

RECOMMENDED CONDITIONS OF CONSENT LUC24/48583 REV 3

18/06/2026

NEW PLYMOUTH PISTOL CLUB

RESOURCE CONSENT LUC24/48583

Granted under Sections 95A, 95B, 95D, 95E, 104, 104D, 106A and 108 of the Resource Management Act 1991.

Applicant: New Plymouth Pistol Club Inc

Location: 228 De Havilland Drive & 1206 Devon Road

Legal Description: Lot 1 DP 19854

Status: Part Operative District Plan: Non-complying Activity

Proposal: The continued operation of the New Plymouth Pistol Club, being a sport and recreation activity within the General Industrial Zone under the Part Operative District Plan 2025, including the retrospective authorisation of shooting activities, together with the construction of new facilities (including a two-storey building and acoustic barriers) with all associated acoustic mitigation works, earthworks and management of soil contaminants.

DECISION:

In accordance with Sections 104, 104D, 106A and 220 of the Resource Management Act 1991, consent is granted on a notified basis for the operation of the New Plymouth Pistol Club at 228 De Havilland Drive & 1206 Devon Road, Bell Block for the reasons discussed in the decision report, and as summarised below:

1. The application is a non-complying activity by virtue of the specific rule provisions for a sport and recreation activity in the General Industrial Zone and applying a 'bundling approach'.
2. The application is a discretionary activity under Regulation 11 of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
3. The proposed facilities and associated acoustic mitigation works, earthworks and management of soil contaminants are required to enable the continued operation of the activity on the site.
4. The effects of the proposal on the environment will be [no more than minor].

5. The proposal is [not contrary to] the relevant objectives and policies of the PODP and other relevant planning instruments.
6. The proposal [passes both thresholds] in the S104 'gateway test'.
7. The proposal meets the purpose of the Resource Management Act.

Subject to the following conditions imposed under Section 108 and 108AA of the Resource Management Act 1991:

PART A: Definitions

In these conditions, unless the context otherwise requires:

- i. **Acoustic Mitigation Works** means the physical noise mitigation measures, including acoustic barriers, bunding, container walls, fencing, and any associated works, to be constructed in accordance with the Staging Plans (BTW Company, Drawing 230984.00-03, Sheets ST01–ST06, Revision A, Plot Date: 26/05/2026).
- ii. **Composite Noise Rating (CNR)** means the noise metric calculated in accordance with condition 32, expressed as: $CNR = Y + 10 \log_{10} N + 10 \log_{10} T - 25$.
- iii. **Low Noise Firearm** means a firearm that, when used in combination with a specific range, is capable of achieving a noise level of 71 dB LZpeak log-average or less at the notional boundary of the 1222 Devon Road (Lot 1 DP 18372) secondary dwelling.
- iv. **Period of Low Noise** means a period where any outdoor shooting is restricted to range and firearm combinations which produce a noise level of 71 dB LZpeak log-average or less at the notional boundary of the 1222 Devon Road (Lot 1 DP 18372) secondary dwelling.
- v. **LZpeak** means the peak sound pressure level measured with Z-weighting (unweighted), as defined in NZS 6801:2008.
- vi. **Noise Monitoring Officer** means a person appointed by the Consent Holder who is responsible for implementing the Noise Management Plan, overseeing compliance with the noise conditions of this consent, and maintaining records of noise monitoring and firearm use at the site.
- vii. **Noise Monitoring System** means the temporary noise monitoring system required by condition 33 and the permanent Class 1 sound level meter required by condition 34.

- viii. **Notional Boundary** has the same meaning prescribed in the National Planning Standards, to mean a line 20m from any side of a residential unit or other building used for a noise sensitive activity, or the legal boundary where this is closer to such a building.

