracting and processing the material won.

1.0.4

The granting of consent will provide security of ongoing supply of a high quality resource essential to rural productive use across the Districts Soils resources (limestone fertiliser) at competitive rates.

1.0.5

The proposed extension will not increase the current throughput or processing capacity of the existing plant. Apart from construction of the conveyor on the existing site the production of lime and lime products from the existing processing plant will not increase as a consequence of the extension of the quarry winning area.

1.0.4

The proposed activity has a Discretionary Activity status pursuant to Rule 4.8.3 (b) of the Central Hawkes Bay District Council District Plan (the Plan).

1.0.5

It is submitted that the proposal is not contrary to the Objectives and Policies of the Plan, that the proposal need not be publicly notified and that any actual or potential effects on the environment arising from progression of the mining extraction / winning activity onto the adjacent site and from the conveyor will be no more than minor.

2.0 LEGAL DESCRIPTION

2.0.1

The property subject to the quarry extension winning activity is legally described as:

Section 58 Blk I Motuotaraia SD	CT HBK4/1327	35.1950 ha
--	---------------------	-------------------

2.0.2

The existing lime processing plant and distribution facilities are located upon:

Pt Lot 1 DP 6141	CT HBJ3/430	29.9202 ha
-------------------------	--------------------	-------------------

2.0.3

Copies of the abovementioned certificates of title are attached as Appendix 1. There are no encumbrances registered against the certificates of title that limit the ability of the applicant to give effect to the consent if granted.

3.0 BACKGROUND

3.0.1

The Hatuma Lime Company is a family owned company first established at the existing site circa 1932. The subject site is located 10 km south west of Waipukarau and 5km north east of Takapau. The site is accessed from State Highway 2 via Maharakeke Road and the existing quarry is located at 496 Maharakeke Road.

3.0.2

The Company also owns and operates three other quarries located at Mauriceville and Waipawa. The operations at the Hatuma Quarry are considered by the Company to be the most efficient of all these sites, and it produces the Companies highest quality lime and lime based products. Because of this the Hatuma site functions as 'Head Office' from which all Company operations are managed. The Hatuma site employs fifteen staff (xx full time – xx part time), in the processing and distribution side of the operation and ten clerical/management staff in the Office.

3.0.3

During the period 1977 – 1982 the Company constructed large storage sheds and blending plants at the current site along with the purchase and installation of heavy processing plant and machinery. In 1981 conditional use approval was granted by the Waipukarau District Council to extend the winning area over some 40 acres south of the existing quarry, this is the current extraction area. This area has been worked for some 30 years and is now nearing the end of its effective useful life.

The final areas within the existing quarry have been 'opened up' and the worked out areas have either been rehabilitated to pasture or are undergoing rehabilitation (Note; rehabilitation is a long term ongoing and incremental process that forms part of overall quarry operations and which is guided by a Quarry Management Plan).

3.0.4

In 1984 the Company purchased the now proposed extension area which is located to the north of the current site along the eastern side of Maharakeke Road and across the Palmerston North – Gisborne Railway.

3.0.5

In May 1985 a Specified Departure Consent was granted by the Waipukarau District Council pursuant to the Town and Country Planning Act 1977 allowing the use of land in the Rural B zone to be used as a quarry for the winning of limestone. That consent was not exercised and was allowed to lapse. The land has since been developed and utilised by the Company for deer farming purposes. This is the proposed extension area for which consent is now again sought.

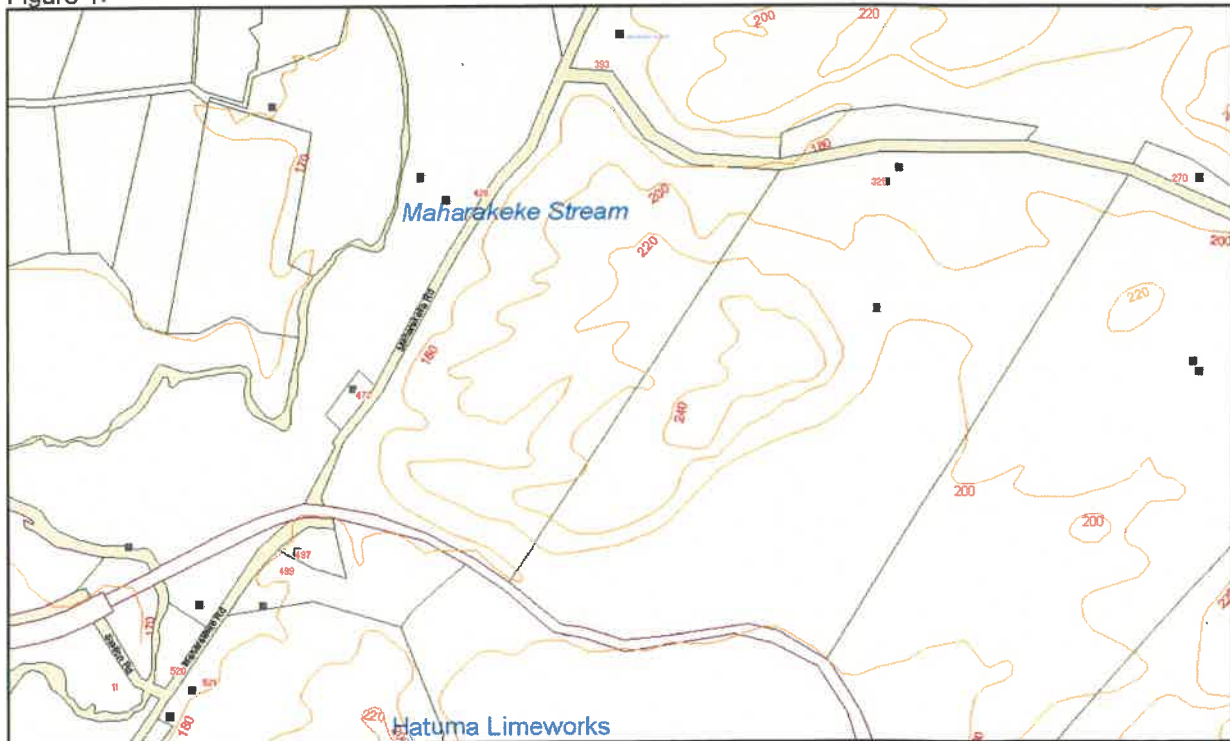
A copy of the Specified Departure approval and supporting documentation as obtained from Central Hawkes Bay District Council archive records is attached as Appendix 2.

4.0 SUBJECT SITE / EXISTING ENVIRONMENT

4.0.1

The proposed quarry extension area is located to the north of the existing quarry site. The western boundary is defined by some 260 metres of frontage to Maharakeke Road, the northern boundary is defined by xx metres of frontage to Waiou Road and the southern boundary is defined by the Palmerston North - Gisborne Railway Line. Topographically the site has a RL of approximately 170 at the Maharakeke Road, railway and road frontages. From Maharakeke Road the site rises to the east to an RL of approximately 220 to 230 at the rear (eastern) boundary (refer Figure 1). The slope increases to a ridge located in the abutting property to the east, as defined by a limestone outcrop generally running generally parallel to Maharakeke Road. This topography is representative of many of the hills defining the eastern perimeter of the Ruataniwha Plains.

Figure 1.



4.0.2

The site contains a steep slope adjacent to the southern boundary. A small watercourse flows generally along the base of the slope parallel to the southern boundary (and the railway line). This watercourse is an unnamed tributary of the Maharakeke Stream draining a small rural catchment east of the site and flowing westward into the Maharakeke Stream which itself flows northward along the opposite side of Maharakeke Road. The central part of the site forms an elevated basin. Apart from the watercourse the site has no other significant defining topographical features and is typical of the localized topography.

4.0.3

Since purchase of the site and as part of the lead in to quarry development the Company has undertaken considerable planting of trees upon the site (mainly Poplar and Redwood), these are now established and mature and provide some screening of the site from the west.

Figure 2. Subject site showing landform and existing established trees.



Figure 3.

Perspective view of site (looking northward) illustrating the slope of the site rising up from Maharakeke Road into a central basin, then again rising to the limestone ridge outcrop in the neighbouring property beyond the eastern boundary. Existing quarry site and plant in foreground.



Figure 4.

Further perspective view of site (looking north east) again illustrating the slope of the site rising up from Maharakeke Road into a central basin, then again rising to the limestone ridge outcrop in the neighbouring property beyond the eastern boundary.



4.0.4

The surrounding properties are predominantly rural farmland utilized for rural productive purposes primarily stock grazing on the abutting hill country and a mix of stock grazing and some cropping on the Ruataniwha Plains to the west of the Maharakeke Stream.

4.0.5

As illustrated in Figure 5 the land to the west of the extension area (along the opposite side of Maharakeke Road up to the Maharakeke Stream) is also owned by the Company, as is the land along the southern side of the railway which is utilized for the Company's existing operations.

