

Winstone Aggregates Three Kings Controlled Fill Conditions of Entry

By entering Three Kings Quarry to dispose of fill material, the Customer accepts and agrees to be bound by:

- (i) these Conditions of Entry;
- (ii) any written quote provided by the Company; and
- (iii) the Controlled Fill Terms and Conditions (**attached**).

If there is any inconsistency between these documents then the order of precedence shall be as listed above. The Company reserves the right to amend these Conditions of Entry from time to time by notice to the Customer.

1.1 Acceptance

- The acceptance of any fill material at this site is at the absolute discretion of Winstone Aggregates.
- The acceptance criteria for Three Kings is detailed in the two tables on page 3 of this document. These tables indicate the chemical parameters and the type of material that can be accepted, and are to be used as a guide only.
- These conditions of entry are based on Winstone Aggregates' consent requirements which are detailed in its Fill Management Plan (FMP). The FMP and all other management plans can be viewed on site or online at: <http://threekingsquarry.co.nz/>
- We encourage customers to contact us early to work through the specifics of their jobs.

1.2 Pre-approval

All jobs placing more than 200m³ at Three Kings must receive pre-approval prior to tipping. In addition, pre-approval is also required for fill originating from any of the following:

- A consented contaminated or suspected contaminated site
- Any known horticultural site
- The area covered by Auckland Council's District Plan – Central Area Section (which generally includes the CBD)
- Any site listed on the Hazardous Activities and Industries List (HAIL).

If a Customer wishes to have any jobs less than 200m³ pre-approved, then the Customer can apply for pre-approval.

The pre-approval process includes:

- Completing the pre-approval form which is available at www.winstoneaggregates.co.nz/divisions/cleanfill
- Providing documentation of the suitability of the material which must include appropriate documentation
- of the suitability of the fill prepared by a suitably qualified contaminated land specialist in the form of a Site Investigation Report or Site Validation Report, that has been prepared in accordance with the Ministry for Environment guidelines *Reporting on Contaminated Sites in New Zealand, Contaminated Land Guidelines No 1, November 2003* (or equivalent standards as approved in writing by the Manager) and which has been prepared in accordance with all acceptance criteria in Resource Consent – Decision No [2001] NZ EnvC214 and with reference to any contaminants that could reasonably be expected to be present due to the current and former land use of the site of origin of the material. The report must include test results from a laboratory with IANZ accreditation.
- If the material is shown to be suitable, Winstone Aggregates will issue a 'Permit to Tip'. A copy of this permit is required to be carried by each driver and is to be presented upon arrival. No permit – no tip.

All pre-approval applications will (irrespective of whether or not pre-approval is granted) incur an application fee at the rate advertised by Winstone Aggregates at the time of application.

1.3 Non pre-approval (only for jobs less than 200m³)



Each load of a non-pre-approved job placing less than 200m³ is required to be screened using an x-ray fluorescence (XRF) unit. There is an administrative charge associated with this screening process (and this charge will be at the rate advertised by Winstone Aggregates at the time of screening). The XRF screens for a suite of heavy metals; however, it does not screen for all contaminants and for this Winstone Aggregates may require that a Customer's load is submitted to additional testing (see section 1.3.1 below).

1.3.1 Additional testing of non-pre-approved material

Non-pre-approved material is also subject to additional analytical testing at a rate of not less than 1 in every 150 incoming loads (or every 1,400 tonnes). At this trigger, a non pre-approved load is quarantined on site and sampled, even if it has satisfied the XRF screening process. The samples are sent to a laboratory with IANZ accreditation for testing. The chemical parameters that must be tested for are detailed in Table 1 on page 3. This testing comes at no additional cost to the Customer. Customer's responsibility for fill disposed.

It is the responsibility of the Customer to only dispose of fill material that complies with the chemical parameters in Table 1 and material requirements in Tables 2A and 2B (the "**Standards**"). This responsibility of the Customer remains unaffected notwithstanding any acceptance, prior approval or testing of the fill by Winstone Aggregates.