PART B: Conditions

General Accordance

1. The activity subject to this consent must be as described within the application LUC24/48583 received by the New Plymouth District Council (Council) on 2 August 2024 and further information received on 6 December 2024 and 17 December 2024 and be generally in accordance with the following plans and documents except as amended by the conditions below:
 - a. BTW Company, Activity Area/Location Plan, Drawing 230984.02, Sheet GD00, Revision B2, Plot Date: 12/06/2026
 - b. BTW Company, Existing Site Plan, Drawing 230984.02, Sheet GD01, Revision B2, Plot Date: 12/06/2026
 - c. BTW Company, Concept Range, Drawing 230984.02, Sheet GD02, Revision B2, Plot Date: 12/06/2026
 - d. BTW Company, Typical Sections, Drawing 230984.02, Sheet GD03, Revision B2, Plot Date: 12/06/2026
 - e. BTW Company, Earthworks Plan, Drawing 230984.02, Sheet GD04, Revision B2, Plot Date: 12/06/2026
 - f. BTW Company, Erosion and Sediment Control Plan, Drawing 230984.02, Sheet GD05, Revision B2, Plot Date: 12/06/2026
 - g. BTW Company, Planting Plan, Drawing 230984.02, Sheet GD06, Revision B2, Plot Date: 12/06/2026
 - h. BTW Company, Groundwater Plan and Longsection, Drawing 230984.02, Sheet GD07, Revision B2, Plot Date: 12/06/2026
 - i. ShedEx, Site Plan, Drawing No. SCH1, Date: 17/07/24
 - j. ShedEx, Proposed Floor Plan, Drawing No. SCH2, Date: 17/07/24
 - k. ShedEx, Elevations, Drawing No. SCH3, Date: 17/07/24

- l. Red Jacket, Wall Type 1, Job No. 6061, Date: 12/07/24
 - m. Red Jacket, Container Wall Section (for 1 Container), Job No. 6061, Date: 12/07/24
 - n. Red Jacket, Container Wall Elevation (for 1 Container), Job No. 6061, Date: 12/07/24
 - o. BTW Company, Preliminary Site Investigation, 1220 Devon Road, Bell Block, New Plymouth, Rev A1 - 17/12/2024
 - p. BTW Company, NPPC Indicative Stormwater Treatment System Plan, 1220 Devon Road, Bell Block, New Plymouth, Drawing 230984-EV-03, Sheet 1, Revision 0, Drawn: 18/05/2026
 - q. BTW Company, Staging Plans, Drawing 230984.00-03, Sheets ST01-ST06, Revision A, Plot Date: 26/05/2026
 - r. Pistol New Zealand: New Plymouth Pistol Club Inc., *Range Standing Orders*, dated 26 July 2024 (and any subsequent amendments approved in accordance with those orders).
2. Where there is any conflict or inconsistency between the plans and documents listed above and the conditions of this consent, the conditions of this consent take precedence.

Monitoring Costs

3. Pursuant to Section 36 of the Resource Management Act 1991 the Consent Holder must pay the actual and reasonable costs incurred by the Council when monitoring the conditions of this consent.

Management Plan Certification

4. Prior to submitting or amending any management plan for certification, consultation must be undertaken with Puketapu Hapū. Any comments by Puketapu Hapū must be incorporated in the management plan; or, when the management plan is submitted for certification, the comments must be provided with reasons why the comments have not been accepted (in whole or in part).

Puketapu Hapū must be given a minimum of 15 working days from the date the draft plan is provided to respond with any comments. If no comments are received within that timeframe, the consent holder may proceed to submit the management plan for certification.

5. The Council may certify or decline to certify a management plan. Should the Council decline to certify a management plan it will provide clear reasons why, and the Consent Holder must resubmit a revised plan in accordance with the following process:
 - a. Within 10 working days of being notified of the Council's decision to not certify the management plan, the Consent Holder must submit a revised management plan for certification by the Council.
 - b. The Council may certify or decline to certify the revised management plan.
6. The Consent Holder must submit a revised management plan, repeating the process until the Council certifies the management plan. Alternatively, should certification of the revised plan be again withheld then the Consent Holder may engage a suitably qualified mutually acceptable independent person for resolution of the matters of dispute and his or her decision on those matters shall be final. The costs of dispute resolution must be met by the Consent Holder.
7. No works may commence until certification is given. All works must be carried out in general accordance with the material certified in accordance with condition 5.

Earthworks

Erosion and Sediment Control

8. The Consent Holder must submit an Erosion and Sediment Control Plan (**ESCP**) to Council's Monitoring Supervisor for certification prior to the commencement of any earthworks. The purpose of the ESCP is to provide the principles, methodologies and procedures to minimise the adverse effects of earthworks and ground disturbance, including the discharge of sediment-laden runoff, on the receiving environment.
9. The Consent Holder must ensure that the erosion and sediment control measures shown in the certified ESCP (based on BTW Company, Drawing 230984.02, Sheet GD05, Revision B1, Plot Date: 12/06/2026) are implemented prior to commencement of the acoustic mitigation works authorised by this consent.
10. The erosion and sediment control measures must be maintained for the full duration of the earthworks and must not be removed without prior certification from the Council that the surface is considered stabilised against erosion.
11. Any update to the ESCP must be submitted to the Council's Monitoring Supervisor for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified.

