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|  | RESOURCE CONSENT NUMBER RC29596 |
| | APPENDIX A – CONDITIONS OF RESOURCE CONSENT <i>[TCC conditions are usually attached as 'Appendix A' to the decision document]</i> |

The conditions of resource consent RC29596 are as follows:

General

1. The asphalt manufacturing plant shall be constructed in general accordance with the following plans:
 - a) The General Lay-Out Plan, drawing number MO4004/05 Revision A, prepared by Fayat and dated 21/10/21;
 - b) The Site Clearance Plan, drawing number 3936642-CA-020 Revision B, prepared by Beca and dated 18.11.22; and
 - c) The Proposed Site Plan, drawing number 3936244-CA-030 Revision B, prepared by Beca and dated 18.11.22; and
 - d) The Proposed Services Plan, drawing number 3936244-CA-040 Revision B, prepared by Beca and dated 18.11.22.
2. The proposal shall proceed in **general** accordance with Section 5 of the 'Resource Consent Application for Asphalt Plant - Mount Maunganui' prepared for Allied Asphalt Ltd by Cogito Consulting Ltd and dated 19 December 2022, including:
 - a. The Beca Infrastructure and Services Assessment, Aerodrome Road Asphalt Plant Upgrades, Ref: 3936244- 159207228- 1673 Rev. 1 dated 22 November 2022; and
 - b. The Beca Preliminary Geotechnical Appraisal report for Mt. Maunganui Asphalt Plant – Ref: 3936244- 159207228- 1726 Rev.1 dated 17/11/22.
3. All **reasonable Council** costs associated with the conditions of this consent, including those required under the **Tauranga City Council** Infrastructure Development Code shall be met by the consent holder.
4. All matters and works relating to the servicing and accessing of the development, shall be designed, supervised, constructed and certified in accordance with requirements of the Tauranga City Council Infrastructure Development Code.

Hazardous substance storage

5. The volume of hazardous substances stored shall not exceed the following **maximum quantities**:

| Substance | Maximum Quantity |
|-----------------------------|----------------------|
| Diesel | 16,250 litres |
| Bitumen Release | 400 litres |
| LPG | 240 kg |
| Soda Ash | 1,000 kg |
| Fatty Amine Derivative | 1,000 litres |
| High Calcium Lime | 50 tonnes |
| Used Lubricating Oil | 50,000 litres |

| Substance | Maximum Quantity |
|---------------------------------------|------------------|
| Other: cleaners, lubricants, coatings | < 20 litres |

6. Within one month of consent being granted, and again prior to the commissioning of the new asphalt manufacturing plant, the consent holder shall provide the following documents to the Tauranga City Council:
- Copies of all certificates required by the consent holder under the Health and Safety and Work (Hazardous Substances) Regulations 2017 (HSW-HS Regulations); and
 - A copy of the Emergency Response Plan required by the HSW-HS Regulations which shall include as-built plans of the facility;
 - Evidence that a copy of this resource consent, along with the plans listed in Condition 1, has been provided to the New Zealand Fire Service; and

Landscape

- The maximum height of the plant stack shall be 27.6 metres above ground level.
- Safety lighting on the site shall be fitted with back screens which restrict lighting to within the site boundaries, reducing light spill outside of the site.
- The plant shall be finished in Resene Jumbo, a mid-colour low LRV rated grey or other recessive grey colour approved by the Council that will ensure the plant is a visually recessive feature within the environment.

Operational Noise

10. Operational noise levels shall not exceed the limits contained in the table below within the boundary of the listed sites:

| Address | Daytime and Night-time Noise (dB LAeq) | Night-time Noise (dB LAFmax) |
|-------------------|--|------------------------------|
| 14 Harvard Way | 69 | 85 |
| 67 Hewletts Road | 66 | 85 |
| 44 Aerodrome Road | 66 | 85 |
| 60 Aerodrome Road | 67 | 85 |

11. Operational noise levels shall not exceed the limits contained in the table below within the boundary of any other industrial zoned sites:

| At any time (dB LAeq) | Night-time Noise (dB LAFmax) |
|-----------------------|------------------------------|
| 65 | 85 |

12. Operational noise from the consented activity shall be measured in accordance with NZS 6801:2008 . Acoustics – Measurement of Sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise, or any superseding codes of practice and/or standards.

