

1.0 District Council Contaminated Land (NES:CS) Consent

1.1 General Conditions

- (1) The activities authorised shall be undertaken in general accordance with the information and plans¹ submitted by the Consent Holder in support of LCXXXXXXX as listed in Table 1 below and received by the Environmental Protection Authority, and subject to the following conditions. In the event of a conflict between the documents in Schedule 1 and the conditions of these resource consents, the conditions of this land use consent shall prevail.

Table 1: Specialist Reports and Plans

| Document | Author | Date | Document Version |
|--|----------------------------|------------|------------------|
| AEE - Volume 2: Stage 0 Vacant Lot Subdivision | Barker and Associates | 14/07/2025 | A |
| Preliminary and Detailed Site Investigation | SLR Consulting New Zealand | 28/05/2025 | 2.0 |
| Contaminated Soils Management Plan | SLR Consulting New Zealand | 27/05/2025 | 3.0 |

- (2) The Consent Holder shall be responsible for all contracted operations relating to the exercise of this land use consent, and shall ensure contractors are made aware of the conditions of this consent and their requirement to comply with those conditions.
- (3) A copy of this land use consent and any certified management plans shall be kept onsite at all times that the works authorised by this consent are being undertaken and shall be produced without unreasonable delay upon request from a servant or agent of a consent authority.
- (4) Any reference in these conditions to a New Zealand Standard includes any later New Zealand standard that amends or replaces it.

1.1.1 Fees and Charges

- (5) The consent holder must pay to the consent authority any administrative charge fixed in accordance with Section 36 of the *RMA*, or any charge prescribed in accordance with regulations made under Section 360 of the *RMA*.

1.1.2 Consent Lapse

- (6) Pursuant to clause 26(2) of Schedule 5 to the *FTAA*, this consent shall lapse ten (10) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.

¹ All Management Plans lodged with the application are DRAFT and subject to change through the certification process.

1.1.3 Review

- (7) The **MPDC** may at any time in July each year, from commencement of construction until 2 years after construction is completed, serve notice on the Consent Holder under Section 128(1) of the **RMA** to review the conditions of this where:
- (a) A material adverse effect which was not identified in the **AEE** (and supporting material for the resource consent application) has arisen; or
 - (b) The magnitude of adverse effects from the project is materially larger than what was indicated in the **AEE** (and supporting material for the resource consent application).
- (8) Costs associated with any review of conditions of this consent will be recovered from the Consent Holder in accordance with the provisions of Section 36 of the **RMA**.

1.2 Pre- Start Requirements

- (9) The Consent Holder shall appoint a representative(s) prior to commencement of any works authorised by this resource consent, who shall be MPDC's principal contact person in regard to matters relating to this consent. The Consent Holder shall inform MPDC of the representative's name and how they can be contacted prior to this consent being exercised. Should that person(s) change during the term of this resource consent, the Consent Holder shall immediately inform MPDC and shall also give written notice of the new representative's name and how they can be contacted.
- (10) Prior to the commencement of activities authorised by this consent on the site, the Consent Holder shall hold a pre-start meeting that:
- (c) Is scheduled not less than ten (10) working days (or such other timeframe that is agreed in writing between the Consent Holder, and **MPDC**) before the anticipated commencement of works.
 - (d) Outlines the strategy and approach.
 - (e) Confirms the approach to management plans and what is relevant per delivery stage(s).
 - (f) Includes representation from:
 - (i) MPDC compliance monitoring officer[s] and engineers;
 - (ii) the site representative, the contractor, and any other party representing the Consent Holder; and
 - (iii) representatives from Waikato-Tainui, Ngāti Hauā, Raukawa, and Ngāti Hinerangi.

1.3 Soil Disturbance

- (11) A Contaminated Soils Management Plan (CSMP) is to be prepared by a SQEP. A copy of the CSMP is to be provided to MPDC's Planning Manager (or nominee) for acceptance, ten (10) working days prior to any remedial works being undertaken on the site. The objective of the CSMP is to identify how soil disturbance on the site will be managed to avoid hazards to human health and recommend mitigation methods relevant to actual site conditions. The CSMP's actions, procedures and controls are to restrict and prevent exposure to and avoid human health hazards on-site and from off-site discharges. The CSMP is to include contingency measures for the management of any previously unidentified contamination.

- (12) Site works shall be conducted in accordance with the CSMP.
- (13) After completing remedial activities, site validation is to be undertaken to demonstrate the approved remediation targets have been achieved and that the pieces of land are now suitable for the intended use. A Site Validation Report (SVR) is to be provided to MPDC's Planning Manager (or nominee) as soon as practicable, but no later than two months after remedial validation is completed.
- Advice Note:*** *A copy of the Site Validation Report should be provided to the Waikato Regional Council to meet the requirements of the Waikato Regional Plan, Rule 5.3.4.6(d).*
- (14) Works completion reporting is to be provided within two months of soil disturbance works being completed to confirm that the methods outlined in the CSMP were enforced for the period of the soil disturbance works, and that the measures were successful in ensuring the potential risks were adequately managed.
- (15) The removal of any soil,, exceeding the applicable NES:CS standard, must be done under controlled conditions to a licensed waste facility or landfill for disposal in accordance with the requirements of the disposal site and the relevant authority. Receipts of transport must be included in either a SVR or Works Completion Report.
- (16) Any remediation, validation or management work referred to in the previous conditions shall be prepared in accordance with Contaminated Land Management Guidelines No. 1 - Reporting on Contaminated Sites in New Zealand (Revised 2011) and shall be certified by a SQEP in land contamination.