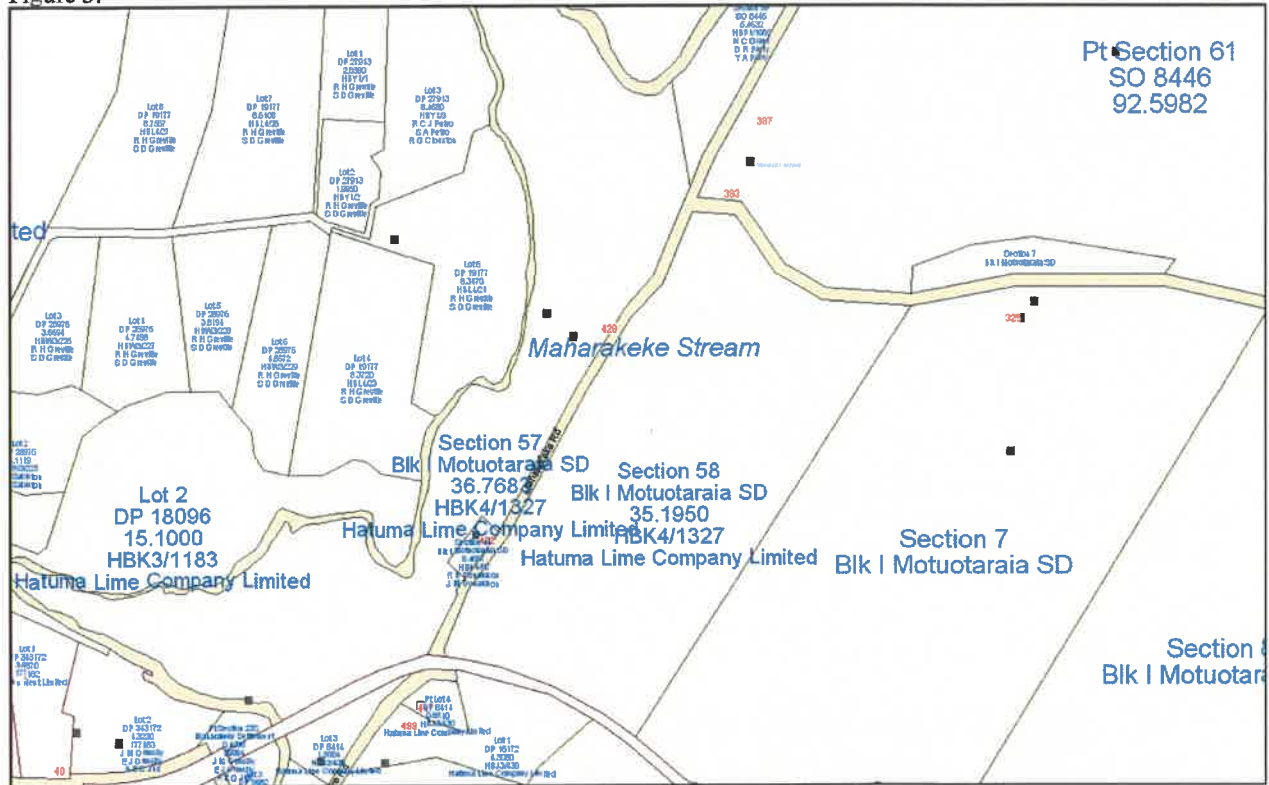
4.0.6

The three nearest dwellings to the proposed extension area are owned by the Company. One is the main dwelling located at the northern end of the existing quarry site (address) the remaining two are off the western side of Maharakeke Road opposite the extension area – refer Figure 2.

4.0.7

Due to being sited on the hills forming the eastern edge of the Ruataniwha Plain the existing quarry area is visible for some distance, the visibility of the quarry activity is enhanced (particularly during winter months) by the reflective nature of the (nearly white when exposed) limestone. The existing quarry however forms part of the existing landscape and is accepted as part thereof. Notwithstanding the high visibility of the exposed quarry areas the view of the quarry is dynamic over time, with significant yet incremental areas of quarried out slopes being reinstated with overburden and returned to farmland (pastoral grazing). This aspect of the existing quarry activity is not readily apparent, particularly to motorists passing along State Highway 2.

Figure 5.



5.0 PROPOSAL

5.0.1

The applicant has prepared a Quarry Management Plan (QMP) (dated May 2009) outlining the application and the manner in which the activity is to be established and operate. A copy of the QMP is attached as Appendix

3. The key elements of the QMP are outlined below:

- A summary of the method by which limestone is to be harvested from the extension areas;
- Proposed staging of quarrying activities in each area and an estimate of the time frames for operation within each (through to the year 2100)
- The staging and extent of earthworks to be undertaken within each area (through to the year 2100)
- The extent and location of facilities for the storage of the excavated material, and;
- Route and design of the proposed conveyor system from the storage facilities underneath the railway track to the existing processing plant.

5.0.2

Generally, the extension will occur incrementally in that upon initial establishment of the conveyor, storage facilities and the main haul road, further stripping and road construction will occur as required and will be managed to expose each stage. As necessary to supply the processing plant.

5.0.3

As the works progress, quarry procedural operations and practices associated with the excavation and processing activities will continue in accord with current management and 'normal' quarry practice and the QMP.

5.0.4

The quarry extension does not involve changes or alterations to the existing processing activities, and the overall processing capacity of the plant (and the quarry on the whole) will not be increased. The processing plant and associated activities will continue to operate from the current location.

5.1 Hawke's Bay Regional Council - Discharge Consent/s

5.1.1

The applicant will be required to obtain discharge consents from the Hawke's Bay Regional Council under the provisions of the Hawkes Bay Regional Resource Management Plan (RRMP) for discharges to air and discharge of stormwater to land/water. These applications are yet to be lodged, however based on the assessment within this report and the absence of adverse effects from the existing quarry activities it is anticipated that consents should be obtainable.

Comments received from the HBRC (in relation to air discharge are included in Appendix 2.

6.0 CENTRAL HAWKES BAY DISTRICT PLAN (the Plan)

6.1

Zoning

6.1.1

The site is located within the Rural Zone of the Plan (Map 12). It is not identified as an area of Outstanding Landscape Value, nor is it subject to any additional notations. The Palmerston North – Gisborne Railway is identified as Designation 169.

6.2

Definition of Activity:

6.2.1

Pursuant to Section 2 of the Plan – Information and Interpretation, Mining is defined as:

MINING ACTIVITY means to take, win or extract, by whatever means, a mineral existing in its natural state in land, or a chemical substances from that mineral, for the purpose of obtaining the mineral or chemical substance; but does not include prospecting or exploration; and 'to mine' has a corresponding meaning. For the purpose of this Plan mining excludes gravel extraction. The proposed activity falls within the above definition.

6.3

Landuse Activity Status:

6.3.1

Landuse activities in the Rural Zone are subject to the provisions of Section 4.0 of the Plan. Pursuant to Rule 4.8.3(b) 'Mining Activities' are a **Discretionary Activity**. The performance standards for rural zone activities are set out in Section 4.9. Those general performance standards relevant to this application are:

4.9.1 Building Coverage *The net area of any site covered by buildings and impervious surfaces shall not exceed 700m² or 7% of site area, which ever is the greater.*

4.9.2 Height of Buildings *Maximum height of any building for an activity shall be 10m.*

4.9.5 Setback from Neighbours *Subject to any other rules for Rural Zone, the minimum setback of buildings for an activity from internal boundaries shall be: i residential units 5m
ii all other buildings 10m*

District Plan Assessment:

6.3.2

The proposed bulk storage shed will have a storage capacity of some 8000 ton with a GFA of some 480 m². The shed will be an open sided roofed structure with a single pitch roof (as referred in the QMP). The shed will be designed such that the roof will be inclined generally consistent with the slope of the hill at approx 25 degrees (refer attached QMP Plans), storage capacity will be achieved by excavation underneath the structure such that the building is unlikely to exceed a height of 15 metres above existing ground levels. It will as a consequence remain visually unobtrusive despite the size of the structure. The shed will essentially be of a

similar design and configuration and appearance as the existing sheds on the adjacent processing site. The shed will be sited at the base of the hill across the stream from the railway boundary. Overall it is submitted that the storage shed will comply with Standards 4.9.1, 4.9.2 & 4.9.5.

4.9.10 Tree Planting

Setback from Neighbouring Properties

No tree planting, except for amenity tree planting, shall be located on, or within, 10metres of the boundary of any property under a separate Certificate of Title unless prior written permission has been obtained from the affected landowner. A copy of the written permission shall be forwarded to the Council and will be registered on the land information property records. (Note: Where written permission is not obtained within this zone tree planting shall be a discretionary activity with respect to this matter).

6.3.3

The additional trees to be planted generally along the alignment of the quarry haul road (as detailed in the QMP) are considered to be 'amenity planting' as they will assist to screen, to some extent, views of the haul road and quarried areas from locations on the Ruataniwha Plains. Notwithstanding that the trees are existing, and established, they generally achieve compliance with the yard setback standards of 4.9.10.

4.9.11 Noise

On any site, activities, shall be conducted such that the following noise levels are not exceeded at nor within the notional boundary of any residential unit, other than residential units on the same site as the activity:

- 55dBA L10 - 6:00am - 11.00pm Monday to Saturday
- 45dBA L10 - at all other times
- 75dBA Lmax - at all other times

6.3.4

No specific noise assessment of the proposed activity has been undertaken and compliance with standard 4.9.11 cannot be confirmed. Noise sources from the quarry activities will be from operation of heavy machinery - predominantly a motor scraper. A loader may operate at the storage shed / elevator area while bulldozer/s may be utilized periodically during removal of overburden.