Earthworks and geotechnical

- All earthworks design, testing and construction shall be undertaken in accordance with DS10 of the Tauranga City Council Infrastructure Development Code and the specific requirements of the consent holder's appointed Geo-Professional.
- The Consent Holder shall undertake works to establish a minimum finished floor level of RL4.75m NZVD16 for the relocated office to avoid the effects of inundation. A Licensed Cadastral Surveyor shall certify, in writing, that the finished floor level is constructed to the required minimum level.

Construction Erosion and Sediment Management

15. Prior to the planned commencement of any site works, the consent holder shall submit an Erosion and Sediment Control Plan (ESCP) to Tauranga City Council for certification. The purpose of the ESCP is to demonstrate that best practice measures will be adopted on-site in order to prevent erosion and sediment runoff. As a minimum, the ESCP shall include the following:
 - a. A site plan showing the nature and location of erosion and sediment controls that will be employed;
 - b. The design and dimensions of typical erosion and sediment controls;
 - c. The construction timetable for the erosion and sediment control measures;
 - d. Maintenance, monitoring and reporting procedures to ensure that erosion and sediment controls remain in effective capacity for the duration of earthworks;
 - e. Details of how the property will be accessed and traffic managed to ensure that off-site tracking of sediment does not occur and procedures to be used to prevent loose material, spoil, dust and litter from being deposited onto the public roads from trucks and associated equipment and the proposed methods of cleaning surrounding roads from such deposits;
 - f. Details of the Site Manager, including their contact details (phone, email, postal address). A telephone number for afterhours emergencies shall also be supplied;
 - g. The location of a notice board on the site that clearly identifies the name, telephone number and address for contacting the site manager;
16. Tauranga City Council's certification shall be limited to confirming that the ESCP contains the required information and that the proposed erosion and sediment controls comply with the best practice principles set out in the Bay of Plenty Regional Council Guideline 2020/01 – *'Erosion and Sediment Control Guidelines for Land Disturbing Activities'*.
17. The consent holder shall not commence any site works until the ESCP has been certified or 15 working days has passed and no response has been received from Tauranga City Council.
18. The consent holder shall install erosion and sediment controls prior to any earthworks commencing on-site and shall adhere to the certified ESCP for the duration of earthworks on the site.
19. The consent holder shall ensure that no damage to public roads, footpaths, berm, kerbs, drain or other public assets occurs as a result of the earthwork activities. If damage does occur to any of these public assets, the costs of rectifying any damage and restoring the asset(s) to its original condition shall be met by the consent holder.

Construction Noise Management

- ~~20. Prior to the planned commencement of any site works, the consent holder shall submit a Construction Noise and Vibration Management Plan (CNVMP) to Tauranga City Council for certification. The CNVMP shall be prepared by a suitably qualified and experienced acoustic expert. The CNVMP shall include the following information:
 - a. The applicable construction noise and vibration limits.
 - b. Details of how construction noise will be managed to ensure compliance with NZS6803:1999 Acoustics Construction Noise, as far as practicable.
 - c. Description and duration of the works, anticipated equipment and construction processes to be undertaken.
 - d. Hours of operation, including specific times and days when construction activities causing adverse noise / vibration effects would occur.
 - e. Mitigation measures which will be implemented to ensure that compliance with the noise and vibration limits will be achieved as far as practicable.
 - f. Details of a complaint management system including contact details for the person(s) responsible for managing noise and vibration complaints.
 - g. Methodology of any scheduled noise and vibration monitoring or monitoring undertaken in response to any reasonable complaints received. The results of monitoring in~~

~~response to a reasonable complaint shall be submitted to the Councils Team Leader: Monitoring within 48 hours of receipt of that complaint.~~

~~h. Training procedures for construction personnel specifically relating to noise and vibration.~~

