Applicant Response to Parties comments on condition changes

Based on Draft Decision version of conditions dated 22nd September 2026.

Department of Conservation

Condition number	Changes sought	Reasons	Winstone response
Wildlife Act approval			
1	All works relating to lizard fauna, including capture, handling, marking and relocation must occur in accordance with the Lizard Management Plan dated 11 September 2026 and submitted with the application.	The Department is satisfied with the condition as drafted but has two final comments on the LMP: - Section 6.4.3.1 omits Pacific geckos from the release site. DOC suggests amending the LMP to say "Forest geckos and Pacific geckos (if present) will be released into arboreal AR's in the same…." - Appendix 1 is missing from the LMP. As Appendix 1 is a cross-reference table identifying where wildlife approval information requirements are addressed in the document and is not material to lizard management, DOC has no concerns with its omission.	The LMP has been amended to refer to Pacific geckos, and Appendix 1 has been added. The amended LMP will be provided to the Panel with this table.
19	The DOC Operations Manager for Auckland [XXXXXX] must be contacted immediately for further advice if lizard species other than those listed in Condition 2 above are located within the clearance area or within the release site.	Add email address for Aukland Operations team: aucklandpermissions@doc.govt.nz	Winstone has already addressed this matter but confirms that the correct email address is as provided by DOC.
20	If any lizards should incidentally die during the approved activities of catch, transfer or liberation, the Approval Holder must: a. inform the Auckland DOC Operations Manager XXXX] 48 hours, chill the body if it can be delivered within 72 hours, or freeze the body if delivery will take longer than 72 hours; and ……..	Add email address for Aukland Operations team: aucklandpermissions@doc.govt.nz	Winstone has already addressed this matter but confirms that the correct email address is as provided by DOC.
22	A report summarising the salvage and relocation results must be prepared and submitted to DOC [XXXX] and permissionshamilton@doc.gov.nz within 30 working days from the completion date of the salvage. Specifically, this report will include:….	Add email address for Aukland and Hamilton Operations teams: aucklandpermissions@doc.govt.nz and permissionshamilton@doc.gov.nz	Winstone has already addressed this matter but confirms that the correct email addresses are as provided by DOC.
Draft Lizard Management Plan			
6.4.3.1	Further release site details are provided below and in Table 6. • […] • Forest geckos and pacific geckos (if present) will be released into arboreal ARs in the same intensive local mouse control area.	Section 6.4.3.1 omits Pacific geckos from the release site.	As above, the LMP has been amended to refer to pacific geckos and provided to the Panel with this table.
Complex Freshwater Fisheries approval			

Condition number	Changes sought	Reasons	Winstone response
1	**Aquatic Fauna Salvage and Relocation Plan** The objective of the Aquatic Fauna Salvage and Relocation Plan (AFSRP) is to detail the measures and procedures to avoid or minimise potential adverse effects on native aquatic fauna (fish and kōura) by way of relocating native aquatic fauna prior to any works being undertaken within watercourses at the Site. The AFSRP must include: a. a description of the aquatic fauna values to be addressed by the AFSRP; b. <u>Measures to avoid or minimise time instream works during key fish spawning and migration periods;</u> c. plans identifying the locations where salvage of fish and kōura will be undertaken and in Tributary 3 restrict salvage to culvert installation sites only at Stage 2; and culvert installation sites and upstream reaches of Tributary 4 during Stage 2; d. procedures for pre-stream works site visits prior to any works commencing within any streams, with each site visit addressing at a minimum: i. the extent of works proposed;……	Suggested inclusion of additional specification for the Aquatic Fauna Salvage and Relocation Plan "Measures to avoid or minimise time instream works during key fish spawning and migration periods". It is standard practice for complex freshwater fisheries approvals to include conditions containing timing restrictions or exclusions for in-stream works during fish spawning and migration periods. Including this information in the management plan provides assurance to DOC as the administering agency of this approval that works will be undertaken in accordance with recognised good practice and minimises effects on freshwater fish populations.	Winstone accepts the proposed additional measure as it aligns with requirements in the Freshwater Fisheries Regulations 1983 and best practice to minimise the time spent in streams during spawning seasons.
Resource consent			
62	[…] plans identifying the locations where salvage of fish and kōura will be undertaken, and in Tributari<u>es</u>~~y~~ 3 <u>and 4</u> restrict salvage to culvert installation sites only at Stage 2; ~~and culvert installation sites and upstream reaches of Tributary 4 during Stage 2~~;	At the ecology workshop, Dr. Boothroyd and Dr. McEwan agreed that it was unnecessary to salvage fish from the upstream reach of Tributary 4. The fish that are upstream will most likely be able to migrate downstream when they need to, therefore salvaging beyond the culvert install sites is unnecessary, and poses more risk to fish safety than not disturbing them. Amendments are proposed to align with the intention dictated at the ecology workshop.	This change is acceptable and clarifies the approach to salvage of fish and kōura for the project.
66	The purpose of the Pest Management Plan (PMP) is to detail the measures and procedures ~~for 35 years~~ to control pest animals and pest plants to protect new plantings and existing mature bush areas within the Site and the offset and compensation sites and ensure compliance with Conditions 167 to 169.	The Department stated in its section 53 comments that the 35 year timeframe is inappropriate because the PMP is required in the resource consent conditions to manage the adverse effects on indigenous flora and fauna for the duration of the activity, i.e. the vegetation clearance and rehabilitation of the site. To ensure the best possible chance for the offsetting and compensation sites to achieve a future mature forest functioning to replace what was cleared, weed and animal control will assist the plants to grow into a healthier ecosystem, and will assist in ensuring that Appendix 3 of the National Policy Statement for Indigenous Biodiversity 2023 is implemented to the extent possible (understanding that it is overly onerous on the consent holder to achieve the same functioning of the ecosystem lost within the timeframe of the consent).	Winstone agrees with DOC that the 35 year time constraint should be removed given that post management is continuous during the life of the quarry.
68	No change requested.	Support the inclusion of indicative thresholds as a compromise finding between the Department and the applicant	Winstone acknowledge DOC's support.
68A	No change requested.	Support the inclusion that DOC has the opportunity to review the	Winstone acknowledge DOC's support.

