**BEFORE THE COMMISSIONERS APPOINTED ON BEHALF OF CENTRAL OTAGO DISTRICT COUNCIL**

| | |
|---|---|
| **Under** | The Resource Management Act 1991 (the **Act**) |
| **In the Matter** | of an application for Resource Consent for the purpose of mining at Sandy Point, Queensbury |
| **Between** | **AWA KOURA MINING LIMITED**<br>**Applicant** |
| **And** | **CENTRAL OTAGO DISTRICT COUNCIL**<br>**Territorial Authority** |

---

# MEMORANDUM OF COUNSEL ON BEHALF OF AWA KOURA MINING LIMITED

**DATED 13 OCTOBER 2026**

---

**GALLAWAY COOK ALLAN LAWYERS**
Phil Page/Hannah Perkin
phil.page@gallawaycookallan.co.nz
hannah.perkin@gallawaycookallan.co.nz

PO Box 143
Dunedin 9054
Ph: (03) 477 7312
Fax: (03) 477 5564

# MEMORANDUM OF COUNSEL ON BEHALF OF AWA KOURA MINING LIMITED

**May it please the Commissioners:**

1. This memorandum is filed alongside the Applicant's briefs of evidence. Counsel attaches as Appendix 1 the Applicant's proposed consent conditions. The proposed conditions include a number of targeted amendments to the Council's draft conditions. The rationale for those amendments is set out below.

## Consent commencement

2. The Applicant proposes an amendment to condition 3 to provide that the three-year consent duration commences once the following management plans have been certified:

    (a) Operational Noise Management Plan,

    (b) Dust Management Plan,

    (c) Site Rehabilitation Plan, and

    (d) Archaeological Management Plan

3. This amendment is necessary because the activity cannot commence until those plans have been certified. Without the amendment, the effective duration of the consent could be reduced by delays associated with the certification process.

4. Section 116(1) of the Resource Management Act 1991 allows a consent authority to specify a commencement date later than the default commencement date prescribed by the Act. The proposed

condition simply ensures that the consent duration runs from the date the activity is able to commence.

**Certification conditions**

5. The Applicant proposes a deemed-certification mechanism whereby any plan submitted for certification is deemed certified if the Council has not responded within 20 working days. This provides certainty regarding the implementation of the consent and avoids unnecessary delays arising from administrative processes.

**Consistency with ORC consents**

6. The Applicant proposes a number of amendments to the dust conditions to ensure consistency between the land use consent and the recently granted Otago Regional Council discharge consents.

7. In particular, the Applicant proposes clarification that the maximum 2-hectare active mining area includes unrehabilitated areas and unsealed haul roads.[1] This reflects the practical operation of the site, where access tracks form part of the active disturbance area.

8. The Applicant further seeks deletion of condition 46 on the basis that sediment discharge effects are comprehensively addressed through the ORC consent regime and the condition therefore duplicates controls imposed elsewhere.[2]

**Landscape**

9. The Applicant proposes a condition requiring the activity to be undertaken generally in accordance with the Mine Plan. This provides

[1] RM26.315.04 at condition 2(a).
[2] RM26.315.03.

greater certainty regarding location, setbacks, and rehabilitation of mining activities.

**Geotechnical**

10. The Applicant proposes deletion of the geotechnical reporting condition requiring a report to be submitted to CODC.

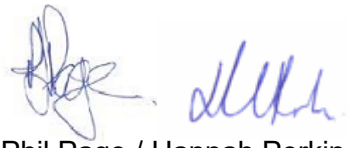
11. While the subdivision consent forms part of the anticipated future environment, the condition is directed at the suitability of the rehabilitated land for future development rather than mitigating an adverse effect arising from the mining activity itself.

12. The s 42A report does not identify any geotechnical effects external to the application site arising from the proposal. Any geotechnical matters associated with the future development of the rehabilitated land are confined to the subject site and are appropriately addressed through the implementation of the approved subdivision.

13. Subdivision and land use consents attach to land and are not personal to the applicant. Section 134(1) of the Resource Management Act 1991. Geotechnical effects on the subject site are internal effects on the consent holder and are irrelevant. In any event, the landowner has provided affected party approval for the activity so adverse effects on the landowner's interest must be disregarded (s.104(3)(a)(ii)) and therefore cannot provide a lawful foundation for a condition: s.108AA(1)(b).

14. The Applicant does not agree that a separate geotechnical reporting requirement is necessary to manage effects of the mining activity on the consented building platforms.