Due to the generally soft nature of the limestone deposits blasting and use of explosives is not required. Based on observations during a site visit the existing quarry operations, which have the same characteristics as will be evident in the extension area, the extent of audible noise during lime excavation will be minimal from Maharakeke Road from both winning and transportation operations.

The construction of the elevated earth bund along Maharakeke Road (refer QMP) will assist to achieve some mitigation of noise effects. Noise from the elevator is expected to be minimal especially in comparison to potential effects of alternative transportation i.e. repeated vehicle movements between the sites.

In context of the rural nature of the surrounding environment, the separation distances to boundaries, the elevation of the working quarry area and haul road and the working area and the bund along Maharakeke Road and abutting properties, it is submitted that noise effects of the activity will not adversely effect abutting or adjacent landowners, notwithstanding affected persons approvals obtained.

7.0 STATUTORY CRITERIA

7.0.1

As a discretionary activity, subject to Part II of the Resource Management Act, Section 104 sets out those matters that Council must have regard to. These are:

- (a) *Any actual and potential effects on the environment of allowing the activity; and*
- (b) *Any relevant provisions of:*
- (iv) *a plan or proposed plan; and*
- (c) *Any other matters the consent authority considers relevant and reasonably necessary to determine the application.*

Section 104B of the Act states that after considering an application for a resource consent for a discretionary activity a consent authority-

- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions (under s108).

8.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

8.1

Affected Persons Consultation

8.1.1

The applicant has undertaken consultation with all landowners on general proximity of the site and written approvals have been obtained from all parties (on Council's standard Affected Persons Consent Form), as summarized in the Table and Affected Persons Location Plan below. Copies of the written consents are attached as Appendix 4.

8.1.2

Any effects on these parties from whom affected persons consent has been obtained must be excluded from consideration (*Section 104(3)(b) of the RMA 1991*).

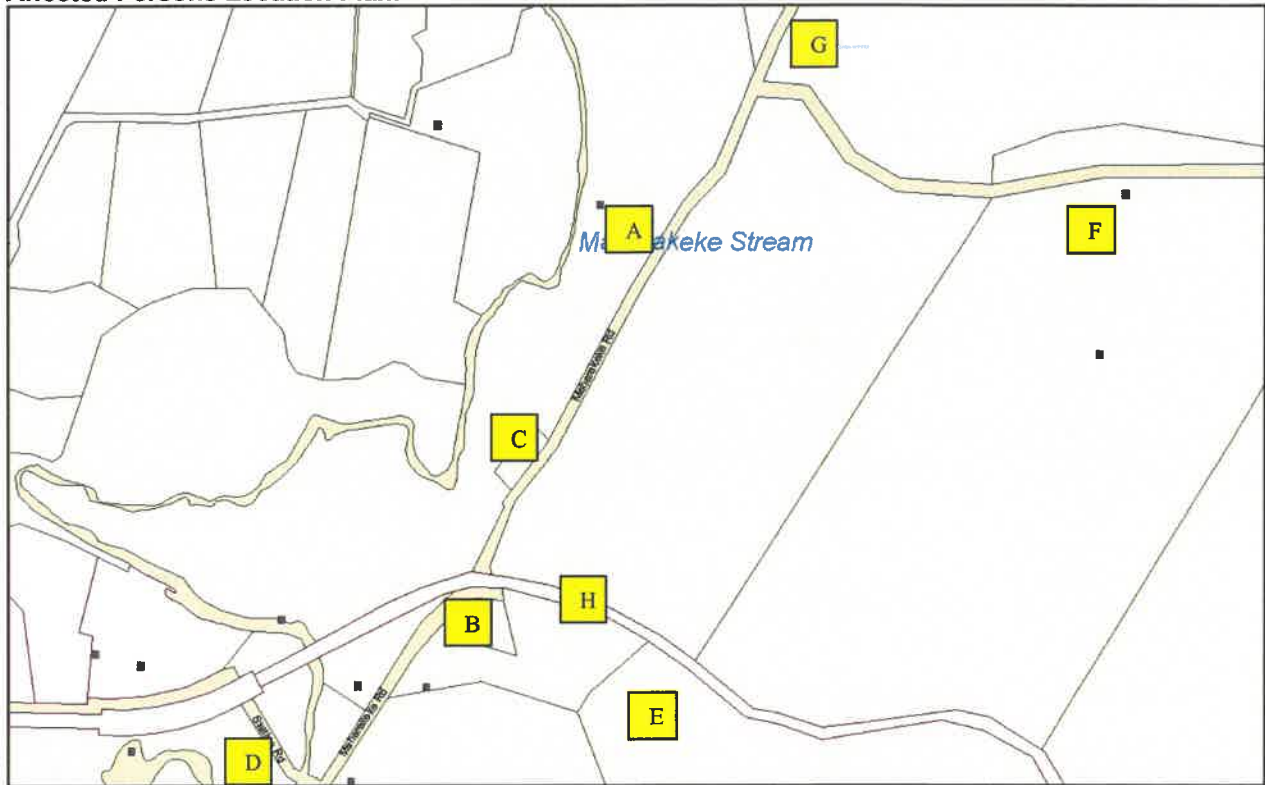
Affected Person Approvals:

Ref:	Name:	Address:
A	D & M Topp	482 Maharakeke Road
B	A Topp	497 Maharakeke Road
C	R & J Donaldson	472 Maharakeke Road
D	GI & HM Annettes Children's Trust	572 Maharakeke Road
E	Southampton Trust D Murphy & J Armstrong)	C/- P O Box 54 Waipukarau
F	D & K Kirk	325 Waiou Road
G	D & C Elderkamp	387 Maharakeke Road

Appendix 5 – Ontrack Consultation

The applicant has undertaken direct consultation with ONTRACK regarding the establishment of the proposed culvert conveyor system underneath the rail tracks and across the rail corridor. ONTRCK have agreed to enter into a Deed of Grant allowing the occupation and use for that purpose.

Affected Persons Location Plan:



8.2 Permitted Baseline

8.2.1

There is no relevant permitted baseline for mining activities within the rural zone. However the proposed storage building could be constructed as permitted for rural purposes, and earthworks could be undertaken for farm access purposes. As described below the subject site can be attributed a number of vehicle movements as would arise from permitted rural land use activities.

8.3 Natural Hazards

8.3.1 The subject site is not at risk of any known or identified natural hazard. Due to the nature of the underlying limestone deposits the land is basically stable. The site is not subject to flooding, inundation or erosion.

8.4 Storm water

8.4.1

Existing storm water runoff from pasture is to soakage with excess runoff into the existing gullies within the site, all storm water ultimately discharging into the nearby Maharakeke Stream. Once exposed the exposed limestone displays excellent soakage and infiltration characteristics and overall storm water runoff will be reduced. Any runoff from the quarry faces and winning area will be directed into specifically designed and storm water detention ponds to allow for settling of sediment prior to any further discharge.

The location of storm water detention ponds may vary as quarry stages progress, however the same principles for storm water management and treatment will be observed. It is noted that the existing storm water management practices within the existing site are effective in mitigating potential effects of sedimentation to waterways, and that compliance will be monitored by HBRC once the relevant storm water discharge consents are obtained.

8.5 Traffic

8.5.1

The proposed extension will not result in any significant additional vehicle movements along Maharakeke Road. Any vehicle movements would be associated with intermittent movement of heavy excavating machinery between the sites for periodic maintenance, these movements are anticipated not to exceed or be any more frequent than could arise from typical farming operations and will not adversely effect the functioning or safety of Maharakeke Road.

Light 4WD vehicle movements are expected to be necessary for staff and management inspections associated with mining operations and management, again these will not be of significant frequency and will be unlikely to exceed the number of vehicle movements that could otherwise be generated from typical farming activities.

8.5.2

The operation of an elevator for transportation of won material for processing is a positive, proactive and 'environmentally friendly' approach to the transportation of material between the sites.

8.6

Noise and Vibration

Matters associated with noise generation have been discussed in 6.3 above. The mining activity is not anticipated to result in any detectable vibration beyond the boundaries of the site.

8.7

Rural Amenity, Landscape and Visual Effects

8.7.1

The subject site is of moderate slope rising eastward from Maharakeke Road, and as such apart from the more immediate viewing audience on adjacent land to the west it can be viewed from various locations along SH2 across the Takapau Plains. Examples of these views are provided below.

Fig A: View of existing quarry site and adjacent proposed site from Fraser Road / SH2 (Takapau Plains) intersection (0% Magnification).



Figs B & C below provide view of existing quarry site and adjacent proposed site from Fraser Road / SH2 (Takapau Plains) intersection, with a 10x magnification.

Fig B: Existing quarry to right of frame. Proposed Extension area toward left of frame.



Fig C: Proposed Extension area.



8.7.2

As demonstrated by the figures above the existing quarry site, although visible forms only a small part of the broader landscape when viewed from SH2. The ability to view the existing quarry and also the extension area is restricted by the presence of shelterbelt planting across the Plains. It is also evident that the remediated areas within the existing quarry area are less visually prominent as they are in pasture.