Condition number	Changes sought	Reasons	Winstone response
		plan prior to lodgement with the Council.	
69A	No change requested.	Support the inclusion that DOC will receive a copy of the report.	Winstone acknowledge DOC's support.
120-124	No changes requested to the "Stream Works associated with Stream Realignment" conditions.	N/a.	N/a.
136	[…] (b) undertaken using native plants sourced from the Manukau Ecological District, ~~where practicable~~. […	Remove the section "where practicable". There is adequate lead up time ahead of the needed planting season as the planting should be implemented immediately following the completion of construction or potentially be postponed until the next planting season. If it is postponed until the next planting season, there is sufficient time for the consent holder to plan for adequate supply of native plants. Otherwise, the condition is supported.	Winstone respectively disagrees with DOC's change as the supply of plants from specific ecological districts has been an issue for a number of projects. This is especially when planting at such a large scale and may require supply from further afield.
137-139	No changes requested to the remainder of "Rehabilitation of Mangapū Stream Tributary Realignment" conditions	Support.	Winstone acknowledge DOC's support.
161-163	No change requested.	Support.	Winstone acknowledge DOC's support.
168	Pest plant management must manage plants that are compiled from the Auckland Council Regional Pest Management Plan 2020-2030, or any other subsequent version, and updated accordingly on proposed baseline monitoring required in Condition ~~4~~67	Amended to refer to the correct condition. Otherwise, the condition is supported.	Winstone agree with the change sought.
230	In the event that more than 5% drop <u>below</u> ~~in~~ the recognised MALF of the gauging stations on Mangapū Stream, Waipokapu Stream and the diverted stream, the Consent Holder must augment flows upstream of the following stations: […]	Amended the sentence to include "below" rather than "in" as "in" could be interpreted as the MALF figure itself being revised based on the data ascertained, rather than the flow dropping below a certain level. Otherwise, the condition is supported.	Winstone accept the change of wording to 'below' noting that it does not alter the intent of the condition. Winstone also note that Waipokapū should have a macron over the 'u'.
234-239	No changes requested.	Support.	Winstone acknowledge DOC's support.

Auckland Council

Condition number	Changes sought	Reasons	Winstone response
Resource consent			
N/a	Council practice is not to number Advice Notes	To stop them being misinterpreted as conditions and when conditions are varied, common practice to add conditions and number XXA.	The Panel requested that the Advice Notes be numbered, so Winstone defers to them for a final determination on this matter.
Glossary	None.	Use of "Diversion" and "Realignment" interchangeably through the draft decision and conditions. While both terms involve changing the way water flows, the diversion is more about redirection whereas realignment suggests a more permanent stream channel layout. We would recommend the panel consider	Given that the terms 'diversion' and 'realignment' are used in the decision, Winstone defer to the Panel for a determination on the use of these terms. Winstone itself does not have a strong view on the matter.

