

General

- (1) THAT the industrial use activities at Lot 2 DP 22158 (RoT SA22C/188) be undertaken in accordance with the resource consent application and assessment of environmental effects prepared by Stratum Consultants Ltd and entitled *Resource Consent for Industrial Activities within the Te Puna Business Park Structure Plan Area, Tinex Group Limited, 245 Te Puna Station Road, Te Puna*, filed as A514379 and dated 8 February 2023, and further information responses, including the following:
- a) Existing Site Plan, Lot 2 DP22158, 245 Te Puna Station Road, Drawing No. 423022-T-P-D001, Sheet 01, Issue A, prepared by Stratum Consultants, dated 23 November 2022.
 - b) Activity Area Plan, 245 Te Puna Station Road, Tinex Group Ltd, Drawing No. 423022-PLN-D001, Sheet NO. 11, Issue B, prepared by Stratum Consultants, dated 10 May 2023.
 - c) Assessment of Noise Effects, Te Puna Industrial Zone Activities, 245 Te Puna Station Road, prepared by Styles Group, dated 27 April 2023.
 - d) Noise Management Plan, 245 Te Puna Station Road, prepared by Styles Group, dated 27 April 2023. [I understand that the applicant is preparing an updated NMP to remove all references to swapping tenants in and out].
 - e) Landscape Effects Assessment, Te Puna Station Road, prepared by Boffa Miskell, dated 12 May 2023.
 - f) Landscape Management Plan (Revision B), prepared by Boffa Miskell, dated 11 May 2023. [update if any revisions are required]
 - g) Tinex Group Existing Activities, Te Puna Station Road, Te Puna, Transportation Assessment Report, prepared by Harrison Transportation, dated November 2022.
 - h) Industrial Development, Lot 2 DP22158, Vehicle Tracking Layout, Drawing No. 423022-CIV-D001, Sheet No. 1, Issue A, prepared by Stratum Consultants, dated 11 May 2023. [amend if any changes are made during the hearing or requested by Commissioners]
 - i) Proposed Access Layout (Site 1), Drawing No. 423022-CIV-D001, Sheet 02, Issue A, prepared by Stratum Consultants, dated 29 May 2023. [amend if any changes are made during the hearing or requested by Commissioners]
 - j) Existing Site Usage Memorandum – Stormwater Queries, Tinex Group Ltd, 245 Te Puna Station Road, Prepared by Stratum Consultants, dated 31 May 2023 (except where the civil drawings are superseded by any of the above referenced plans).

- k) [Add any other relevant documents or plans that are tabled in evidence from the applicant].

Activities and notice to tenants

(2) THAT the activities authorised by this consent shall be limited to the following activities operating at the same or similar character, intensity, and scale as at the date of the consent being approved:

- A & J Demolition (House and Construction Material Storage [and renovations])
- Compass Pools Storage (Swimming Pool Shell Storage)
- Total Relocation House Transporters (House Storage)
- Earthmover Tyre Services (Heavy Machinery Tyre Storage)

(3) THAT a copy of this consent be provided by the owner of the site to each of its tenants undertaking the above activities.

Note: as a land use consent, this consent attaches to and runs with the land and its terms must be met by both the owner and occupiers (ie tenants) of the site.

Transportation

- (4) THAT the maximum number of vehicles a day shall be limited to 25 vehicles per day. [consider if this is too restrictive given that 25 veh per day is the average reported by Mr Harrison]
- (5) That within 3 weeks of consent approval, the paint markings at the Te Puna Road / Te Puna Station Road intersection shall be modified in accordance with the detail shown on the following plan: Industrial Development, Lot 2 DP22158, Vehicle Tracking Layout, Drawing No. 423022-CIV-D001, Sheet No. 1, Issue A, prepared by Stratum Consultants, dated 11 May 2023. Confirmation of completion shall be provided to Council's General Manager Transportation within 5 working days of completion. [delete if this option is discounted in the hearing]
- (6) THAT within 40 working days of this consent approval that the proposed upgrade to the vehicle entrance to serve the proposed activity be constructed generally in accordance with drawing 423022-CIV-D001, Sheet 02, including sealing, to a modified Diagram D (Waka Kotahi Planning Policy Manual) standard. [consider if 40 working days is enough given the next condition]
- (7) To prevent debris tracking from within the site onto Te Puna Station Road, within 40 working days of consent approval, sealing shall be extended within the site private way for a minimum distance of 40m and a width of x [to be determined after hearing evidence] from the edge of the site entrance sealing.