Site Stabilisation

12. For each stage of earthworks identified in the Staging Plans (Drawing 230984.00-03, Sheets ST01-ST06, Revision A), the earthworks area must be stabilised as soon as practicable following completion of that stage, and in all cases within six months, by either being:
- a. Stabilised, filled, recontoured and revegetated to achieve at least 80% ground cover in a manner consistent with the surrounding land; or
 - b. Sealed, paved, metalled or built over.

For avoidance of doubt, the six-month timeframe applies except where a shorter timeframe is specified in a management plan that has been certified for the relevant earthworks area, in which case the certified management plan timeframe must apply.

Cultural Monitoring and Discovery Protocol

13. No less than 14 working days prior to earthworks for the acoustic mitigation works commencing on site, the consent holder must advise Puketapu Hapū of the intention to undertake earthworks, so that they may provide a monitor for on-site cultural monitoring during earthworks at their discretion.
14. In the event of discovery of kōiwi tangata, wāhi tapu, wāhi taonga, artefacts, or archaeological material, all works must cease immediately, the area must be secured and cordoned off, and no works may recommence until written approval is provided by Puketapu Hapū, Heritage New Zealand Pouhere Taonga, and where relevant, New Zealand Police and the Coroner. A qualified archaeologist must attend the site, and sufficient time must be provided for tikanga, karakia, and cultural processes as determined by Hapū.

Puketapu Hapū representatives must determine the appropriate tikanga and processes relating to:

- a. Handling
- b. Protection
- c. Preservation
- d. Removal; and/or
- e. Reinternment of kōiwi tangata.

Operational Controls and Construction Timing

15. From the date of commencement of this consent, the Consent Holder must operate the site in a controlled manner as follows:

- a. Shooting activity across all ranges must be limited to .22 rimfire firearms, except as provided for in (b) below.
- b. Suppressed centrefire firearms may be used on Range 8.
- c. Range 1 must not be used more than once per calendar month prior to the Range 1 bund removal, following which no shooting will occur on Range 1.

These restrictions apply unless and until modified in accordance with condition 16.

16. The operational restrictions in condition 15 apply until the Consent Holder demonstrates, by way of the attended noise measurement campaign required under condition 36, that:

- a. The relevant stage of acoustic mitigation works has been completed or that temporary mitigation measures are in place, and in either case achieve the following noise levels at the notional boundary of the secondary dwelling at 1222 Devon Road (Lot 1 DP 18372):
 - i. 83 dB LZpeak log-average when shooting from Range 1.
 - ii. 81 dB LZpeak log-average when shooting from Ranges 2-8.
- b. Compliance with the Composite Noise Rating (**CNR**) 90 limit in condition 32 can be achieved under the proposed operation.

For the avoidance of doubt:

- c. Temporary mitigation measures may include, but are not limited to, limitations on firearm types or ammunition, partial use of ranges, reduced shooting frequency, bunding or temporary acoustic barriers.
- d. Any temporary mitigation measures must be documented and implemented prior to the attended noise measurement campaign, and must be demonstrated through that campaign to achieve the noise limits specified in this condition.
- e. The operational restrictions in condition 15 may be lifted progressively on a range-by-range basis where the above requirements are met.

17. If at any time the Consent Holder is unable to demonstrate compliance with the CNR 90 limit in condition 32, the Consent Holder must immediately restrict shooting

activity to that which achieves compliance, including, if necessary, reverting to the operational restrictions specified in condition 15.

18. Except for .22 rimfire use, following completion of the acoustic mitigation works for Range 1 (Stage/Year 5), the use of Range 1 must be limited to no more than two days per calendar month.