Condition number	Changes sought	Reasons	Winstone response
		how they view the difference, and whether the wording should be consistent through the decision and conditions.	
Condition 1	Recommend adding the Application Plans and Schedule Plan to the list of documents in Condition 1.	For completeness and to ensure monitoring can be effectively carried out.	Winstone considers this to be unnecessary given the inclusion of Schedule A that includes all the plans referred to in the conditions.
68b	None	The panel has accepted there is loss of value of the diversion stream (draft decision report para 431 and 442), however, this clause requires the SRMP to demonstrate that there will be no net loss of value. This therefore raises ambiguity & challenges for monitoring. There is no associated effects management in Table 2 in the conditions and as no method is proposed in condition 68 to determine if there is a loss of value or not. The issue is likely to resurface as the applicant position was (is?) that there was no loss of value with what was proposed - but the panel and Council consider otherwise. The components in condition 68 (c) do not provide an encompassing evidence base of stream value, so for monitoring to determine there is no net loss of value and in turn compliance with this will be challenging, especially with the existing disagreement. If the panel is satisfied that the remaining components of (a)-(c) are appropriate to manage effects acceptably, which seems to be the conclusion reached in the draft decision (?), then perhaps this “achieves no net loss of value; and” needs to be deleted from this section? Alternatively (if the panel thinks this is a critical component of the outcomes being acceptable) can the panel provide a condition with improved clarity as to how this would be delivered/what would be expected to be included to show this noting we understand there would need to be additional offset/compensation to achieve no net loss of value that hasn’t been proposed. Or are they anticipating that Council will require/address this through the certification of the plan - in which case again this would benefit from clarification in an advice note?	Winstone has already raised this matter in its comments on conditions. For clarity, and given the Panel’s determination in the decision, Winstone suggests removing the wording ‘no loss of value’ relying on the: • The requirements in Condition 68(c) which establish indicative thresholds of ecosystem value that are to be achieved; and • Offsetting and compensation approach set out in later conditions that the Panel deems to be appropriate and proportional.
71	Stages 1 – 8 of the Project must not commence until one of the following has occurred within 15 working days of the offer to Council as per Condition **Error! Reference source not found.**. The Council's assigned monitoring officer: (a) has attended a pre-start meeting, or (b) has provided a response in writing indicating that their attendance at any pre-start meeting is not required, or (c) has not provided a response.	Auckland Council is strongly opposed to all forms of conditions which allow for a non-response to constitute approval for a consent holder to undertake an activity or activities such as, in this case, earthworks and erosion and sediment control measures. Pre-start meetings are an essential means of avoiding adverse effects by ensuring consent holders and their contractors are aligned with Council’s environmental monitoring officers as to how consent conditions must be complied with, or, where there are differences in interpretation, to afford an opportunity to resolve these ahead of the commencement of works.	Winstone’s concern is that in the past, there has been a delay to Council undertaking pre-start meetings, which has led to delays in starting works with consequential effects on contractors’ timeframes and contractual arrangements.

Condition number	Changes sought	Reasons	Winstone response
		The proposed 'no response' option allowed for by this condition is akin to the deemed certification of management plans which has been considered by the Courts as follows (advice from Brookfields Lawyers): **In *Meridian Energy Ltd v Wellington City Council*,*[1]* Meridian sought conditions that if it did not hear back from the Council as to the approval of a management plan within a specified timeframe then the management plan would be deemed to be approved. The Court held that *"this approach is not sound environmental management (or we suspect good project management), and we do not accept Meridian's approach".[2]*** **Subsequently, in *New Zealand Transport Agency – Waka Kotahi*, the Environment Court did not see any reason to depart from the findings in *Meridian Energy* and it directed the parties to delete conditions providing for 'deemed certification' of management plans.*[3]*** [1] *Meridian Energy Ltd v Wellington City Council* [2011] NZEnvC 232. [2] Ibid, at [402]. [3] *New Zealand Transport Agency – Waka Kotahi* [2024] NZEnvC 133, at [124] – [128].	
78	**Access Upgrade from Hunua Road** Prior to operational use of the Western Haul Road, the Consent Holder must upgrade the Site access on Hunua Road in general accordance with Figure 11 of Schedule A. The upgrade works must be certified by the Council prior to commencing use of the Western Haul Road and must include the following:… (o) Retention and maintenance of the existing "Trucks Crossing" warning signage <u>located at the eastern side of the vehicle crossing onto Hunua Road.</u>	For clarity.	Winstone agrees with this change.
79	**Safe System Audit report: Hunua Road carriageway Upgrade Works** Prior to commencing the Access Upgrade works <u>and</u> commencement of the proposed quarry activity, the Consent Holder must engage an independent and suitably qualified Safety Engineer to undertake and complete an independent Preliminary Design Road Safety Audit of Hunua Road carriageway upgrade works near the Site entrance and benching on the inside of the curve on Hunua Road as shown in Figure 11 in Schedule A to the consent	The sentence does not make sense as drafted. It is understood that the access upgrade works are required prior to commencement of the quarry activity, so "and" included for clarity.	Winstone has already addressed this matter and sought a change to the wording, that it prefers.