1.4 Non-complying material as determined by testing

If any tested fill does not meet the Standards, the Customer will be given notice of that fact ("**Removal Notice**"), and will be required to remove at the Customer's sole cost the quarantined load and, at Winstone Aggregates' discretion, any other material originating from the same source that is deemed by Winstone Aggregates to be unsuitable to stay on its site.

If a Customer does not comply with the Removal Notice within 5 days of receipt, Winstone Aggregates reserves the right to remove the load and any other material originating from the same source that is deemed by Winstone Aggregates to be unsuitable to stay on its site, and dispose of the load at a suitable facility. The estimated cost for this work will be set out in the above mentioned Removal Notice.

If any of the Customer's fill disposed at the Site does not comply with the Standards then the Customer indemnifies the Company against all actions, claims, demands, proceedings, costs, expenses, losses, damages and other liabilities suffered or incurred by the Company in respect of that non-compliant fill including, without limitation, the Company's costs to uplift, remove and lawfully dispose of the non-compliant fill.

2.1 Traffic management requirements

Traffic management requirements for the site are detailed in the Traffic Management Plan (TMP). The Customer will comply with the TMP. The TMP and all other management plans can be viewed on site or online at: <http://threekingsquarry.co.nz/>

Winstone Aggregates reserves the right to restrict the number of trucks that can enter the site at Winstone Aggregates' complete discretion. Without limitation to the preceding sentence, Winstone Aggregates may (for example) deny the Customer entry to the site to avoid resource consent non-compliance. Where practicable the Customer will be notified as far in advance of this situation so that they can make alternative arrangements.

2.2 All users of site

All customers' employees/subcontractors using the site must comply with the conditions of Resource Consent – Decision No [2001] NZ EnvC214 (available online at [<http://threekingsquarry.co.nz/>]). This includes but is not limited to the following provisions:

- A. No customers' employees/subcontractors may use St Andrews Road unless the fill originates from along St Andrews Road.
- B. All customers' employees/subcontractors must comply with the Traffic Management Plan and Drivers' Code of Conduct (available online at <http://threekingsquarry.co.nz/>).



- C. Vehicles are to travel main routes into and out of site (i.e. Mount Eden Road to Balmoral Rd to the north or Mt Albert Road to the south).
- D. Loads are to be covered to avoid dust nuisance (or an alternative method implemented to the same result).
- E. If a load is rejected for any deemed non-compliance it is to be removed from site immediately and suitably disposed of. As set out above, the Customer is required to indemnify Winstone Aggregates for the costs associated with this removal and disposal.

2.3 Being a good neighbour

Three Kings is located in a busy residential area, therefore your assistance in helping Winstone Aggregates to be a good neighbour is appreciated. In addition to adhering to the above listed conditions, the Customer will satisfy the following access requirements:

- Operating hours are Monday to Friday 0700-1700 and Saturday 0700-1400
- Trucks are not to arrive before 0700 and at no time of the day are they to queue or park outside the site
- No engine brakes are to be used around the site
- There are two schools located in the area and if possible deliveries between 0830-0930 and 1430-1530 are to be avoided
- Drivers coming to the site are to be briefed on these items and inducted on other site requirements and issued a Drivers' Code of Conduct Card. This induction can be done by appointment prior to using the site or on first entry. Each party will bear its own costs in respect of such induction.
- Prior to exiting the site all trucks must go through the wheel wash

A failure to comply with any traffic management or other access requirements may result in Winstone Aggregates excluding the Customer or particular drivers from the site.