8.7.3

It is further noted, with regard to Fig C, that the extension area will not extend up to the skyline, as the uppermost part of the ridge falls within the abutting property to the east - (also refer Figure 4).

8.7.4

Summarily, although the site is visually prominent from SH2 this viewing audience is transient. As works commence within the extension area the existing quarry site will be rehabilitated to pasture, as such the net total area of exposed lime (i.e. the visual element) will not significantly increase from what is currently visible, the quarrying activity will however appear to migrate slowly northward over an extended period of time. The ability of the transient SH2 audience to note this change is limited as it will occur incrementally over an extended period of time and will be seen as a natural progression of the lime extraction process.

8.7.5

In terms of the rate of works within the extension area, it will be worked in 4 phases of extraction at an estimated rate of 15 years per phase. By the time Phase 4 is commenced to removal of overburden, the rehabilitation of Phase 1 and 2 areas to pasture will have been completed.

8.7.6

The storage shed will only be visible to Maharakeke Traffic from the railway over bridge, and then only fleetingly to vehicle passengers. These views will be screened by the existing mature vegetation along the roadside and within the site. Similarly the overhead conveyor will not be readily visible from any easily accessed public viewpoint.

8.7.7

Overall it is submitted that the effects of the proposed quarry extension works and associated structures (storage shed and elevator), will not result in adverse effects on the existing rural character and amenity of the area. The Hatuma Lime Quarry has been a feature contributing to and forming part of the existing character of the locality. The quarry is now an integral component of the hills defining the eastern edge of the Ruataniwha Plains, it performs a function that directly relates to and is essential to primary agricultural production both on the plains and the hill country of Southern Hawke's Bay. As such the current and continued existence of the quarry is overall an accepted part of that rural landscape and it is submitted that effects on rural character and amenity will be no more than minor.

8.8

Reverse Sensitivity Effects

8.8.1

There is no evidence to suggest that the existing quarry activities have given rise to reverse sensitivity effects that limit the ability of any adjacent or abutting site to be utilized for permitted rural primary productive or rural residential landuses. As such, and notwithstanding that all adjacent and abutting landowners have provided written consent, it is submitted that the quarry extension and associated activities will not give rise to adverse reverse sensitivity effects.

8.9

Positive Effects

8.9.1

As commented above the Hatuma Lime Company primarily produces lime for agricultural fertilizer application purposes. Much of the product is used with Central and Southern Hawkes Bay, a quantity of product is also used outside of the region. Due to the range of soil types in rural areas and the demand based on grass production for stock grazing the Hatuma Lime Company provides farmers within the region with a readily accessible, high quality fertilizer resource.

8.9.2

It is submitted that the continued access to this resource is essential in contributing toward maintaining rural production, and therefore supporting economic prosperity of the regions agricultural sector. The granting of this consent will enable the agricultural industry security of supply to this essential supporting resource over the next 90 years. And, the granting of consent will result in significant positive cumulative economic effects both to the farming industry directly, but also in the form of flow on effects (in the form of secondary and tertiary 'flow on' economic effects) to other sectors of the region. In this regard it is further submitted that the Hatuma Limeworks could be classified as an essential industry in support of the Districts principally rural economy.

8.10

District Plan Assessment Criteria (Section 8.12)

8.10.1

The relevant assessment criteria are:

14 RESOURCE CONSENT- ASSESSMENT MATTERS

14.4 DISCRETIONARY ACTIVITIES IN RELATION TO:

5. Mining Activities and Commercial Gravel Extraction- Rural Zone

a) The degree to which the activities of vegetation clearance and the excavation and removal of material associated with mining impact on amenity values, landscapes values and nature conservation values (including the degree of significance of a species or community of indigenous plants and animals at the specific locality of the proposed mining activity).

b) The ability of the proposal to rehabilitate the site after mining so that:

- i) long term stability of the site is ensured;**
- ii) landforms or vegetation on finished areas are visually integrated into the landscape;**
- iii) land is returned to its original productive capacity, where appropriate;**
- iv) Water and soil values are protected.**

c) The ability of operation to avoid or mitigate dust, noise, lighting and vibration so that amenity value is not at risk.

d) The ability of the company to provide a contingency plan for early mine closure, including an evaluation of the risk to the neighbouring community and environment and the ability of the company to provide a bond to the Council for the purpose of rehabilitating operation areas in the event of a premature closure.

e) Where a building is to be erected as part of a mining operations refer to the assessment matters in 14.2.1-14.2.5 above.

8.10.1

It is considered that for the reasons discussed in the assessment of effects (above) the proposed extension substantially satisfies the above criteria. In particular:

- Quarry operations will not give rise to any adverse effects in relation to noise, dust lighting, or vibration.
- The area to be mined is not of significant landscape or conservation value;
- Mining operations will not adversely effect rural visual, character and/or amenity values, particularly in context of the existing environment and also given the acceptability of mining as an essential rural industry.
- Appropriate discharge consents will be obtained from the HBRC (storm water and dust), and existing good management practices will prevail.
- As demonstrated on the existing site the rural productive capacity of the land once rehabilitated is no less than that of surrounding sites.
- The Hatuma Lime Company has a long established and proven track record with regard to the rehabilitation of worked out areas. The Company is long established and reputable. As stated in the QMP rehabilitation of worked out areas form part of the overall Quarry Life Plan, and effective rehabilitation has been demonstrated on the existing site. In the event that the facility experiences premature closure rehabilitation works will already be 'closely following' new areas of quarry as they are opened. This progressive rehabilitation (as already evidenced) will be continued. As such the Company seeks to continue quarrying activities into the extension area without a requirement to provide a bond for rehabilitation in case of premature closure. In terms of risk, the Companies long history at the site combined with the fact that the provision of fertilizer to rural agricultural industry is an essential service, the risk of premature closure in a manner that would require Council to undertake rehabilitation works is considered to be extremely low.

- The proposed lime storage building and overhead elevator will have only limited visibility and will not exceed the building site coverage or building height standard permitted in the rural zone.

9.0 DISTRICT PLAN OBJECTIVES AND POLICIES

9.1

The relevant objectives and policies of the Plan (Rural Zone) are set out below:

4.2.1

Objective - Rural Amenity and Quality of the Environment.

A level of rural amenity which is consistent with the range of activities anticipated in the rural areas, but which does not create unpleasant conditions for the District's rural residents; or adversely affect the quality of the rural environment.

4.2.2

Policies

1. *To encourage a wide range of land uses and land management practices in the Rural Zone while maintaining rural amenity.*
2. *To require some activities to be setback from property boundaries so as to reduce the probability of neighbouring dwellings being exposed to adverse effects.*
3. *To maintain clear distinctions between the urban and rural areas through zoning and the provision of performance standards specific to the rural zone, to assist in protecting the character and quality of the surrounding rural areas.*
4. *To ensure there is a buffer between factory farming and other activities so as to avoid or mitigate adverse odour effects.*
5. *To encourage factory farming away from urban areas, so as to reduce the potential for conflict between these activities and urban activities.*
6. *To encourage the use of gravel from the rivers as a means to reduce the risk of flooding, subject to policies set out in the Hawke's Bay Regional Council's Regional Gravel Extraction Plan.*
7. *To avoid, remedy or mitigate adverse effects on the environment associated with gravel extraction outside the beds of rivers described in policy 6.*
8. *To encourage the protection of waahi tapu and other taonga by facilitating consultation between landowners and the Tangata Whenua should developments be proposed where values occur.*
9. *To obtain information on forestry development to assist planning for future roading and fire protection needs.*
10. *To require an application for a resource consent for mining activities so that adverse effects on the environment are avoided, remedied or mitigated.*
11. *To control the installation of septic tanks and other waste water treatment and disposal systems in order to mitigate potential health nuisances, odour and contamination of water.*
12. *To provide for the effective operation and development of Waipukurau Aerodrome while avoiding or mitigating adverse noise effects from the airfield operation.*

9.2

It is submitted that the proposed activity is not contrary to the above objectives and policies.

4.3.1

Objective - Soil Erosion Land management practices within the District which minimise soil erosion.

4.3.2 Policies

1. To encourage liaison with other local authorities and organisations concerning research into land use and land management practices that sustain the District's soil resource.
2. To encourage further research on the degree to which poor land management practices may impact on the long-term sustainability of the soil resource, and also research into identifying the correct adjustments needed to minimise soil erosion.
3. To encourage and co-ordinate with other agencies the provision of information that promotes land management practices which do not cause accelerated erosion.

9.3

It is submitted that the proposed activity is not contrary to the above objectives and policies.