Condition number	Changes sought	Reasons	Winstone response
142	All planting required by Conditions 140-141 must be maintained for a minimum of five (5) years after planting is completed, or until it is demonstrated that the revegetated areas have been established to a point where 90% shrub and tree cover is achieved, planting density meets or exceeds those specified in the Detailed Design and Landscaping Plan (required by Condition 140) , there are no fruiting or flowering weed species present and long-term health and sustainability is ensured without the requirement for intensive management whichever is the latest. Maintenance must include replacement of dead, dying, or diseased plants; and any additional works required to ensure successful establishment.	There is an inconsistency in this condition with other landscape and ecological planting conditions – requiring 90% canopy cover to be delivered where all other conditions required 80% canopy cover and 90% survival rate. Council recommend aligning the planting requirements across conditions, unless there is a particular reason the panel specified this requirement in this condition.	Winstone recognises that different conditions apply different planting outcomes as it is intended that the offset and compensation areas will achieve substantial planting with canopy closure, whereas for the stream realignment and quarry faces, the planting is more likely to achieve groundcover rather than height/canopy. As such, Winstone seeks a change to Condition 58 as follows to address both outcomes given that the LRSMP addresses all areas of planting: 58. The LRSMP must include: …. (j) a description of how maintenance of <u>offset and compensation</u> planting areas, including replacement of plants that do not survive, will be undertaken and which as a minimum requires maintenance to continue: (i) for at least five (5) years, or until 80% canopy closure is achieved; and (ii) until a plant survival rate of at least 90% planted specimens (or the original planting density) and composition has been achieved; and (k) <u>a description of how maintenance of Mangapū Stream Tributary Realignment and Quarry Faces and Slopes and OBDA Areas planting including replacement of plants that do not survive, will be undertaken and which as a minimum requires maintenance to continue until 90% shrub and tree cover has been achieved</u>.
188 and 189	188. The Consent Holder must carry out Total Suspended Particulate (TSP) monitoring at the following locations: (a) At the site of the existing monitor near the Site access road; (b) In the general vicinity of Middleton Road; and (c) On the south westerly boundary. The monitoring equipment must be of US EPA Federal Equivalent Method (FEM), or considered near FEM for PM_{10} and operated with a TSP inlet and have a sample flow rate of at least five (5) litres per minute. The monitoring equipment must be connected to a telemetry system capable of recording and presenting data in 1 hour average intervals in real time and be capable of sending alerts to site staff via text and/or email. 189. Without prejudice to limiting the generality of Conditions 171 – 174, if the monitoring shows that the TSP in ambient air at or beyond the boundary of the Site, as measured in accordance with Condition 188, exceeds 80 µg/m^3 as a 24 hour average at the sites listed in Condition 188(b) and or (c) and 100 µg/m^3 as a 24 hour average at the site listed in Condition 188(b), the Consent Holder must initiate an investigation as to the probable cause(s) of the exceedance.[	The condition says the limit is 80 µg/m³ at the locations in Conditions 188(b) and 188(c), and then 100 µg/m³ at the location in Condition 188(b). The same location is therefore subject to both 80 and 100 µg/m³. This is internally inconsistent?	Winstone understands that as per 6.7.2 of the Air Quality Assessment: Condition 24 states that 24-hour average TSP concentrations measured at Symonds Hill and Ponga Road dust monitors shall not exceed 80 µg/m³, and 100 µg/m³ at the main gate dust monitor. PDP considers that these trigger levels remain appropriate for the proposed activities, because they have been demonstrated on this site to be appropriate to date. However, to align with current best practice for TSP control PDP recommends these are updated to be a 24-hour rolling average to align with Table 4 of the GPG Dust. The different triggers represent the sensitivity of the receiving environment and distance to sensitive receivers from the dust source.