Dated 13 October 2026



Phil Page / Hannah Perkin

Counsel for Awa Koura Mining Limited

## APPENDIX 1: RECOMMENDED CONSENT CONDITIONS

**Conditions:**

1. The mining activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information provided with the resource consent application received by the Council on 14 April 2025, and the further information provided on 29 August 2025 and 5 December 2025 except where modified by the following conditions.

2. The consent holder must pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:

   a) Administration, monitoring and inspection relating to this consent; and

   b) Charges authorised by regulations.

3. Pursuant to Section 123 of the Resource Management Act 1991 the period for which this consent is granted is for a term not exceeding three years for operation of the mine, with an additional six months to complete site remediation works. The mining activity must cease on [insert date 3 years from~~-~~ certification of Operational Noise Management Plan, Dust Management Plan, Site Rehabilitation Plan, and Archaeological Management Plan ~~issue~~] and the site remediation must be completed by [insert date 3 years and six months from ~~issue~~certification of the above stated plans].

**Monitoring and Review**

4. In accordance with Section 128 and 129 of the Resource Management Act 1991, the Council may serve notice on the Consent Holder of its intention to review the conditions of this consent on and in the period within 6 (six) months upon each anniversary of the date of this consent, or within two (2) months of any enforcement action taken by Council in relation to the exercise of this consent, or for the purposes of:

   a) ensuring the effectiveness of landscape management measures including site reinstatement and grass growth; and

   b) ensuring the effectiveness of dust mitigation measures and addressing any unforeseen adverse effects associated with dust where monitoring demonstrates that the intended outcomes are not being achieved.

   c) Determining whether the conditions of this consent are adequate to deal with any other adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent;

   d) Reviewing the frequency of monitoring or reporting required under this consent.

5. Unless it is otherwise specified in the conditions of this consent, compliance with any monitoring requirement imposed by this consent must be at the Consent Holder's expense.

**Complaints Register**

6. The Consent Holder shall maintain a record of any complaints alleging adverse effects arising from, or related to, the works activities authorised by this consent (the "Complaints Register").

   a) The Complaints Register shall include:

      i. The date, time, location, and nature of the complaint;

      ii. The date, time, location and nature of any incident related to the complaint; The name, phone number, email and address of the complainant, unless the complainant elects not to supply this information;

      iii. Details of actions taken by Consent Holder to remedy the situation, including actions taken on site to remedy the issue, correspondence with the complainant and any policies or methods put in place to avoid or mitigate the problem occurring again;

   b) The Complaints Register shall be provided to Council on request;

   c) Upon receipt of any complaint that alleges non-compliance with the conditions of this consent, the Consent Holder shall promptly investigate the complaint, and take necessary action to ensure the activity is compliant with the conditions of this consent.

**Noise**

7. The hours of operation for operation ~~of~~ for any ~~the~~ excavator or screen ~~mining activity~~ shall be 8:00am to 5:00pm Monday to Friday. No excavator or screen ~~works~~ operations are to occur outside these hours or on Saturdays, Sundays or public holidays. For the avoidance of doubt, all other works not involving the excavator or screen are allowed outside of these hours.

8. Noise generated by the operation of the mine must comply with limits of 55 dB $L_{Aeq}$, at the notional boundary of any dwelling within the Central Otago District Council territory, where written approval was not provided. Noise generated by the operation of the mine must comply with limits of 50 dB $L_{Aeq}$, at the notional boundary of any dwelling within the Queenstown Lakes District Council territory. Operational noise must be measured and assessed in accordance with NZS 6801:2008 Acoustics – Measurement of environmental sound and NZS 6802:2008 Acoustics – Environmental noise. This condition applies to any dwelling existing at the time of granting consent., ~~and any dwelling constructed during the course of the mining operation~~.

9. At least 20 working days prior to the commencement of operations, the Consent Holder shall submit an Operational Noise Management Plan (ONMP) to CODC's Planning and Regulatory Services Manager at resource.consents@codc.govt.nz for certification.