Implementation of Acoustic Mitigation Works

19. The Consent Holder must progressively implement the acoustic mitigation works in general accordance with the Staging Plans (BTW Company, Drawing 230984.00-03, Sheets ST01-ST06, Revision A) including:
 - a. Installation of container-based acoustic barriers.
 - b. Berm modification and range separation works.
 - c. Construction of timber or other acoustic barrier structures.
 - d. Any other mitigation measures required to achieve compliance with conditions 16 and 32.
20. The Range 1 acoustic wall must be set back a minimum distance of 10 m from the true left bank of the unnamed tributary of the Mangaoraka Stream.
21. The construction methodology for the Range 1 acoustic wall must be confirmed at the time of detailed design and may consist of a container wall, sheet piling or combination of both.
22. All acoustic mitigation works must be completed within 6 years of the date of grant of this consent.
23. Within 3 months of the commencement of this consent, the Consent Holder must provide to the Council's Monitoring Supervisor a construction and implementation programme outlining the sequencing and indicative timeframes for completion of the acoustic mitigation works.

Noise Management

Hours of Operation

24. Firearms must not be discharged at the Club outside the following hours:
 - a. Summer (Daylight Saving Time):

- i. Monday, Tuesday, Wednesday, Friday and Saturday: 0900-1900 hours, except that the New Zealand Police (**Police**) or Armed Offenders Squad (**AOS**) may use the facility between 1900-2100 hours for low-light training.
 - ii. Thursday: 0900-2100 hours.
 - iii. Sunday: 0900-1700 hours.
- b. Winter (Non-Daylight Saving Time):
- i. Monday, Tuesday, Wednesday, Friday and Saturday: 0900-1700 hours, except that the Police or AOS may use the facility between 1700-2000 hours for low-light training.
 - ii. Thursday: 0900-2000 hours.
 - iii. Sunday: 0900-1700 hours.
- c. The total number of occasions on which the Police or AOS may undertake low-light training is limited to 12 per calendar year.

Except that no firearms must be discharged on the following days / public holidays:

- d. Good Friday.
- e. ANZAC Day (25 April).
- f. Christmas Eve, Christmas Day and Boxing Day.

Low Noise Activity

25. Periods of low noise must be maintained at the Club between 1200-1500 hours Monday to Friday (during Summer and Winter) and between 1700-1900 hours on Saturdays (during Summer). Except that on days where Police or AOS use occurs, periods of low noise must be maintained at the Club between 1500-1800 hours during Summer and 1400-1700 hours during Winter.
26. Any firearm used at the Club, excluding Police and AOS firearms, must be certified by the Noise Management Officer prior to use as either low noise or other. Certification must involve the measurement of noise while the firearm is discharged from the normal shooting position(s) on each range. For the purposes of this condition, certification must be by reference to the firearm's type (centrefire or rimfire) and serial number. The Consent Holder must keep an accurate record of the daily firearm usage (shooting) on each range by retaining certificate information that

includes firearm type and noise measurement, for at least the previous month, and make that information available to the Council within 10 working days upon request.

Events

27. Up to four times per year, the Consent Holder may hold a two-day event where the low noise restriction in condition 25 does not apply. These events must be published on the Club website at least one month in advance. The occupiers of 1222 Devon Road (Lot 1 DP 18372) must be notified by email at least one month in advance. Records of notification must be provided to the Council's Monitoring Supervisor within five working days of any written (including email) Council request.

28. Up to two times per calendar year the Consent Holder may hold a three-day event where the CNR restriction in condition 32 and the low noise restriction in condition 25 do not apply.

These events must be published on the Club website at least one month in advance. The occupiers of 1222 Devon Road (Lot 1 DP 18372) must be notified by email at least one month in advance. Records of notification must be provided to the Council's Monitoring Supervisor within five working days of any written (including email) Council request.

Advice Note: *Three-day events may be held during the staged development of acoustic mitigation works. Condition 15 applies to any ranges where acoustic mitigation works have not been completed.*

29. For any three-day event for which the CNR restriction does not apply under condition 28, no firearms must be discharged at the Club for a continuous period of three days, either:

- a. immediately prior to the commencement of the event; or
- b. commencing on the day following the final day of the event.

The Consent Holder must nominate which option will apply at the time of notifying the event.

For the avoidance of doubt, this restriction applies to all Police and AOS use.

New Zealand Police and Armed Offenders Squad Use

30. Police and AOS use of the facility must not exceed 52 days per calendar year in total.

31. The Consent Holder must notify the Council's Monitoring Supervisor by email of all Police or AOS shooting dates and times at the time a booking is confirmed. Except in the case of Police Reintegration Programme requirements, such notice must be provided to Council's Monitoring Supervisor at least 10 days in advance of that use. The occupier of 1222 Devon Road (Lot 1 DP 18372) must also be provided with notice of those dates and times by email at least 10 days in advance of that use.