Condition number	Changes sought	Reasons	Winstone response
193	The Consent Holder must engage a SQEP to undertake an ambient Respirable Crystalline Silica (RCS) Monitoring programme in the locations identified in the Air Quality Assessment referred to in the table in Condition 1(a). As a minimum, the monitoring programme must: (a) Monitor baseline RCS concentrations for at least three months prior to Construction works of Stage 1 of the Project commencing; (b) Monitor for 12 continuous months following Construction works of Stage 1 of the Project commencing; and (c) Be designed to assess compliance of 3 µg/m³ annual average RCS concentration at any nearby dwelling.	Suggest re-wording (c) for clarity: Be designed to assess compliance with an annual average RCS concentration limit of 3 µg/m³ at any nearby dwelling?	Winstone has no concerns with additional wording as it does not later the intent of the condition and improves legibility.
196	The findings of the monitoring must be included in a report submitted to the Council within 20 working days of the completion of the monitoring required under Conditions 188 and 193.	Condition 188 establishes continuous monitoring and has no defined “completion”. Requiring a report within 20 working days of completing monitoring under Condition 188 is therefore not workable and duplicates the annual report required by Condition 191. Condition 193 already has its own reporting requirement. Suggestion: delete Condition 196 or revise it to refer specifically to discrete monitoring campaigns. Continuous TSP reporting should remain through exceedance notifications, quarterly reports and the Annual Monitoring Report.	Winstone acknowledges Council’s concern and agrees that Condition 196 should be deleted.
247	In the event that groundwater drawdown is such that in either or both monitoring bores HUN12/8U on Hunua Road or ID421 on Jack Paterson Drive equals or exceeds the trigger value in Schedule A, the Consent Holder must: a. within seven (7) days of identifying the exceedance, notify the Council in writing and by telephone of the exceedance, specifying which bore trigger(s) have been exceeded and the quantum of the exceedance for each bore; b. within fourteen (14) days of identifying the exceedance, complete an investigation to determine the cause of the exceedance, including: • Whether the exceedance is attributable to dewatering at the Symonds Hill Pit; • Whether localised pumping from nearby bores is contributing; • Whether seasonal or climatic variation is a factor; • Whether regional groundwater trends are influencing water levels; and • Whether monitoring bore or equipment issues exist; • Whether it is necessary to install ground settlement monitoring and/or building settlement pins c. provide a report to the Council documenting the findings of the investigation; d. If the investigation confirms that the exceedance is caused by dewatering at the Symonds Hill Pit, the Consent Holder must cease any further drawdown at the Symonds Hill Pit and must not recommence drawdown unless it is demonstrated that the groundwater drawdown within soils west of Drury Fault will not cause ground settlement; e. If the findings indicate the likelihood that groundwater drawdown is being caused by quarry dewatering then a ground settlement monitoring plan must be provided to Council and ground settlement pins be installed as soon as practicable to protect buildings and structures identified as potentially at risk; f. The ground settlement monitoring plan must include appropriate ground or building settlement trigger levels for each monitoring pin and a monitoring schedule, acceptable to the Council, to protect potentially affected buildings and structures from adverse settlement; and	This condition appears to have been changed to match the wording of condition 248, and in doing so has lost the meaning and intent of the original condition. It is specific to ground settlement. Groundwater drawdown may or may not cause the onset of ground settlement. This condition needs to relate the groundwater drawdown and the potential for ground settlement and the potential effects on buildings and structures. Typically if triggers are breached then ground settlement pins should be installed. Hence condition clauses of 215 (c,) and (d) of the 22nd June conditions should be retained. While 247 and 248 have been matched they do have different purposes which needs to be reflected in the wording. We have tracked recommended changes to address this.	Winstone (advised by its Groundwater expert) agrees with the Council. Revised Condition 247 is appropriate and well-drafted. The deletion of the "trigger levels can be complied with” has improved the condition by focusing it on the actual risk: ground settlement west of the Drury Fault. Winstone seeks a possible minor addition specifying that the report under 247(c) be provided within 20 working days of the investigation.

<table>
<tr><th>Condition number</th><th>Changes sought</th><th>Reasons</th><th>Winstone response</th></tr>
<tr><td></td><td>g. If the investigation determines that the exceedance is not caused by dewatering at the Symonds Hill Pit, no cessation of sump drawdown is required.

Advice Note
247A: The drawdown trigger levels in Schedule A define a consented "Envelope of Effects". If the Consent Holder is unable to comply with Schedule A triggers due to dewatering effects, then an application will be required for a change to consent conditions to seek a greater assessed envelope of effects.</td><td></td><td></td></tr>
<tr><td></td><td>222. Within two months of regional groundwater levels dropping below RL65m at Downstream site, the Consent Holder must select at least one more additional gauging site above RL35m and below RL45m, within the Waipokopu Stream to ensure at least two stream flow measurements are taken where there is expected to be an existing regional groundwater contribution to baseflow. The selection of the gauging site location(s) must include consultation with Council. The location of the RL40 (new downstream monitoring site) is to be advised as part of the Annual Monitoring Report required by Condition 73[E.

228. In the event that more than 5% drop in the recognised MALF of the gauging stations on Mangapū Stream, Waipokapu Stream and the diverted stream, the Consent Holder must augment flows upstream of the following stations:
(a) Waipokapu Stream (Downstream Site),
(b) Mangapū Stream (RL 55 Site),
(c) Mangapū Stream (Upstream-2 Site),
(d) Mangapū Stream (Diversion-1 Site),
at a constant rate by at least the maximum difference between the MALF and the average specific discharge flow for each station in a way to compensate for any loss of flow. The required augmentation rates for each station must be presented in the Annual Monitoring Report required by Condition 73.