- ~~21. The consent holder shall not commence any site works until the CNVMP has been certified or 15 working days has passed since the draft CNVMP was submitted for certification and no response has been received from Tauranga City Council.~~
- ~~22. As far as practicable, construction noise as a result of giving effect to this consent shall not exceed the limits recommended in, and shall be measured in accordance with, NZS 6803:1999 Acoustics – Construction Noise.~~
- ~~23. Vibration levels shall be measured, assessed in accordance with, and not exceed the limits in German Industrial Standard DIN 4150 – 3 (1999), Structural vibration – Part 3: Effects of vibration on structures.~~

Contaminated Soils

24. The Contaminated Site Management Plan, prepared by Beca and dated 6 April 2023, shall be adhered to for the duration of works associated with the construction of the new asphalt manufacturing plant.
25. In the event that previously unidentified contaminated land is discovered, the consent holder shall immediately cease works within 5 metres of the discovered contaminant, notify Tauranga City Council and engage a suitably qualified and experienced practitioner (SQEP) in site contamination in accordance with the accidental discovery protocol for contaminated land in section 3.2.1 of the CSMP.
26. Any soil analysis required in regard to this consent shall be undertaken by an IANZ accredited laboratory.
27. All contaminated material removed from the site shall be disposed of at a landfill that holds a consent to accept the relevant level of contamination. Soils requiring offsite disposal will require testing by the SQEP. Soil analytical results from any sampling would be compared against the criteria of the classification of soil as cleanfill, managed fill or contaminated material and shall be available for Tauranga City Council to review at any time.
28. A Works Completion Report (WCR) shall be prepared and submitted to Tauranga City Council for written certification, within two months of the completion of works. The WCR shall be prepared by a SQEP in site contamination in accordance with the current edition of the Ministry for the Environment Contaminated Land Management Guidelines No.5 - Site Investigation and Analysis of Soils and No.1 - Reporting on Contaminated Sites in New Zealand. The WCR shall address the following:
 - a. A summary of the works undertaken, including a statement confirming whether the works have been completed in accordance with the CSMP.
 - b. The locations and dimensions of the excavations carried out, including a relevant site plan;
 - c. Details and results of any additional soil sampling and validation sampling and interpretation of the results;
 - a. Records of any unexpected contamination encountered during the works and response actions, if applicable;
 - b. Volume of soil removed from the works area and the disposal location(s) and documentation relating to the transportation of soil disposed of off-site;
 - c. Volume of material imported to the works area, including certification documentation (if required);
 - d. Details regarding any complaints and/or breaches of the procedures set out in the CSMP and the relevant conditions of this consent; and
 - e. A statement certifying that all works have been carried out in accordance with the requirements of the consent.

Transport

29. The northernmost vehicle crossing from the site to Aerodrome Road shall be reduced from the existing 15.4-metre width to 10 metres at the property boundary in accordance with the Tauranga City Council Infrastructure Development Code prior to commencement of asphalt manufacturing plant operations.

Advice Notes

1. All documents required to be provided to Tauranga City Council should be submitted to the Team Leader, Environmental Monitoring – emac@tauranga.govt.nz
2. Prior to any works commencing on-site the consent holder should submit plans of the servicing of the site to Tauranga City Council for a service connection approval. Applications should be submitted to sca@tauranga.govt.nz and as a minimum, include the following:
 - a. Location and details of existing services and connections.
 - b. Route of proposed pipework with invert level and details of access points or rodding eyes.
3. New connections to Tauranga City Council infrastructure should be inspected and approved by a Council Development Monitoring Advisor or Development Engineer prior to backfilling.
4. All as-built drawings should be lodged electronically in accordance with QA-6.2 of the Tauranga City Infrastructure Development Code. The as-built assets to vest are to be completed, inspected and approved prior to commencement of asphalt manufacturing plant operations.
5. Where any building or drainage works are required to satisfy conditions of this consent, all consents required under the Building Act 2004 must be obtained prior to the works being carried out.
6. The consent holder is advised that under Conditon 13, additional geotechnical investigations, analyses and design inputs are required to be undertaken for any earthworks, buildings and overall site development to ensure that the geotechnical risks of the site are properly addressed in all site development works.