Noise Limits, Monitoring and Verification

32. Firearm noise generated at the Club must not exceed a Composite Noise Rating (CNR) of 90 at any point within the notional boundary of residential dwellings at 1209 Devon Road (Lot 1 DP 16176) and 1222 Devon Road (Lot 1 DP 18372), on any day, except for events provided for in condition 28. Noise from site activity must be measured in accordance with NZS 6801:2008. CNR is to be calculated as follows:

$$CNR = Y + 10 \log_{10} N + 10 \log_{10} T - 25$$

Where:

- *Y is the log-average LZpeak level for all recorded shots over the day received at the notional boundary of any dwelling*
 - *N is the number of shots over the day detected by noise monitoring system required by conditions 33 and 34*
 - *T is the proportion of the permitted shooting period represented by the time between the first and last shot fired on the day as detected by the noise monitoring system required by conditions 33 and 34*
33. Prior to the commencement of this consent, the Consent Holder must install and operate a temporary noise monitoring system capable of measuring and recording gunshot noise levels for the purpose of verifying compliance with condition 32. The temporary noise monitoring system must be in place until the permanent Class 1 sound level meter required in condition 34 is operational.

For the purpose of verifying compliance with condition 32 while the temporary noise monitoring system is in use, the parameters Y, N and T may be derived from the recorded data obtained from that system, including through post-processing of recorded data to identify individual gunshots and calculate the required components of the CNR.

34. Within 3 months of the date of grant of this consent, the Consent Holder must install and maintain a permanent Class 1 sound level meter (capable of capturing real time data in accordance with NZS6801:2008) and associated infrastructure at a location representative of the nearest residential receiver.

The Consent Holder must provide to the Council's Monitoring Supervisor, on a monthly basis from the date of installation until 12 months after completion of the acoustic mitigation works, a log of gunshots recorded over that month, including the number of shots fired on each day.

The system must also be capable of retaining a continuous record of at least the previous 14 days, which must be made available to the Council immediately upon request.

35. The noise monitoring systems required by conditions 33 and 34 must be located at or adjacent to the notional boundary of a residential receiver used to assess compliance with condition 32, or at another location that is representative of those receivers, as determined by a suitably qualified and experienced acoustic practitioner and agreed in writing by Council.
36. Within 3 months of the completion of each stage of the acoustic mitigation works, the Consent Holder must engage a suitably qualified and experienced acoustic practitioner who must:
 - a. Undertake an attended noise measurement campaign to determine the effectiveness of the acoustic mitigation works (required under condition 19), and a sample of the LZpeak and CNR noise levels being received at the notional boundaries of dwellings at the following receivers:
 - i. 1209 Devon Road (Lot 1 DP 16176)
 - ii. 1222 Devon Road (Lot 1 DP 18372)
 - b. If necessary, make any recommendations for changes to the Noise Management Plan (**NMP**) in condition 43 to ensure the CNR 90 limit continues to be met.
 - c. The Consent Holder must provide written confirmation to Council's Monitoring Supervisor identifying the ranges assessed and whether they have been demonstrated to comply with condition 16, within five working days of receipt of the noise measurement campaign results.
 - d. Should the suitably qualified and experienced acoustic practitioner make recommendations for changes to the NMP:
 - i. the Consent Holder must, within 15 working days, submit to Council's Monitoring Supervisor a revised NMP containing the practitioner's suggested amendments, or reasons why the suggested amendments

have not been accepted, in which case alternative amendments must be submitted.

- ii. The certification process in conditions 4-6 must be followed prior to the range being considered to comply with condition 32.

Advice Note: *Compliance with this condition may be staged for different ranges, as anticipated by condition 16. Condition 15 applies until such time as ranges have been determined as compliant with condition 16 by a suitably qualified and experienced acoustic practitioner.*

Range Management

37. The Consent Holder must install and maintain a sign within the clubroom building that displays, in real time, the number of shots fired each day, as recorded by the permanent sound level monitoring system required by condition 34.

For avoidance of doubt, this condition requirement does not apply to the temporary noise monitoring system under condition 33.