Construction and Earthworks

- (8) THAT earthworks to upgrade the site accessway/entrance and to replace the culvert within the road-side drain shall not exceed 120m³ of cut and 110m³ of fill.
- (9) THAT prior to commencing works to upgrade the accessway (including culvert replacement), a Draft Construction Methodology shall be submitted to the Council's Development Engineering Manager – (Resource Consents) for approval. Works shall not commence until Council confirms in writing that the methodology is satisfactory. The Construction Methodology shall cover the following:
- (a) Erosion and sediment control plans demonstrating how the construction work will be in accordance with the Bay of Plenty Regional Council "Erosion and Sediment Control Guidelines for Land Disturbing Activities 2010/01".
 - (b) Confirmation from the Regional Council that the works are either a permitted activity, or that any required resource consent has been granted. [delete if deemed to be unnecessary]
 - (c) A traffic management plan demonstrating how traffic will still be able to gain access to the site during construction, and how public traffic in Te Puna Station Road will be managed.
 - (d) A Remedial Action Plan for the safe disturbance of contaminated soils in accordance with the National Environmental Standard for Managing Contaminants in Soil for Human Health (NES-CS) [delete if deemed to be unnecessary]
 - (e) Proposed construction period and hours of operation.

Site Management

- (10) THAT within 4 weeks of consent issue, a Site Management Plan (SMP) shall be submitted to Council's Resource Consents Manager for approval. The SMP shall outline:
- (a) Responsibilities and roles for implementation of this resource consent, including for tenants.
 - (b) That all tenants operating under this consent shall ensure that their delivery staff and contractors shall not use Clarke Road for any heavy vehicle access to and from the site.
 - (c) That all tenants operating under this consent shall ensure that their delivery staff and contractors shall not use the Wairoa Bridge underpass to travel to or from the site; and shall travel to the site via Te Puna Road.
 - (d) The operating hours of the site.
 - (e) That any lighting installed shall adhere to the District Plan permitted activity requirements.
 - (f) That there shall be no welding, vehicle re-fueling, or storage of

hazardous substances.

- (f) Methods for dust suppression during dry weather periods, and for regular replenishment of gravel within the privateway and yards to minimise mud.
- (g) Methods for managing solid waste storage on site, including screening from adjacent sites. No dumping or rubbish or material, and no stockpiling of potentially contaminated soils.
- (h) That all activities shall be carried out in accordance with the approved Noise management Plan.
- (i) Methods for preventing spills, asbestos or other potential contaminants from entering the road-side drains, air, and or from contaminating soil.
- (j) Maintenance requirements of any on-site infrastructure, including any sealing.
- (k) Methods for preventing offensive odour beyond the site boundaries, associated with the on-site portaloos.
- (l) The potential consequences of not operating the site in accordance with the management plan, i.e. likely enforcement action from Council.

Landscaping and Screening

- (11) Within six months of consent being granted that a detailed landscape implementation plan (LIP), following the recommendations contained within the Landscape Effects Assessment (LEA) and the Landscape Management Plan (LMP) prepared by Boffa Miskell Ltd (Dated 12 May 2023) be prepared for the site and submitted to Council for certification. The LIP shall include the following:
 - (a) Identification of all existing planting/areas of planting within the site.
 - (b) The location of any new planting or enrichment planting required to achieve the level of mitigation identified in the LMP.
 - (c) Planting along the southern boundary of the site shall be a minimum width of 10m in accordance with the requirements of the Te Puna Business Park Structure Plan - Perimeter Planting Cross Section
 - (d) A schedule of species to be used including botanical name, common name, size at time of planting, spacing, height at maturity and quantity.
 - (e) The type location of plant protection (to prevent damage to the planting from activities within the site).
- (12) All supplementary planting shall be implemented within 6 months of the date of

consent and maintained for the duration of the consented activities in accordance with the recommendations contained within the LMP.

- (13) Protection shall be provided to all mitigation planting to ensure accidental damage (including root damage and soil compaction) from activities within the site does not occur. Materials and/or products shall not be stockpiled, within 3m of any internal boundary planting and/or internal roadscape planting or beneath their driplines (whichever is the greater). Vehicles shall not be driven within 3m of internal boundary planting and/or internal roadscape planting or beneath its dripline (whichever is the greater)

Advice Note: Protection devices such as barriers and/or bollards should be placed in high-risk areas to prevent damage or loss of the mitigation planting, soil compaction or root damage. Internal boundary planting and internal roadscape planting include all planting identified in these areas by the LMP.