10. The ONMP shall be prepared by a suitably qualified and experienced acoustic specialist and shall include, as a minimum:

    a) A requirement for noise measurements to be taken when the activity commences so that the total noise level can be calculated, and the measures required to achieve ongoing and consistent compliance with the noise limits can be determined.

    b) a description of all operational activities and equipment with the potential to generate noise;

    c) identification of all sensitive receivers and the applicable noise limits and performance standards;

    d) operational procedures and management measures to avoid, remedy or mitigate operational noise effects, including maintenance requirements for plant and equipment, including a section that sets out how noise sources that may exhibit special audible character will be 'managed out' (such as squeaking excavator tracks, tonal reverse alarms and slamming of truck tailgates or other impacts);

    e) procedures for monitoring operational noise, including monitoring locations, methods, frequency, and reporting requirements;

    f) a complaints management procedure, including requirements for recording, investigating, responding to and reporting complaints relating to noise;corrective action procedures to be implemented where monitoring identifies non- compliance or where complaints indicate that additional mitigation measures may be required;

    g) staff training and responsibilities for implementation of the ONMP; and

    h) a process for reviewing and updating the ONMP following any material changes to operations, receipt of substantiated complaints, or identification of non-compliance with any consent condition.

11. The Consent Holder shall implement and comply with the certified ONMP at all times. Any amendment to the ONMP shall be submitted to the Consent Authority for certification prior to implementation.

~~11.~~12. If the consent holder has not received a response from the Council within 20 working days of the date of submission of the ONMP, the ONMP is deemed to be certified.

**Dust**

~~12.~~13. The maximum active mine area, including ~~excavation area, backfilling areas, active~~ unrehabilitated ~~rehabilitation~~ areas and unsealed haul roads must not exceed 2 hectares at any time

~~13.~~14. A water cart with spray bar must be used on unsealed haul roads and other dust generating areas as required for dust control. This water cart must be available on site at all times that mining and associated activities are undertaken.

~~14.~~15. Water sprinklers must be used to apply water to surfaces not accessed by the water cart. Sprinklers must be used on all rehabilitated areas until grass becomes established.

~~15.~~16. The height of material stockpiles must not exceed 1.5m above ground level.

~~16.~~17. The speed of vehicles on the site must be limited to not more than 15kph.

~~17.~~18. The site entrance and adjacent sealed highway must be regularly swept or cleaned to remove accumulated debris.

~~18.~~19. Inactive and rehabilitated areas must be revegetated as soon as practicable to minimise dust generation.

~~19.~~20. Stripping, handling and deposition of overburden material and soil, and handling of dry tailings material, must not occur during wind speeds of more than 5m/s (10 minute average), as measured on site, when the wind is blowing towards neighbouring sensitive receptors within 350m of the activity. Water must be applied to this material when dry to minimise dust emissions from these activities. Activities may recommence once wind conditions no longer exceed these thresholds.

~~20.~~21. Prior to commencement of works, the consent holder must install a weather station within the site which has the capability of measuring and logging wind speed and direction at a minimum of 1 minute intervals. Wind speed and direction must be continuously monitored on the site at 6m minimum height, with real-time data sent to the site manager. The weather station must be mounted on a mast located at a site representative of wind flows across the working area. The weather station must have the ability to record the data and send automated alarms to site staff when wind speed and direction triggers are exceeded.

22. An updated Dust Management Plan (DMP), with reference to the conditions of consent, must be provided to the CODC for certification prior to commencement of works. Mining activities must be undertaken in accordance with the certified DMP.

~~21.~~23. If the consent holder has not received a response from the Council within 20 working days of the date of submission of the DMP, the DMP is deemed to be certified.

~~22.~~24. Real-time PM10 monitoring at the site boundary between the 2ha active

area and any sensitive receptor must occur at all times when the mining area is:

a) Within 350m of receptors potentially affected by discharges from the active area during winds from the northwestern quadrant; and

b) Within 250m of all other receptors.

If there is more than one sensitive receptor within the specified distance, the monitor must be located between the active area and the closest receptor. PM10 trigger levels for remedial action must be set in the DMP with electronic alerts sent to the site manager when trigger levels are exceeded.

~~23.~~25. A register of any dust complaints received must be maintained for the duration of the consent, in accordance with Condition 6. In relation to dust complaints, the register shall record weather conditions at the time, including wind speeds.

~~24.~~26. The discharge must not cause objectionable or offensive particulate matter beyond the boundary of the site.

~~25.~~27. At the written request of the Council, the consent holder shall engage a suitably qualified and experienced air quality specialist to undertake an independent audit of compliance with the Dust Management Plan. The audit report shall be provided to Council within 20 working days of completion.