38. The total number of shots fired per day across all outdoor ranges must not exceed:
 - a. Monday-Saturday: 2,700.
 - b. Sunday: 3,500.

Exception – AOS:

The limit in (a) may be exceeded on one (1) day per calendar month when AOS training occurs, provided the total number of shots fired on that day does not exceed 3,500 shots.

39. The Consent Holder must on a continuous basis maintain records of the number of visitors to the site per day and the purpose of their visit, and a copy of such records must be provided to Council's Monitoring Supervisor within five working days of any written (including email) Council request, except that personal details (persons' names) need not be provided.
40. When the number of recorded shots fired in a day reaches:
 - a. 2,000 on Monday–Saturday; or
 - b. 2,500 on Sunday,

a warning notification must be sent to the Noise Management Officer via the Class 1 sound level meter required by condition 34, and the Noise Management Officer must ensure that the limits in condition 38 are not exceeded for that day.

For the avoidance of doubt, on the one (1) day per calendar month when the AOS exception in condition 38 applies, the warning notification must be triggered at 2,500 shots.

41. When the number of shots fired in a day reaches:

- a. 2,700 on Monday–Saturday; or
- b. 3,500 on Sunday,

a notification must be sent via the Class 1 sound level meter required by condition 34 to the Noise Management Officer and Council’s Monitoring Supervisor.

An on-site warning system must also be triggered at the same time, alerting users of the shooting ranges that the daily shot limit has been reached.

The Noise Management Officer must immediately require all shooting of firearms to cease, and shooting must not recommence until the following day.

For the avoidance of doubt, on the one (1) day per calendar month when the AOS exception in condition 38 applies, the warning notification must be triggered at 3,500 shots.

42. Upon the CNR reaching 88 on any day, a warning notification must be sent to the Noise Management Officer, *via* the Class 1 sound level meter system required by condition 34, and the Noise Management Officer must ensure that CNR 90 is not exceeded for that day.

Noise Management Plan

43. A NMP must be prepared for the site by a suitably qualified and experienced acoustic practitioner and be submitted to Council’s Monitoring Supervisor for certification within 3 months of the date of the grant of this consent. The purpose of the NMP is to establish the procedures, controls, and monitoring measures necessary to ensure that noise effects generated by the activity are appropriately managed, and that compliance with the noise limits and operational restrictions set out in this consent is achieved on an ongoing basis.

44. The NMP must contain, but not be limited to:

- a. Processes to ensure that those who discharge firearms on the site are familiar with and required to abide by the procedures set down in the NMP.
 - b. Processes to ensure the CNR 90 limit is complied with, including during the period when the acoustic mitigation works are only partially complete.
 - c. Processes to ensure the acoustic mitigation works, once complete, are inspected and kept in adequate functional condition.
 - d. Details around how the noise monitoring required by condition 34 is to be conducted.
 - e. Details around how the Consent Holder will regulate the level of activity at the Club day-to-day, to ensure the CNR 90 limit is not exceeded.
 - f. Details around the permanent Class 1 sound level meter which is to be installed, and who will be responsible for its upkeep.
 - g. The requirement for a Noise Management Officer responsible for implementation of the NMP, and details of their duties, including the keeping of noise log documentation and submission to Council upon request.
 - h. Processes relating to community relations and communications, and periodic review of the NMP.
 - i. Procedure for maintaining a register of complaints received and a record of the Club's responses and any remedial actions undertaken.
45. Any amendments to the NMP must be submitted to Council's Monitoring Supervisor for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified.

Entrance Corridor Planting

46. The existing planting strips adjoining Devon Road and the site entrance as shown in the Planting Plan (BTW Company, Drawing 230984.02, Sheet GD06, Revision B2, Plot Date: 12/06/2026) must be retained and maintained. Any vegetation within this planting strip that dies, becomes diseased, or is removed must be replaced within the next planting season (May–September) with plant species of similar height, density, and character to those removed, to the satisfaction of Council.