- (14) Within 4 weeks of consent approval, a 6m high black 70% block-out horticultural shade cloth fence be erected around the perimeter of the site occupied by Compass Pools. This fence shall be maintained by the consent holder for the duration of the consent such that it does not have any holes, gaps, or tears, and must achieve a minimum height of 6m at all times.

Setbacks

- (15) THAT no buildings (relocatable dwellings) or pool shells will be stored within the following boundary setbacks:
- (a) From the southern and eastern site boundary – 10m;
 - (b) From the northern (road-side) boundary – 20m.

Tyre Storage

- (16) All tyre storage (Earthmover Tyre Services) shall comply with the requirements of the National Environmental Standard for Storing Tyres Outdoors (NES-STO) including:
- (a) No greater than 100m³ of tyres stored at any one time;
 - (b) Maximum height of stacks/ piles – 3m high;
 - (c) Setback at least 20m from the northern (true left) bank of the Hakao Stream.

Water Supply

- (17) THAT reticulated water shall be supplied to each of the four tenancy areas via the existing 20mm piped connection from Te Puna Station Road.
- (18) THAT within **three months [review in hearing]** of consent approval, confirmation shall be provided to Council's Resource Consents Manager that the site is

adequately serviced with water for fire-fighting in accordance with the New Zealand Fire Service Firefighting Water Supply Code of Practice.

Hours of operation

- (19) THAT hours of operation for the existing on-site activities are to be between 6AM-6PM, Monday-Friday and 7AM – 1PM Saturday, provided that house relocation to and from the Total Relocation and A & J Demolition yards may occur outside these hours.

Noise

- (20) The earth bunds existing at the time consent is granted must be maintained along the northern, eastern, and southern site boundaries at all times. The locations of the constructed bunds must be in accordance with the application site plans, and heights shall be confirmed on the Landscape Implementation Plan required by condition 11.
- (21) Cumulative noise generated by all activities on the site shall not exceed the following limits, as per the Western Bay of Plenty District Plan:

Receiver	Time Period	LAeq, dB	LAfmax, dB
At any point within the boundary of any other property within an Industrial Zone	Daytime 7:00 am – 10:00 pm	65	n/a
	Night-time 10:00 pm – 7:00 am	65	85
At any point within the notional boundary of any dwelling in a Rural Zone or Rural Residential Zone; or At any point within the boundary of any property within a Residential or Future Urban Zone	Monday to Saturday 6:00 am – 10:00 pm	55	n/a
	Sunday and Public Holidays 9:00 am – 6:00 pm		
	At all other times	45	70

Sound levels should be measured in accordance with the requirements of NZS 6801:2008 Measurement of Environmental Sound and assessed in accordance with the requirements of NZS 6802:2008 Assessment of Environmental Sound.

- (22) A Noise Management Plan (NMP) shall be implemented at all times, to ensure that cumulative noise emissions from all activities on the site are mitigated and managed to ensure compliance with the limits in Condition 21 above. The NMP shall be made available to Council upon request.

Financial contributions

- (23) THAT upon receipt of an invoice from Council, the consent holder shall within 4 weeks of the commencement of this consent make payment of FINCO's on a pro-rata basis for [water and] roading as follows:

Transportation – 1.56ha x \$50,043.47 = \$78,067.80 + GST

[Water - 1.56ha x \$50,043.47 = \$78,067.80 + GST]

Duration

- (24) THAT the duration of this resource consent shall be for two years from the date of grant.

Cultural

- (25) No less than five working days prior to undertaking any physical works the consent holder shall invite a representative of Pirirākau hapū on site to undertake cultural monitoring and karakia/blessing. Evidence of this invitation shall be kept and provided to the Western Bay of Plenty District Council within 48 hours of a request.
- (26) On discovery of any unrecorded sites of archaeological importance on site, work shall cease immediately, and the consent holder shall notify a Pirirākau hapū representative and the Western Bay of Plenty District Council as soon as possible.
- (27) If tuna (eels) are discovered on site during earthworks [or within stormwater devices or treatment ponds], work in that area is to cease and a Pirirākau representative is to be contacted for the purposes of seeking their advice on the safe removal and transfer of the tuna off the site into a safer habitat. [may be ultra vires, i.e. requires an action of a third party].

Advice Notes

- (i) *The applicant has undertaken to work with Pirirākau, WBOPDC and other agencies to facilitate cultural interpretation mediums in relation to the Hakao restoration cultural offset mitigation.*
- (ii) *The applicant has also undertaken to record Pirirākau recommended names of any newly created roads in accordance with the WBOPDC road naming policy.*
- (iii) *In relation to condition 26 above, Heritage New Zealand shall also be contacted within 24 hours of any discovery.*