4.4.1

Objectives

1. **Protection and enhancement of defined nature conservation areas, and outstanding landscapes views within the District.**
2. **The margins of wetlands, rivers, lakes and the coast are managed in order to preserve the natural character of these environments and the margins of identified river catchments are managed to enhance water quality.**

4.4.2

Policies

1. To promote and facilitate the long-term protection of areas with significant conservation values by encouraging the Department of Conservation to pursue actively the implementation of the Protected Natural Areas programme through direct negotiations with the landholders concerned.
2. To identify through the District Plan sites, which have been recognised through any regional plans or national databases, reports, or through surveys conducted by the Council, as being areas of significant indigenous vegetation or habitat.
3. To encourage the voluntary protection of sites identified as having indigenous plants or animals of significant value. An example is the QE II National Trust covenant.
4. To discourage inappropriate development in sites identified as having rare, endangered, or vulnerable species of plants or animals of national significance, or indigenous plant or animal communities that are of significance to the nation.
5. To control activities which have the potential to adversely affect the natural character of coast which is an important contributor to the amenity of the District.
6. To control certain activities which have the potential to adversely affect area identified as having major viewing points to some outstanding landscapes in the District.
7. In conjunction with Hawke's Bay Regional Council, promote riparian management practices that enhance water quality in the district by the following means: i. facilitate improved riparian management by educational means, ii. set priorities as to which waterways in the District require riparian management programmes, and, iii. determine the best methods to encourage protection of priority waterways.

9.4

It is submitted that the proposed activity is not contrary to the above objectives and policies.

9.5

It is overall submitted that the proposed activities are generally anticipated and provided for by the Rules and the relevant Objectives and policies of the Central Hawke's Bay District Plan subject to the activity being undertaken in the manner proposed by the applicant.

10.0 PART II OF THE RESOURCE MANAGEMENT ACT

10.0.1

The purpose of the Act (Section 5) is in short to promote the sustainable management of natural and physical resources, which enable people and communities to provide for their social, economic, and cultural well-being. There is however a number of provisos linked to this concept.

In particular this Section identifies sustaining the potential for natural and physical resources to meet the reasonably foreseeable needs of future generations, safeguarding the life-supporting capacity of air, water and soil and avoiding remedying or mitigating any adverse effects of activities on the environment.

The application of Section 5 involves an overall broad judgement of whether the proposal will promote the sustainable management of natural and physical resources, taking into account conflicting considerations, the scale or degree of them and their relative significance or proportion.

10.0.4

The matters of national importance in Section 6 are subordinate to the primary purpose of the promotion of sustainable management. They are not ends or objectives in themselves, but are accessory to the principal purpose. (The same comments apply to the consideration of Sections 7 and 8).

10.0.5

Section 6 of Part II of the Act specifies the matters of national importance to be recognised and provided for. There are no matters of national importance relevant to this application.

10.0.6

Section 7 of the Act sets out matters that Council shall have particular regard to in administering the Act. Of relevance to this application are:

- a) The efficient use and development of natural and physical resources:*
- b) The maintenance and enhancement of amenity values:*
- c) Maintenance and enhancement of the quality of the environment:*

10.0.7

Sections 6(e), 7(a) and 8 state that Council should recognise the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, have regard to kaitiakitanga, and take into account the Principles of the Treaty of Waitangi. There are no particular aspects of this application that warrant specific consideration with regard to these matters.

10.0.8

Considering the points raised above, and those in the Assessment of Environmental Effects and Objectives and Policies (Central Hawke's Bay District Plan) sections of this report, it is considered that this application is generally consistent with Part II of the Resource Management Act 1991. In particular:

- The proposal will enable the provision of essential services (fertilizer) to the principle agricultural industry of the District and the wider region, facilitating rural productive output and resulting in significant long term economic benefits (direct and indirect and flow on multiplier effects) to the district and the region.
- By contributing to the economic sustainability of agricultural production and ensuring security of supply of fertilizer resource to primary producers the proposal will contribute positively to the social well-being of people, and the wider community, without giving rise to adverse effects on the receiving environment.
- The proposed activity represents an efficient use of an existing physical resource, i.e. the existing Hatuma processing plant, without the need for unnecessary establishment and duplication of processing and distribution facilities at any other site;
- The proposal employs a comparatively efficient and sustainable method for the transportation of harvested material to the adjacent proceeding plant without undue reliance on fossil fuel;
- Although the application will not directly enhance amenity values, existing rural character and amenity values will be maintained, and upon 'working out' the rural pastoral amenity will be progressively reinstated, and;

- Any adverse effects of the proposal will be avoided, remedied or mitigated therefore the quality of the existing environment will be maintained.

**11.0
SUMMARY AND CONCLUSION**

11.1

The applicants seek resource consent from Council to extend an existing mining activity 'Limestone Quarry Winning Activity' onto a 31.1950 ha site situated adjacent to the existing Hatuma Lime quarry processing and distribution site, and to construct and operate an overhead elevator for the transportation of winnings from the quarry extension area underneath the railway and overhead on adjacent land to the existing processing plant.

11.2

The written Consent of affected adjacent property owners and occupiers has been provided and it is submitted that overall the environmental effects of the proposed activity will not be more than minor and that the proposal is not contrary to the relevant objectives and policies of the District Plan.

11.3

It is submitted that the application can be considered without notification or limited notification.

11.4

Accordingly, it is requested that the Central Hawke's Bay District Council grant approval to the Hatuma Lime Company Ltd to allow the extension of the existing quarry onto the adjacent site in the manner described in this application and supporting documentation.

Action Planning

.....
Roger Wiffin
Senior Environmental Planner



Quarry Management Plan (Q.M.P)

May 2009

Company History

Hatuma lime has been harvesting quality limestone for agricultural use at the present quarry since 1932.

The site was chosen initially because of the location of resource to the Napier/Palmerston North rail line and was originally opened to supply limestone to market gardeners in Wellington.

Initial tonnages were around the 8000 mark, all lime was in bag form and transported via the New Zealand Rail (NZR) network.

The limestone Hatuma produces is used solely for agricultural purposes', and lime distribution relied on government subsidies of free rail haulage within 100 miles from any lime company.

By the late 1950's - early 60's the tonnages had increased to around 55,000tonne annually, this was largely due as a result of the company's reputation as a pioneer within the lime industry. Inventions like the Rotating Screen, Screw Dozer Wagon Unloader, Lime Spreaders, Dicalcic Phosphate, and supplying the lime in Bulk Form, can all be accredited to Hatuma throughout this time.

Originally the company was concerned about any further expansions and the continually increasing sales, as these would put considerable pressure on the company's limited resource of limestone within the quarry.

As a result, a new quarry in Waipawa was opened in 1957, and the established Mauriceville lime plant was purchased and heavily invested in to help 'relieve' the Waipukurau quarry during this large demand for Agricultural (Ag) lime in the lower north island.

Between the years of 1977-82, Hatuma made considerable progress in all fronts. Large storage sheds and blending plants were installed, and heavy machinery was purchased. The annual tonnages around this time were 200,000 tons from the Waipukurau quarry alone.

Around this time the company also received conditional use approval to extend the quarry operations and another 40 acres was commissioned lying to the south of the existing quarry.

This is presently where all lime is extracted from for this site.

In 1981, land was secured along the railway line in Marton for quick unloading and transferring of products to help service the western side of the North Island. At its peak the plant was handling 50,000 tons annually with all lime supplied from this quarry.

Further investment was made in 1984 when the company purchased another 35 hectares north of the present site that once consent has been granted, has potential to yield approximately 7 million m³ of high grade limestone for the agricultural use.

After nearly 70 years as an unlisted public company, Hatuma lime is now entirely privately owned by the Topp family and is very proud to be totally independent.

Location

The proposed quarry is located 10km south west of Waipukurau and 5km north east of Takapau.

Hatuma lime is accessed via state highway 2 and is situated at 496 Maharakeke Road.

The quarry being applied for is lot 58 located between the Napier/ Palmerston North rail line and Waiou road to the north.

Refer to- *Works boundaries and Layout drawing.*

The quarry comes under the Central Hawke's Bay district council's bylaws.



Location of works in relation to Waipukurau township

Table of Contents

<u>Chapter</u>	<u>Page</u>
1 Company History	2
2 Location	3
3 Neighbouring Properties	4
4 Expected Rate of Extraction (E.R.E)	4
5 Geology	5
6 Site Requirements	5
• Conveyor system	6
• Storage Building	8
7 Environmental Management	9
• Air control	11
• Noise	12
• Water	12
• Maharakeke stream	13
8 Quarry Operations	
• Hours of operation	13
• Haul road	13
• Site Access	13
• Topsoil/ Overburden removal	14
• Harvesting Procedures	14
• Land Reclamation	16
• Monitoring	19
• Premature Closure of Quarry	19
9 Pictures	20
10 Drawings	

Neighbouring Properties

There are five residential houses within a 200 meter radius from the area being proposed for quarrying and six houses within 400 meters.

The houses closest to the quarry are company owned (Managing directors residence, Director of Sales and Marketing, and Director of Operations and Production). The Donaldson residence located directly across from the quarry is a former retired employee, who was with the company 50 years, and with whom we still keep in regular contact with.

Expected Rate of Extraction (E.R.E)

The quarry and processing plant have been set up to comfortably dispatch 250,000 ton's of lime products per annum.

The company does not expect to increase this at any stage, as production topping this would lead to increased operation costs and further development of quarry resources.

The expected life span of this quarry will be approximately 75 years based on the above tonnages.

The added benefit of developing the new northern quarry will be extending the current working life of the present quarry site by over 52%.

Refer to Fig :1 below.