**Landscape**

~~26.~~28. ~~All~~ Wworks ~~shall avoid the river terrace landform and shall be set back~~ must occur consistent with the Mine Plan attached as Appendix XX of this consent. ~~a minimum of 40m from the top of the Clutha River Mata-Au bank and 5m from any mature kanuka.~~

~~27.~~29. The actively mined area (including pre-stripped area, overburden / topsoil windrows, mine pit and un reinstated tailings) shall be no greater than ~~18,000m$^2$~~2ha.

~~28.~~30. The consent holder must prepare a Site Rehabilitation Plan and submit to CODC's Planning and Regulatory Services Manager at resource.consents@codc.govt.nz for certification. The Site Rehabilitation Plan must detail and provide for the following activities which must be undertaken at the completion of mining on the site:

a) Removal of all structures and other elements related to the mining operation

b) Reinstatement of the floodplain landforms to restore existing natural landform character, including relic river channels.

c) Reinstatement of pasture and fences in consultation with the landowner.

All rehabilitation works must be undertaken in accordance with the certified Site ~~Remediation~~ rehabilitation Plan, within six months of the completion of mining on the site.

~~29.~~31. If the consent holder has not received a response from the Council within 20 working days of the date of submission of the Site Rehabilitation Plan, the Site Rehabilitation Plan is deemed to be certified.

~~30.~~32. The proposal must be undertaken in accordance with the recommended controls on temporary structures within the depot area, contained in the Landscape Effects Assessment Report, dated 21 February 2025, prepared by Mike Moore, and reproduced below:

a. *There shall be no more than two containers located on the site during mining operations, which shall have dimensions not exceeding 12.5 x 2.5 x 2.6m.*

b. *The Portacom building shall have a footprint no greater than 10m2 and shall be no higher than 2.6m.*

c. *Fuel tanks shall not exceed 10,000 litres in capacity and shall be no higher than 2m above ground level.*

d. *All temporary site structures are to be finished to match in the same colour, which shall be Resene colour 'Karaka' (approx. 7% LRV). or another suitable colour found in the rural environment and certified by Council.*

e. *Other than the temporary topsoil / overburden windrows associated with the active mining, there shall be no bunds created.*

f. *Any fencing required shall be confined to rural post and wire fences.*

~~31.~~33. The site must be progressively reinstated as the mine pit progresses across the site, in accordance with the methodology set out in the application. The reinstated areas must be recontoured, topsoiled, revegetated and irrigated to ensure establishment of grass cover.

**Archaeological**

~~32.~~34. The consent holder must make every practical effort to avoid damage to any heritage site, whether known, or discovered during any site works.

~~33.~~35. 10 days prior to the commencement of any earthworks, the consent holder must provide to the Council:

a) written confirmation that an Archaeological Authority has been obtained from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014; or

b) written confirmation from Heritage New Zealand Pouhere Taonga that an Archaeological Authority is not required for the earthworks.

No earthworks shall commence until the information required by this condition has been provided to Council.

~~34.~~36. All contractors working on the site must be briefed by the s45 approved person (or person nominated on their behalf) on the possibility of encountering archaeological evidence, how to identify possible archaeological sites/features during works, the archaeological work required by the conditions of any Archaeological Authority, and contractors' responsibilities with regard to notification of the discovery of archaeological evidence to ensure that any Archaeological Authority conditions are complied with.

~~35.~~37. Prior to the commencement of any earthworks, exclusion zones must be established to prevent the mining of the known extent of G40/148, and G40/149, setback areas and archaeological stand-over monitoring areas.

38. All works must be carried out in accordance with an Archaeological Management Plan, prepared by a suitably qualified and experienced archaeologist. The Archaeological Management Plan must be submitted to the Planning and Regulatory Services Manager for certification at resource.consents@codc.govt.nz prior to works commencing.

39. If the consent holder has not received a response from the Council within 20 working days of the date of submission of the ONMP, the ONMP is deemed to be certified.

~~36.~~40. Any structures encountered, such as water races or building remains, are to be recorded to a Level III standard as defined in HNZPT's guide, Investigation and Recording of Buildings and Standing Structures (HNZPT, 2018). Details of the required recording standards are to be set out in the certified AMP.