2.4 Health and Safety – Help Us Be Safe On Site

The Customer must ensure that all of the Customer's staff and contractors adhere to the following requirements:

- While on site you must follow the instructions of site staff at all times
- Wear your PPE when out of your truck - hard hat, steel toe boots, hi-viz vest, long sleeves, glasses and gloves
- Cell phones are not to be used while walking or driving on site
- On site the speed limit is 20km/h and your headlights and flashing beacons (if fitted) are to be turned on
- Stay in your cab when tipping. Once tipped check that your tailgate is secure
- Notify the testing station attendant if you need to get out of your cab prior to tipping
- No shunting on the tiphead
- Do not approach a working machine or other tipping vehicles until you have the operator's attention and the machine or vehicle has stopped
- Always follow the instructions of the spotter/operator while maneuvering on site
- Do not get in between your tailgate and tray when cleaning out or get into your tray when raised
- Trucks will not be allowed to enter the site overloaded
- Prior to leaving site check between dual tyres and clear any rocks that are caught
- No person suspected of being under the influence of alcohol or drugs will be permitted on site

For any enquires on this information please contact your Sales Manager or Angela Klein on 027 504 3624.



Table 1. Chemical parameter concentrations for imported fill.

Parameter	Fill < 2m depth from finished level (Shallow Fill) (mg/kg)	Fill >2m depth from finished level (Deeper Fill) (mg/kg)	Weighted Rolling 12-Month Mean Shallow Fill Acceptance Criteria (<2m deep) (mg/kg)	Weighted Rolling 12-Month Mean Deeper Fill Acceptance Criteria (>2m deep) (mg/kg)
Arsenic	20 ¹	100	12	12
Boron	260	260	130	130
Cadmium	1	7.5	0.65	0.65
Chromium	400 ²	400	125	125
Copper	325	325	90	90
Cyanide	0	25	0	1.0
Lead	210 ³	250	65	65
Mercury	0.75	0.75	0.45	0.45
Nickel	320	320	105	105
Zinc	1160	1160	400	400
TPH				
C ⁷ -C ⁹	120	300	20	20
C ¹⁰ -C ¹⁴	300	300	50	50
C ¹⁵ -C ³⁶	1000	5600	500	500
DDT _(total)	0.7	12	0.35	0.7
Aldrin	0.7	12	0.35	0.7
Dieldrin	0.7	6	0.35	0.7
BaP _(eq)	0.27 ⁴	2.15 ⁵	0.1	1.0
Benzene	0.2	1 ⁶	0.2	0.4
TEX _(total) ⁷	20	20	3	3

Notes:

- A. Reduced from 30mg/kg in order to meet the NES criteria for residential with 10% produce consumption
- B. Based on Chromium VI results
- C. Reduced from 250mg/kg in order to meet the NES criteria for residential with 10% produce consumption
- D. Calculated as the sum of each of the detected concentrations of 9 carcinogenic PAHs to meet the MfE issued document Methodology for Deriving Standards for Contaminants in Soil to Protect Human Health (2011)
- E. Includes group of 7 compounds with equivalence factors that contribute to BaP(eq).
- F. To meet MfE Guidelines (1999) for residential use all pathways
- G. As Winstone Aggregates reaches the later stages of filling the shallow fill criteria will be applied



Material Accepted at Three Kings

Subject to the ability to safely handle the material as determined by the onsite Winstone Aggregates' staff. We accept suitable fill which can be engineered to meet our required compaction standard; this is typically clay. The list of materials currently accepted at the site is as follows:

Table 2A – Material Types

Material
Asphalt (cured/weathered)
Bricks
Concrete – there must not be any protruding steel
Fibre cement building products – no asbestos
Road sub-base
Rock, gravel, sand, clay – no organic material can be present in the load

Please note that all loads entering the site are inspected to ensure compliance with the following:

Table 2B – Material Compliance

Material
Topsoil – no more than 5 % of the total load
Asbestos – none present
Peat – none present
Plastic – none present
Vegetation/Wood – none present
Consistency of the material – not overly saturated or sloppy
No concrete washings or concrete slurry (wet concrete)
Soil test/screening - results within our acceptance limits

It is noted that the above is subject to change to please contact us should you have any queries on specific jobs or materials.