<table><tr><th colspan="3">Schedule C: Waipokopu Stream Low Flow Gauging Sites</th></tr><tr><th>Gauging Site</th><th>Easting</th><th>Northing</th></tr><tr><td>Upstream Site</td><td>1778510</td><td>5894630</td></tr><tr><td>~~RL40~~ Downstream Site</td><td>1777002 ~~177626~~ ~~4 88~~</td><td>589465 ~~5895491.45~~</td></tr><tr><td>Bridge Site</td><td>1775733</td><td>589491</td></tr><tr><td>RL 40[1]</td><td>~~TBM~~ 1776265</td><td>~~TBM~~ 589549</td></tr></table></td><td>Conditions 222 and 228 require changes to Schedule C. The changes required have been tracked on Schedule C below.</td><td>Winstone has confirmed the following amendment with Council:

222. Within two months of regional groundwater levels dropping below RL65m at Downstream site, the Consent Holder must select at least one more additional gauging site above RL35m and below RL45m, within the Waipokapū Stream to ensure at least two stream flow measurements are taken where there is expected to be an existing regional groundwater contribution to baseflow. ~~The selection of the gauging site location(s) must include consultation with Council. The location of the RL40 (new downstream monitoring site) is to be advised as part of the Annual Monitoring Report required by Condition 73[E.~~

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Gerald and Anita Masters

Condition number	Changes sought	Reasons	Winstone response
Resource consent			

Condition number	Changes sought	Reasons	Winstone response
147 and Advice Note 149A	Amend Advice Note 149A by replacing the words "after 12 months" with "after the maintenance period required by Condition 147", so that it reads: "149A: Maintenance of mitigation planting after the maintenance period required by Condition 147 (unless the minimum survival rate has not been achieved) is the responsibility of the landowner, unless an alternative arrangement is mutually agreed in writing between the Consent Holder and the landowner."	Condition 147 requires the Consent Holder to maintain the planting for 24 months. Advice Note 149A states that maintenance becomes the landowner's responsibility after 12 months. The two cannot both operate, and as drafted the advice note undoes half of the condition. At paragraph 331(g) of the draft decision the Panel records that it increased the maintenance period in Condition 147 deliberately, "given the importance of the planting". The 12 month figure in the advice note appears to be a carry-over from the Applicant's earlier proposal (draft decision, paragraph 319(f)(vi)). Cross-referencing the condition rather than restating a figure also prevents the same conflict arising again if Condition 147 is further amended.	Winstone has previously commented on this in its response to draft conditions on 29th September. It maintains its position to retain the maintenance period to 12 months given it has 21 properties to maintain and the logistics of obtaining access to private properties over a 2 year period. Also, after 12 months, planting should generally be well established and ongoing requirements become more akin to routine maintenance rather than establishment maintenance. The move to 24 is more onerous than necessary. Winstone therefore seek a change to Condition 147 and Advice Note 149A as follows for clarity: **Condition 147** The Consent Holder must maintain the planting for 12 months after <u>the planting is implemented</u>, or as long as required thereafter, to ensure a minimum 90% plant survival rate… **Advice note** 149A: Maintenance of mitigation planting after 12 months <u>from implementation</u> (unless the minimum survival rate has not been achieved) is the responsibility of the landowner, unless an alternative arrangement is mutually agreed in writing between the Consent Holder and the landowner.
147 and 149	In Condition 147, replace "for 24 months after establishment" with: "for 24 months following completion of the planting required by Condition 146" In Condition 149, replace "at the end of the establishment period" with: "at the end of the maintenance period required by Condition 147" 147. The Consent Holder must maintain the planting for 24 months after establishment, or as long as required thereafter, to ensure a minimum 90% plant survival rate. Maintenance must include replacement of dead, dying, or diseased plants; and any additional works required to ensure successful establishment. This condition does not apply if damage to the planting is caused by the landowner 149. The SQEP must revisit the Site at the end of the establishment period to certify that the agreed planting has been successfully implemented.	Neither "establishment" nor "establishment period" is defined in the conditions or in the definitions table. As drafted it is unclear whether the 24 months in Condition 147 runs from completion of planting or from some later point at which the planting is regarded as established, and the certification required by Condition 149 has no fixed date at all. Tying both to completion of the planting under Condition 146 gives the obligation a certain start and end and makes it monitorable by the Council. No change of substance is intended.	
145(a)	Amend Condition 145(a) to read: "(a) confirm the nature and extent of adverse visual effects on the dwelling and curtilage, <u>assessed from the principal internal living areas and the principal outdoor living space of the dwelling, and taking into account seasonal variation in the screening provided by existing vegetation; and</u>"	Condition 145(a) does not state the vantage point from which the effects are to be confirmed, so an assessment taken at the property boundary or the road frontage would satisfy it. Where a dwelling sits materially above the road, as ours does, those vantage points give different answers, and the planting would then be designed to a sightline the occupants do not use. The Applicant's landscape experts accepted that the visual simulation was a representative western viewpoint rather than the view from our property, and that an elevated dwelling may see more (draft decision, paragraph 319(f)(i) and (ii)). The seasonal wording aligns 145(a) with the evergreen preference the Panel has adopted in Condition 148, which exists precisely because existing screening in this receiving environment is substantially deciduous. The Applicant's experts accepted that deciduous trees provide only limited screening in winter (paragraph 319(f)).	Winstone disagrees with this change as it is unnecessary given a SQEP will be visiting each property to determine the location and extent of planting required.