~~37.~~41. Stand-over archaeological monitoring is required for any mining within the stand-over monitoring areas identified on Figure 10-1 of the NZ Heritage Properties Ltd report titled 'Sandy Point, Luggate – A Heritage Assessment for Site G40/148 and G40/149' revision B dated 28/8/2026. All earthworks in these areas must follow the archaeological monitoring recommendations of the NZHPL report, reproduced below:

a) *Immediately outside the 10m exclusion zone to the rear/south of G40/149 and G40/148. Depth and scope of excavations will be subject to the discretion of the onsite archaeologist, being based on the level/presence of visible archaeology, the depth at which sterile sediment is confidently reached, and/or the practical working depths of the trench (i.e., <2m).*

b) *The area in the vicinity of the house and gardens depicted on the 1883 survey map (SO 7374) should be excavated to natural ground (NB: this has been expanded to account for potential inaccuracies regarding the placement of these features in SO 7374). This can be done in ~100mm*

*spits via hydraulic excavator; however, should archaeological features and/or deposits be encountered, these may require hand- excavation for all/part of their extents.*

c) *The flattened area bounding the southern river bend. Although the location of the 1863 general store is not known, it is considered to have been positioned in proximity to the ferry. Given the steepness of the sandy bluff opposite the northern-most bend in the river adjacent to the project area, the ferry is reasoned to have been positioned within the flat area bounding the gentler, more southern bend. Depth and scope of investigations will be subject to the discretion of the onsite archaeologist but should extend below any post-1870 flood-derived silt deposits where practicable, in order to assess the presence or absence of earlier archaeological horizons.*

d) *The above earthworks must be monitored by the s45 approved person (or person nominated on their behalf) in accordance with the AMP. Any archaeological features and material encountered shall be recorded, analysed, and interpreted in accordance with current archaeological practice and as outlined in the AMP.*

e) *All remaining work outside of the above investigatory recommendations can be conducted under the OCP [On Call Protocol].*

~~38.~~42. If archaeological material of Māori origin (taoka tūturu) is discovered at any stage, all work must stop within 20m of the find. The consent holder must contact all relevant parties including takata whenua via Aukaha and HNZPT, in accordance with the AMP. Any taoka tūturu are prima facie the property of the Crown who must be notified of the find and the find registered with the Ministry for Culture and Heritage.

~~39.~~43. Within 20 working days of the completion of on-site archaeological work, the consent holder must ensure the site record forms are updated or submitted to ArchSite.

~~40.~~44. Within 6 months of the completion of on-site archaeological work, a final report on any archaeological material that is found must be prepared in accordance with ASG12 Archaeological Report Guideline (HNZPT, 2023) and submitted to HNZPT for inclusion in the digital library. Copies must also be submitted to Aukaha and CODC's Planning and Regulatory Services Manager at resource.consents@codc.govt.nz

**Accidental Discovery Protocol**

~~41.~~45. All site works must be undertaken in accordance with the following:

a) In the event that Kōiwi (human skeletal remains) are discovered, the works in that area of the site shall cease immediately and Tangata

Whenua (Aukaha, Te Ao Marama and appropriate Papatipu Rūnanga), NZ Police and/or Heritage New Zealand Pouhere Taonga, and the Consent Authority shall be notified as soon as practicable.

b) The site is to be immediately secured upon discovery to prevent further disturbance of the site.

c) Taonga or artefact material (e.g. pounamu / greenstone artefacts) other than Kōiwi will be treated in a similar manner so that their importance can be determined, and the environment recorded by qualified archaeologists alongside the appropriate Tangata whenua. Aukaha and Te Ao Mārama Inc are to be contacted in the event of taonga or archaeological artefact discovery in accordance with the Protected Objects Act 1975.

d) In-situ (Natural State) Pounamu/Greenstone Accidental Discovery Pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997: All natural state pounamu/greenstone in the Ngāi Tahu tribal area is owned by Te Rūnanga o Ngāi Tahu. The Ngāi Tahu Pounamu Resource Management Plan provides for the following measures: ·

e) Any in-situ (natural state) pounamu/greenstone accidentally discovered should be reported to the Pounamu Management Officer of Te Rūnanga o Ngāi Tahu as soon as is reasonably practicable. The Pounamu Management Officer of Te Rūnanga o Ngāi Tahu will in turn contact the appropriate Kaitiaki Papatipu Rūnanga; and ·

f) In the event that the finder considers the pounamu is at immediate risk of loss such as erosion, animal damage to the site or theft, the pounamu/greenstone should be carefully covered over and/or relocated to the nearest safe ground. The find should then be notified immediately to the Pounamu Management Officer.

g) The find should then be notified immediately to the General Manager, Te Ao Turoa, at Te Rūnanga o Ngāi Tahu. Ngai Tahu contact details are as follows:

General Manager, Te
Ao Turoa Te Rūnanga
o Ngāi Tahu

Te Whare o Te Waipounamu

15 Show Place, Addington, PO Box 13 046

Christchurch 8024
info@ngaitahu.iwi.nz

**Access**

~~42.~~46. Prior to the commencement of activities on the site, the Consent Holder must upgrade and maintain the access (Crossing Place 39A) in accordance with New Zealand Transport Agency Planning Policy Manual (2025) Access Type C Standard, at the expense of the Consent Holder and to the satisfaction of the New Zealand Transport Agency Network Manager.