Fig :1

10 Year Expected Rate Of Extraction

<u>Year</u>	<u>Present Quarry</u>	<u>New North Quarry</u>	<u>Total Annual (tons)</u>
2009	200,000tons (100%)	0 tons (0%)	200,000
2010	160,000tons (80%)	40,000tons(20%)	200,000
2011	120,000 tons(60%)	80,000 tons (40%)	200,000
2012	80,000tons (40%)	120,000 tons (60%)	200,000
2013	80,000tons (40%)	120,000 tons (60%)	200,000
2014	80,000tons (40%)	120,000 tons (60%)	200,000
2015	80,000tons (40%)	120,000 tons (60%)	200,000
2016	80,000tons (40%)	120,000 tons (60%)	200,000
2017	60,000tons (30%)	140,000 tons (70%)	200,000
2018	60,000tons (30%)	140,000 tons (70%)	200,000
2019	40,000tons (20%)	160,000 tons (80%)	200,000

- Please note that the 200,000 ton figure is indicative only, and we are very vulnerable to unforeseen circumstances such as climatic and economic conditions and as such, our annual tonnages can vary greatly.

Geology

An independent geological survey was conducted on the proposed quarry site in 1981.

The limestone deposit is part of the Te Aute Facies and the outcropping ridge was deposited as extensive barnacle banks or shoals during the Pliocene period (1.8-5 million years)- a time when a seaway existed along the Ruataniwha Plains between the Ruahine Ranges and the present day coastal ranges. These shoals were large-scale, linear bed forms with long axes orientated parallel to the direction of the strongest tidal currents.

To the east the limestone is generally of poorer quality (average CaCO₃ content of 77%). These beds are correlated with the 'old ridge top' quarry east of the main plant.

To the west, lime is of good quality (average CaCO₃ content of 86%) but in the central and northern parts of this block the quality is poor. The representative samples were however collected over a wide area.

A small-sized disused quarry is situated to the far west, with a small volume of poor quality lime (76% CaCO₃) present, which correlates with one of the 'pebble beds' at the main quarry.

Over the remaining area, there is a large volume of good quality lime which has an average CaCO₃ content of 87%. A large southwest trending valley cuts through this area and is possibly fault controlled. Minor displacement of the limestone beds has occurred along a number of splinter faults.

Refer to *General overview and limestone resource* drawing for more details.

Site Requirements

The method of harvesting the limestone from this quarry involves a process that Hatuma has been using at this site for 30 years.

Using an elevating motor-scraper, we remove the exposed high quality raw limestone, and haul it to a designated undercover storage shed for further processing.

There are two main advantages to using a motor-scraper to harvest limestone. The first is removing the need to have two operators and associated machines to "win" the lime- therefore keeping the running, operating, and labour costs down.

The second advantage is to continue with a company tradition of using the wind and sunshine to dry large open areas of quarry rather than using the more conventional diesel fired drying plant or drying kilns.

The motor-scraper and highly trained operator are able to regulate the cutting depth of the bowl to extract the driest lime available.



Catepillar 639D Elevating Motor-Scraper harvesting raw limestone

The site will initially not require provisions for staff and amenities as the company believes that this will be catered for by the current site. All machinery will be stored in the existing area near the mill vicinity, and no fuel or oils will be kept on the proposed quarry site.

Conveyor System

The original consent granted involved using an Armco culvert overpass to cross the Palmerston-Napier rail line, and the haul road to meet the existing access track north-east of plant.

On further investigating we have found that constructing a covered conveyor system to either go underneath (using precast box culverts), or above the rail line will be a better option for transferring the unprocessed lime to the crushing plant, despite the higher initial costs to set-up.

Advantages of using a conveyor are:-

- Quicker passes from quarry to discharge area.
- Scraper will cart from quarry to storage bin approximately 400 metres as opposed to carting to the mill approximately 1200 metres, therefore involving less time carting product, and more time harvesting to bin. Initial calculations show that 1000 tons of quarry run can be harvested in 2.8 hours (5 min haul) using conveyors verses 5.5 hrs based on a 10 minute haul time.
- Less fuel required to operate machinery, for example, approximately 210 litres of diesel will be used to harvest 1000 ton of quarry run verses 416 litres, creating a saving of 206 litres of diesel for every 1000 tons of lime produced.
- Minimizing dust from haul road.
- Minimizing associated noise from haul road.
- Possibility of the company exploring alternative energy options to power conveyor.

Please refer to *General Overview/ conveyor concepts* for details.





Photo's showing similar overland conveyor system to our proposal

Storage Building

Producing agricultural lime involves keeping the product to within 5% moisture content.

The higher the percentage of moisture equals a heavier weight of lime, which can lead to potentially dangerous hazards. This is especially evident when using an aerial topdressing method of application, as the lime loses its “flow ability” and is more likely to “stick-up” severely impacting on the pilot’s ability to jettison a load quickly.

To keep the lime as dry as possible, a storage shed capable of holding 8000 ton (3 days carting) would be built on the proposed quarry, approximately 40 metres north of the rail line.

The shed will be designed so that the scraper operator can discharge quarry run directly onto the conveyor without requiring any assistance from a front end loader.

The added advantage of having storage capability on the quarry site, will be to increase the works R.O.M storage from 12,000 tons to 20,000 tons, allowing us to harvest more lime in the dryer months (from November to April) and greater flexibility to processing during the winter.

The design of the shed will be of similar nature to our existing buildings and will be applied for separately once quarry consent has been granted.



Similar design of proposed storage building

Initially the shed will be built after constructing the conveyor system and once arranging the haul/access road to the plant are completed.

- Please note: this building will be for lime storage only, and will not require any form of electricity to be supplied.

Environmental Management

Objective: To manage the extraction of valuable limestone resource while avoiding, remedying, or mitigating adverse effects on the environment and enhancing environmental performance wherever practicable.

Hatuma Lime has over 75 year history with being proactive in terms of the environment and surrounding landscapes.

Fundamental company traditions has maintained the attitude of making land rehabilitation and sustainability just as important (if not more), than any of the quarry or works operations since initial production began in 1932.

Hatuma lime has pioneered the use of manufacturing Dicalcic Phosphate as an alternative to the more traditional Superphosphate and Nitrogen based fertilisers.

The products that the company produce have a reputation within the farming community as being environmentally friendly and sustainable, and helped many farmers in the lower North Island to reduce or eliminate the use of high water soluble fertilisers that impact negatively on the New Zealand countryside including our lakes and rivers.

Geological surveys completed on the proposed site indicate that the proposed quarry shows high quantities' of limestone, with the deposits lying in a very convenient fashion for harvesting, meaning that very little of the material will have to be discarded.

The operational methods used by the company are very straight forward and simple and we are very proud with the tidy appearance of our quarries. The company therefore, intends to quarry the new area in the same manner as present.

Our method of quarrying will be to expose approximately five hectares of raw limestone at a time.

Although the land for quarrying is over 35 hectares total, only a small proportion will be exposed at one time.

The five hectares are worked in three stages :-

1. Topsoil and overburden removal
2. Limestone extraction
3. Land reclamation

In an effort to off-set the carbon used in the harvesting process, we intend to plant native evergreen trees around the perimeter of the exposed quarry and to follow the haul road towards the processing plant.

These will also help to contain any airborne particles (e.g. dust) from the quarry and provide a more visual landscape.

The overburden will be stockpiled on the western side of the quarry and temporarily re-grassed to ensure that all quarry activities will be hidden within line of site from the roadside throughout all stages.

The areas not required for immediate quarrying will continue to be unaltered and retained for grazing.

Once all available limestone is removed from the designated section of quarry, the overburden and topsoil from the next section will be used to

return the land to a presentable and usable section, as currently practiced on existing quarry operations.

Our experience with reclaimed land shows that it takes some time for the land to return to full pastoral production. It is also important to remember that typically limestone rural land is often of mediocre quality and in Hawkes Bay particularly, the land is prone to long, severe droughts causing decreases in production.

After landscaping, we believe that the removal of the porous limestone and replacement of water-retaining clay and overburden, the land is as good as it was before mining, if not better.

Refer to- *Environmental Management* drawing for more details



Hatuma stock grazing on grass grown on reclaimed land

Air Control

Although the company has never formally received any complaints of air pollution, we have always been proactive in taking preventative steps to minimize the amount of dust being released into the atmosphere.

The only carbon pollutant that will be produced from the quarry will be from the machinery used to extract the limestone.

Minimal limestone dust from the quarry being worked and from the haul road is generally not a concern to the neighbouring farms and can be generally considered beneficial.

However we will be monitoring the dust and if deemed necessary, we will control using a water tank and sprayer to dampen the road as is the current practice at the existing site.

Noise pollution

Because the crushing and processing plant will still be maintained on the present site, the only noise emitted from the quarry will be from the harvesting machinery and these will operate in the hours required.

All machines used in the quarry will be compliant within the company's procedures for noise control and will be fitted with mufflers and baffled exhausts.

Water

Our quarrying method requires no water process for extracting the limestone. The only water that may be required will be for use in watering sprayers for dust suppression (refer to air control).

Current quarry processes require soak-pits to be made on the lowest part of the quarry floor which will contain approximately 20,000 litres of surface and storm water. These will change location to best suit the developing quarry.

Once the limestone has been exposed, any water that is left to pond will slowly drain through the porous deposit eventually filtering to the water table underneath.

Excess rain water will be contained to 10,000 litre soak-pits placed at desired locations following the haul road and all water will flow to the main soak-pit located east of the planned storage shed.