Condition number	Changes sought	Reasons	Winstone response
Heading before 152, and 152	Amend the heading preceding Condition 152 to read: "Temporary revegetation of inactive disturbed Areas ~~in Stage 0 and Stage~~ 1" Amend Condition 152 to read: "152. As part of each annual review of the Landscape Rehabilitation Strategy and Management Plan, the Consent Holder must identify any quarry face or other disturbed area identified ~~within the pink dashed lines on Figure 9 in Schedule A to the consent~~,, in any Stage, that is expected to remain inactive and not be reworked for a period of five years or more."	In Minute 6 [6](d)(ii) the Panel asked whether temporary planting to soften local visual effects during the years between reworking was practicable and would meaningfully reduce effects for neighbouring dwellings, and recorded hat although the question was raised in relation to 802 Ponga Road it "applies more generally". The Applicant's response addressed Stages 0 and 1 only, and Conditions 152 to 157 have inherited that limitation. We do not read the Panel's question as having been so confined. No additional machinery is needed, because the assessment criteria in Condition 153 are already stage-neutral: 153(e) refers to "the likely period before the area is reworked" and 153(f) to "the visibility of the area from neighbouring dwellings and other identified viewpoints". Advice Note 157A already allows temporary vegetation to be removed when quarrying requires it. The properties listed in Condition 143 are affected principally by the later stages, which is where a long inactive period is most likely to arise.	Winstone disagrees with the changes sought to Condition 152 as the revegetation of inactive disturbed areas will take place in Stage 0 and Stage 1 as in the 'areas.' The identification of disturbed areas suitable for temporary revegetation will occur on an annual basis, but planting will be limited to the areas within the pink line identified on Figure 9.
152	If the Panel does not adopt the amendment above, the plan name in Condition 152 should still be corrected, by replacing "Landscape and Rehabilitation Strategy Management Plan" with :"Landscape Rehabilitation Strategy and Management Plan (LRSMP)"	The defined term in the definitions table, and the term used at Conditions 9(e)(v), 57 and 58, is "Landscape Rehabilitation Strategy and Management Plan". Condition 152 uses a different word order, which could be read as referring to a different document.	Winstone agrees with the change to the name of the Plan in Condition 152.

NZHPT

Condition number	Changes sought	Reasons	Winstone response
Archaeological Authority			
4	Tikanga Archaeological work must be undertaken in conformity with any tikanga Māori protocols agreed between the Authority Holder and Ngāti Tamaoho, Ngāti te Ata, Te Ākitai Waiohua and Ngāi Tai ki Tāmaki (relevant iwi). In addition: a. The Authority Holder must enable access for relevant iwi to any archaeological site encountered in order to undertake tikanga, (subject to any health and safety requirements). ~~be exercised subject to any health and safety requirements.~~ ….	The intent of condition 4 is to ensure that the Authority is exercised in accordance with tikanga agreed between the relevant iwi parties and the Applicant. The condition then identifies three specific scenarios where tikanga must be respected – in relation to access to sites, encountering possible taonga or Māori artefacts, and the provision of information and reports prepared regarding any site modification. These are included in specific detail based on HNZPT's experience working with iwi to ensure that appropriate tikanga are observed in critical and important times. In our experience, where these scenarios have not been specified then conformity with tikanga has not always been respected. 7. Condition 4(a) as recommended by HNZPT provides the ability of access to iwi parties in relation to any archaeological sites in order to exercise that tikanga right. This, however, is not an	This condition was amended by the Panel. For completeness, Winstone has no concerns with the amendment sought as it still requires consideration of health and safety requirements.

Condition number	Changes sought	Reasons	Winstone response
		unfettered right of access, and the condition therefore notes that any access is subject to health and safety requirements – for example access would not likely be permitted whilst heavy machinery is operating. 8. The amended condition proposed by the Panel, does not capture the provision of access to iwi, rather it concentrates on the health and safety aspect only. 9. As such, HNZPT respectfully disagrees with the Panel's amended condition 4(a). In order to address the concern of the Panel with the condition, we have considered how to word this in a clearer way, whilst continuing to achieve the intent of the condition.	