~~43.~~ Use of the access for the transportation of mining equipment that does not require NZTA permits and Traffic Management Plans for over-dimension/overweight vehicles must be carried out in accordance with a Temporary Traffic Management Plan (TTMP). The TTMP shall be prepared by an approved provider for the State Highway network in accordance with the New Zealand guide to temporary traffic management (NZGTTM) for the purpose of managing access to and from the site and must include measures to address tracking of material onto the sealed carriageway and be undertaken to the satisfaction of the New Zealand Transport Agency Network Manager.~~Geotechnical~~

~~44. At least 20 working days prior to the commencement of operations, the Consent Holder shall submit a Geotechnical Report to CODC's Planning and Regulatory Services Manager at resource.consents@codc.govt.nz for certification.~~

~~45. The Geotechnical Report shall be prepared by a suitably qualified and experienced geotechnical engineer and shall include, as a minimum:~~

~~a) Confirmation that the proposed mining setbacks from approved building platforms identified in the approved subdivision plans for RC230386 are adequate, and that mining and rehabilitation activities will not compromise the stability of these platforms.~~

~~b) Any settlement, compaction, ground improvement or certification requirements necessary to ensure the reinstated land is suitable for its intended post-mining use.~~

~~c) Confirmation of any requirements for final ground levels to ensure there is no increase in flood risk on the subject site or any neighbouring land.~~

~~**Erosion and Sediment Control**~~

~~46. Prior to the commencement of mining operations, the Consent Holder must prepare and submit an Erosion and Sediment Control Plan (ESCP) to council's monitoring officer for certification. The ESCP must be prepared by a suitably qualified person prior to the commencement of mining operations and shall be implemented for the duration of mining activities. The ESCP must contain sufficient detail to address the following matters:~~

~~a) The location, design, dimensions, and capacity of all erosion and sediment control measures to be installed on the site, in relation to the location of the moving mine pit;~~

~~b) Details of measures to minimise the extent and duration of exposed earthworks and disturbed areas, including progressive stabilisation and rehabilitation procedures;~~

~~c) Procedures for managing sediment-laden runoff, and the discharge of sediment from the site;~~

~~d) Inspection, monitoring and maintenance requirements for all erosion and sediment control measures, including frequency of inspections and maintenance actions;~~

~~e) Contingency measures to be implemented in the event of erosion and sediment control measure failure, significant rainfall events, or the identification of excessive sediment discharge from the site; and~~

~~f) The responsibilities of personnel responsible for implementing, monitoring and maintaining the ESCP.~~

**Advice Notes:**

1) Separate to any requirements under the Resource Management Act 1991, there are other legislative requirements that regulate works within the State Highway corridor. Further advice should be sought from NZTA.

2) Before you undertake any physical work on the state highway, including the formation of any vehicle crossing, you are legally required to apply to the New Zealand Transport Agency for a Corridor Access Request (CAR) and for that request to be approved. Please submit your CAR to www.submitica.com a minimum of fourteen working days prior to the commencement of any works on the state highway; longer is advised for complex works.

3) A separate concession or approval may be required from the Department of Conservation to locate water take infrastructure across the marginal strip.

4) The application involves a mining activity, as well as bulk storage of fuel in above ground tanks. This will result in the site becoming a HAIL site and the site will be added to the ORC's SLUS register. Additional consent may therefore be required under the NES-CS prior to the approved subdivision being implemented or residential activity being established on the site.

4) Development contributions for roading of $2,925.00 (GST exclusive) are payable pursuant to Council's :Policy on Development and Financial Contributions contained in the Long Term Council Community Plan. Development contributions must be paid by 20th of the month following the issue of the invoice. On time payment is important because, until the development contributions have been paid in full, Council may prevent the commencement of a resource consent.

5) In addition to the conditions of a resource consent, the Resource

Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.

6) Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application. It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

7) The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.

8) This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work