Should any contamination occur in the quarry (such as major oil leak from machinery/ diesel spill/etc), it will be contained within the quarry's four main soak-pits and any leakage into the nearby stream will be very unlikely.

Refer to- *Water Management* drawings for details

Maharakeke Stream

No contamination from the quarry will interfere with the Maharakeke stream.

At the nearest the quarry will be 180 meters away from the stream.

Current water monitoring practices will continue.

These are done by sampling water annually and during heavy rainfall when the water tops the soak-pits 200 meters to the north and 200 meters south of the quarry, and will be independently tested for any impurities.

Quarry Operations

Hours of Operation

The standard hours of operation for the quarry will be from 7:30am- 6:00pm Monday to Saturday.

However, as the quarry operations are weather dependent, it is possible that should demand outstrip supply, a later finish time may be required that will not exceed 8:00pm.

Typically very little or no quarry operations are required in the months between June to September as the limestone will be too wet to harvest.

Site Access

The quarry will be accessed only via the main plant on the south side of the rail line.

Currently the site is entered via Maharakeke road, but once a level crossing has been built over the rail line, we propose to continue the 2 meter deer fence across this gate, therefore eliminating any access to the quarry directly from the road.

Refer to *General Overview* drawing for details.

Haul road

The initial step will be constructing the haul road and access track from the Quarry face to the discharging area and plant.

Topsoil and overburden will be extracted from quarry site and used to fill in the north western hollow to form a six metre wide track that will run in a circular shape similar to the ridges contour lines.

The haul road will be constructed to follow the guidelines as set by the Department of Labour and I.O.Q.N.Z (Institute of quarrying New Zealand) and will be of a gradient no more than 1:5.

Surface water will be directed to trench's following the haul road line, and soak-pits capable of containing 10,000 litres of water every 200 meters.

Refer to– *General arrangement Detail 'A'* for details

Removal of Topsoil/ Overburden

As mentioned in the *Environment management* section, approximately two acres of topsoil will be extracted using elevating motor-scrapers and stockpiled separately east of the quarry cutting for future land reclamation. Removing the topsoil will reveal a clay and limestone mixture of overburden that will be pushed towards the western (downhill) slope using a bulldozer and regressed to create a natural looking landscape that will be high enough to restrict any visual activity from Maharakeke road.

A soak-pit will be formed on the north western side of the quarry to contain any surface and storm water present in the quarry.

Once the desired grade of limestone is exposed and reached a naturally dry state, the motor-scrapers will extract the lime and cart to bin for processing. Refer to *General Overview - stage 1* drawing

Harvesting Procedures

Before any limestone can be harvested, it must be dried to within 5% moisture content (MAF standard for Agricultural Lime)

The drying process requires a combination of sunshine and wind to evaporate and disperse the moisture present in the quarry.

The amount of drying depends on the suns intensity and duration as well as wind strength and direction. The ideal drying conditions are usually mid November to late April when the wind typically travels from the northwest direction and sunset is around nine o'clock.

In these conditions the quarry can be dry within 2-3 hours- even after a heavy thunderstorm. In winter months the wind is typically from the south and combined with fewer daylight hours, it may take up to 24hrs or longer before lime can be harvested.

The motorscraper operator works on a rotational basis only taking off the top 2-4 inches. The dryer the lime, the deeper the scraper can harvest. This allows the next layer of lime to be exposed beginning the drying process.



Photo showing two elevating motorscrapers harvesting lime for bin

The limestone deposits on the proposed site slope naturally between 30-40 degrees toward the western ranges.

This works in favour for us from a quarrying perspective, since we can follow the high grade deposits towards the water-table.

From the start of the quarry we can harvest the limestone to the bin and progress vertically downwards creating a quarry 'face'.

Once this face is approximately five metres high we will then intentionally not harvest the lime five metres out from this face creating a 'bench'.



View of Hatuma Lime's Mauriceville quarry showing quarry bench (x 3) and faces

This process will continue following the above method until we have reached the water table for this property.

As we continue to harvest the limestone vertically, topsoil and overburden from the west will be stockpiled towards the eastern side of the quarry.

Refer to- *General Overview Stages 2 and 3* for details.

Land Reclamation

Once all available limestone has been excavated from the selected area, we will begin to prepare the land for reclamation.

As we have been stockpiling the topsoil and overburden from stage 1 of the quarry process and the stripping from the next ridge to be quarried, we are able to quickly and efficiently fill in the void left from the excavation of the limestone.

Fig 1. -shows a site on the present quarry where a mixture of poor limestone and clay are carted from the expanding quarry ridge above and blended into the landscape.

The use of Motor-scrapers to cart and landscape the area being reclaimed is a great asset for the company as not only do they eliminate the need for two operators and added machinery costs (1 machine self loading verses the

more conventional excavator and quarry truck) but they also provide good compaction of the fill material as they are unloading and developing the landscape.

The fill material stockpiled at the top of the quarry face will be 'pushed over' and compacted using a tracked bulldozer. This will give a gradient of approximately 40 degrees, which will be similar to the surrounding landscape and should be easy accessed by a standard farm tractor..

Once the clay and poor limestone mix has been blended into the surroundings and landscaped to simulate a natural looking profile, topsoil will be applied using motor-scrapers for the flats, and 30 ton bulldozer for the steeper hillside. This will then be harrowed and grass seed will be sown. Estimated time for stock to be able to graze the land will be 8 months from time of sowing.

Fig 2.- Shows the same section of land as in Fig 1., but with topsoil applied. This section of land was grazed by stock 9 months after photo was taken and has been grazed every 3- 4 months since (Fig 3.).

The advantage of working to I.O.Q.N.Z guidelines for using quarry benching and facing is it helps to retain the fill material against the slope and bind the fill into the remaining limestone, therefore eliminating any chance of the new hill slipping or possible subsiding over time.

Refer to- *General Overview Stage 5* for details



Fig: 1

Clay and Limestone mix of overburden carted from developing quarry to the east blended into hillside. Viewed looking south (2006)



Fig :2 Same section as Fig 1., being prepared for harrowing with topsoil applied and compacted using motor-scraper (tyre marks still visible). Grassed land north has been developed in previous years. Viewed looking north (2006)



Fig :3 Same section of reclaimed land looking west 12 months after photo in Fig:1 was taken

Monitoring

The company will monitor the mentioned effects by continually inspecting and reporting on the quarry conditions as they progress.

This site will be operated by two A- grade quarry managers (one of whom has 26 years experience on the present site) and one B- grade manager.

The company's biggest asset is the staff themselves, and we are fortunate enough to have diligent and energetic workers who take pride in their working environment. All have been skilfully trained in their job and are responsible for notify and reporting any instances that may be of concern. Dust (visually), noise, etc is monitored by all staff throughout the site and are trained to take applicable steps to eliminate/ or isolate.

In appreciation to them, the company provides annual E.X.I.T.O training and we currently have 6 staff members with their Certificate in Quarrying, and 4 awaiting final training.

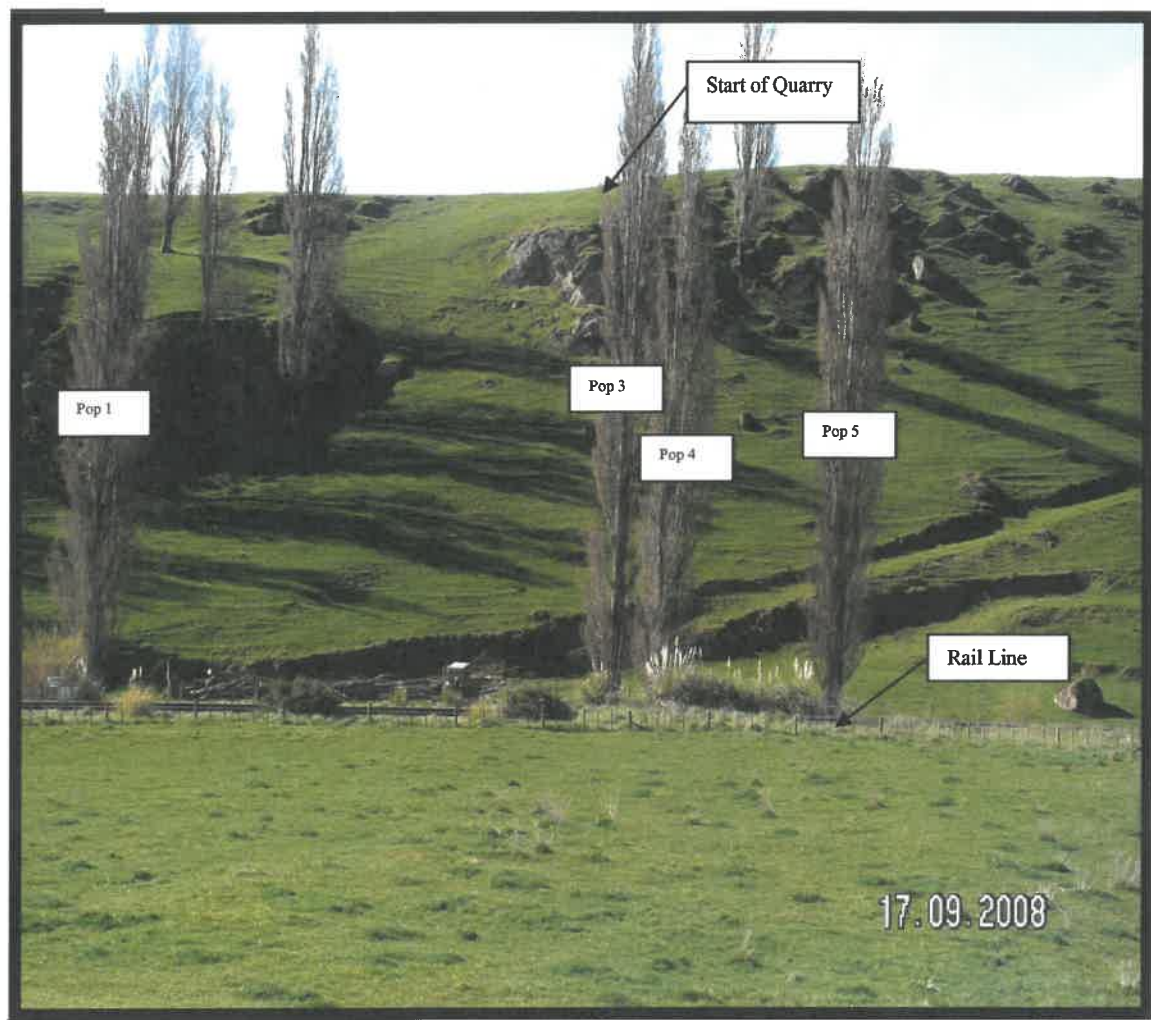
The company also has a health and safety audit done annually by an independent quarry inspector with 40 years experience.