Rebecca and Gavin Giles

Overall, it is difficult to respond to these comments (which reflect the Giles' initial comments on the Project) as Rebecca and Gavin Giles have not made comments on specific conditions. However, Winstone has addressed some key matters below.

Condition number	Changes sought	Reasons	Winstone response
Resource consent			
	We request that the conditions include: • A pre-development condition survey of neighbouring dwellings, outbuildings and infrastructure where owners elect to participate. • Periodic follow-up inspections where requested by affected landowners. • A clearly defined and independently administered process for investigating and resolving claims of damage. • Timely provision of monitoring results to affected landowners. • Any proposed relocation of a blast vibration sensor should be discussed with affected property owners in advance. Where the new monitoring location is further from the dwelling than the original location, the relocation should be supported by an independent technical assessment confirming that the sensor will continue to provide measurements representative of vibration effects at the dwelling. Any required correlation factors, adjustments, assumptions or limitations should be documented and provided to the affected property owner.	The draft decision concludes that the proposed blasting and vibration conditions will adequately protect neighbouring properties. However, given the increased scale, duration and proximity of quarry activities to residential properties, we consider additional safeguards are warranted. While the proposed vibration limits are intended to avoid damage, these measures would provide a practical and transparent mechanism for addressing concerns if damage is alleged.	The ONMP will include procedures for inviting, and if the invitation is accepted providing advance notification to the nearest residents prior to blasting occurring, as far as reasonably practicable. However, Winstone is reluctant to provide monitoring result to landowners, although these will be available through the CLG. Overall, Winstone considers no further changes are required to the conditions that address noise.
	We request that the conditions provide for: • Property-specific monitoring or investigation where repeated dust complaints are received. • Defined investigation and response timeframes when trigger levels are exceeded or complaints • indicate potential off-site effects	The draft conditions contain a comprehensive suite of monitoring and management requirements. However, given our property's location relative to quarry operations and prevailing weather conditions, we remain concerned about dust effects as quarrying progresses closer to residential areas.	Winstone has previously addressed these matters through the comments process and considers no further changes are required to the conditions that address dust/air quality.

Condition number	Changes sought	Reasons	Winstone response
	• Clear and timely reporting of monitoring and investigation outcomes to affected landowners.	Although the conditions require monitoring and reporting, there remains uncertainty about how localised impacts on individual properties will be assessed and addressed.	
	We request that the conditions explicitly provide for: • Affected residents to receive relevant monitoring reports before meetings. • Actions arising from complaints or concerns to be recorded, tracked and reported back. • Transparent communication of investigation outcomes and any mitigation or corrective measures implemented.	We support the inclusion of the Community Liaison Group and the amendments requiring discussion of community concerns. These requirements would strengthen confidence that community concerns will continue to be meaningfully considered throughout the life of the Project	Overall, Winstone considers no further changes are required to the conditions that address the CLG.
	We support the Panel's amendments extending maintenance requirements and request further provision for: • Ongoing replacement of failed planting until agreed performance standards are achieved. • Property-specific planting designs developed in consultation with affected landowners. • Periodic review of planting effectiveness as quarry stages progress. • The visual effects of Stages 7 and 8 are acknowledged as being among the most significant for nearby residents. It is therefore important that mitigation is successfully established well in advance of these stages.	We acknowledge the proposed visual mitigation planting and rehabilitation requirements. However, the effectiveness of these measures will depend on successful implementation and long-term maintenance. The visual effects of Stages 7 and 8 are acknowledged as being among the most significant for nearby residents. It is therefore important that mitigation is successfully established well in advance of these stages.	These matters are already provided for in the conditions and Winstone considers no further changes are required to the conditions that address landscaping.
	We request that the conditions provide for: • Mandatory advance notification to affected residents, except where immediate action is required for genuine safety reasons. • Access to blast monitoring results for affected residents upon request. • Communication of planned blasting schedules through the Community Liaison Group.	We support the proposed requirement for advance notification of blasting where practicable. These requirements would improve transparency and assist residents in managing the effects of blasting activities.	These matters are addressed above and Winstone considers no further changes are required to the conditions.

Watercare

Condition number	Changes sought	Reasons	Winstone response
Resource consent			
246	None	Watercare notes that draft condition 246 retains the process for responding to potential effects on Hays Creek Dam, reservoir yield or stream flows. Watercare further notes and supports the inclusion of a requirement for relevant monitoring reports to be provided to Watercare.	Winstone acknowledges Watercare's support for Condition 246.