Premature Closure to Quarry

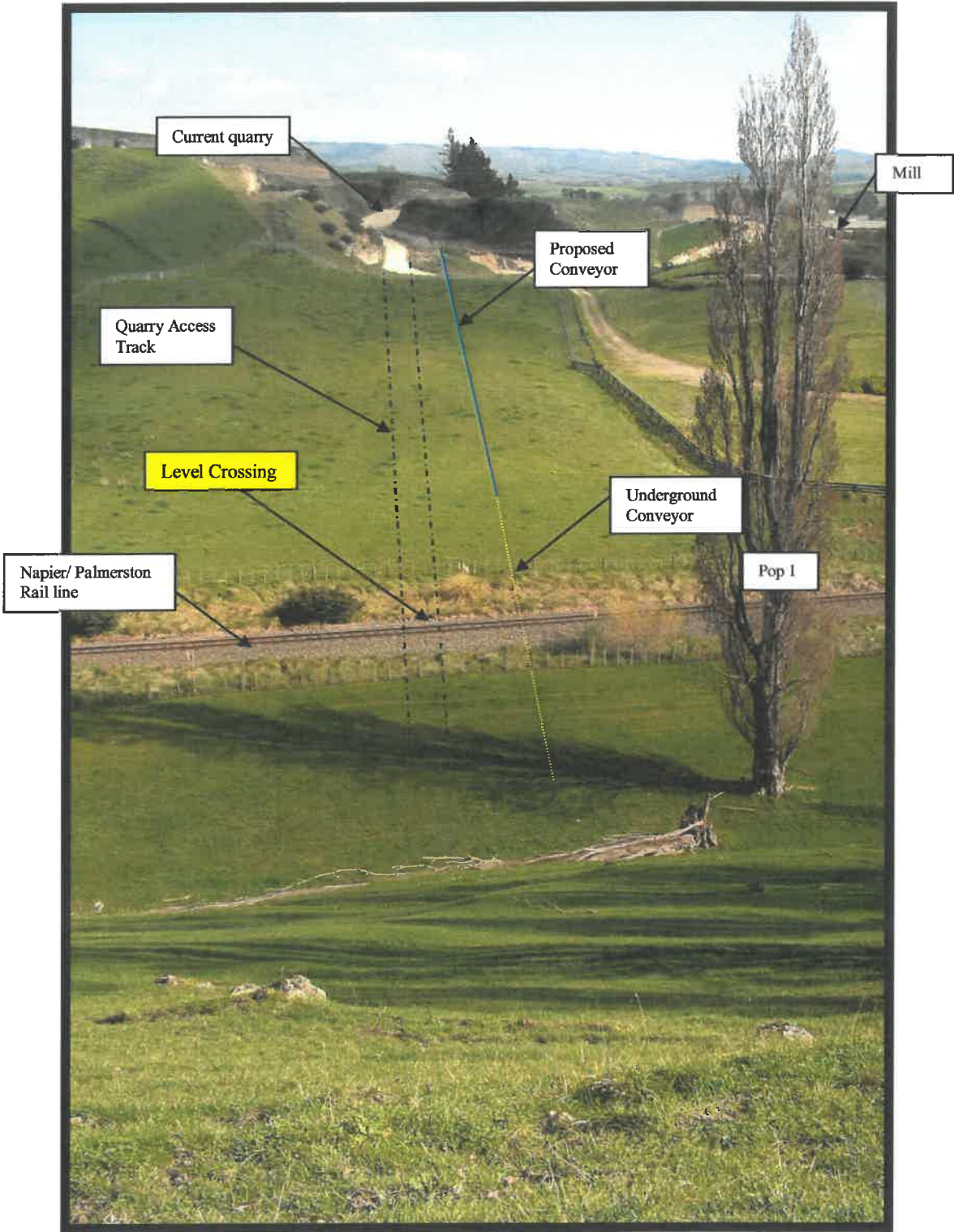
Should at any time the quarry and/or works have to close prematurely, the companies priority will always be to complete the reclamation process and return the land to the most natural state possible.

The company's unique method's of extraction and processing as outlined previously mean that land rehabilitation can begin at any stage and the company's proactive nature will ensure that should unforeseen circumstances occur the company will actively ensure that the land will be left in a similar or better condition as it was before operations began.

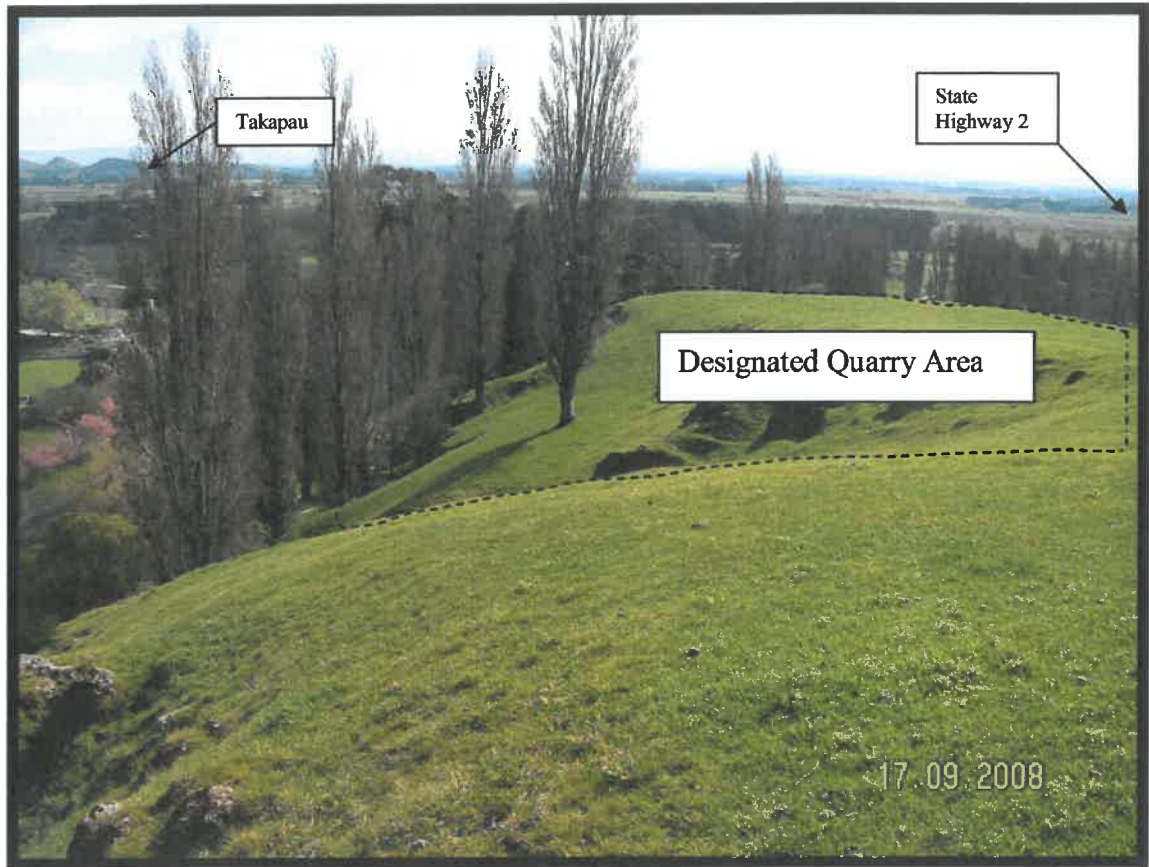
Pictures



View looking north from plant.



View looking south towards plant



View from top of quarry ridge looking south-west



View looking parallel to Maharakeke road