Riparian Planting

47. The Consent Holder must establish and maintain a minimum 10 m wide riparian planting margin along both sides of the unnamed tributary (or to the legal boundary where less than 10 m) as shown in the Planting Plan (BTW Company, Drawing 230984.02, Sheet GD06, Revision B1, Plot Date: 05/03/2026).
48. Planting and any associated fencing within the riparian planting margin must be established in the first planting season (May–October) following the completion of Range 1 bund removal works in Stage/Year 1.
49. Planting within the riparian planting margin should be undertaken using eco-sourced indigenous species appropriate to the Coastal and Semi-Coastal Bioclimatic Zone, consistent with *Restoration Planting in Taranaki: A Guide to the Egmont Ecological District*. Where practical, planting should include species with recognised bioremediation capability for stabilising or uptaking lead and other metals, including indigenous species with phytoremediation potential.
50. The riparian planting margin must be maintained for a minimum 5-year period or until canopy closure is achieved, whichever occurs first. Maintenance must include:
 - a. Regular weed control.
 - b. Pest animal control where required.
 - c. Infill planting to maintain densities.
 - d. Post-storm inspections and remedial planting if necessary.
51. Any plants within the riparian planting margin that die, become diseased, fail to establish, or are removed must be replaced in the next planting season (May–October) with the same or a similar species.

Contaminated Land

Site Management Plan

52. A Site Management Plan (**SMP**) must be prepared by a suitably qualified and experienced practitioner in accordance with the current edition of the Ministry for Environment Contaminated Land Management Guidelines No.1 – Reporting on Contaminated Sites in New Zealand. The SMP must be submitted to Council's Monitoring Supervisor for certification at least 10 working days prior to commencing soil disturbance.
53. The purpose of the SMP is to detail the procedures, controls and contingency measures that must be implemented for the duration of the works to protect human health and the environment by ensuring exposure pathways are minimised for the

duration of the soil disturbance works authorised by this consent. The SMP must include, but not be limited to:

- a. Erosion and sediment controls preventing migration of contaminants to surface water or groundwater.
- b. Environmental controls for stockpiling of soil.
- c. Procedures to minimise on-site contaminant dispersal.
- d. Procedures for the safe handling, decontamination, and management of tires.
- e. Unexpected contamination discovery protocols.
- f. Transport and disposal procedures for any material transported off-site.
- g. Methodology of any soil management on-site in creating any new bund.
- h. Soil testing requirements as a result of unexpected discoveries or off-site soil disposal.
- i. Worker health and safety measures, including PPE, hygiene, and training for handling contaminated materials.

54. Soil disturbance works must be undertaken in accordance with the approved SMP. The procedures, controls and contingency measures set out in the SMP must be implemented for the duration of the soil disturbance works.

55. Any amendments to the SMP must be submitted to Council's Monitoring Supervisor for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified.

56. All material removed from the site in the course of the soil disturbance works must be disposed of to a suitably licensed facility authorised for receipt of material of that kind.

57. If unexpected conditions, such as staining, odorous material, are encountered during the soil disturbance works; work in that area must cease and Council's Monitoring Supervisor must be notified. Unexpected contamination and contingency measures must be overseen and assessed by a suitably qualified and experienced practitioner.

Ongoing Site Management Plan

58. An Ongoing Site Management Plan (**OSMP**) must be prepared by a suitably qualified and experienced practitioner in accordance with the current edition of the Ministry for

Environment Contaminated Land Management Guidelines No.1 – Reporting on Contaminated Sites in New Zealand to control management of relocated contaminated soil (including the fill area to the west of Range 7) and future activities within the activity area. The purpose of the OSMP is to provide for the ongoing management of contaminated soils remaining on site following completion of acoustic mitigation works, including controls on future soil disturbance, site use (including lead management measures), and worker exposure, to ensure that risks to human health and the environment are appropriately avoided, remedied, or mitigated.

59. The OSMP must be submitted to Council’s Monitoring Supervisor for certification within 20 days of the completion of the soil disturbance works.
60. Any amendments to the OSMP must be submitted to the Council’s Monitoring Supervisor for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified

Work Summary Report

61. Within three months of the completion of the soil disturbance works, a work summary report must be provided to the Council’s Monitoring Supervisor which must include:
 - a. The approximate location and dimensions of soil disturbance carried out including a relevant site plan and photographs.
 - b. Records of any unexpected discoveries encountered during the works and the actions taken to address them.
 - c. Results of validation testing, soil sampling or material sampling.
 - d. Disposal dockets for any soil or materials removed from site.
 - e. Confirmation that the works were carried out in accordance with the approved SMP.
 - f. Recommendations or requirements for ongoing monitoring or management.

Monitoring

62. A Surface Water and Sediment Monitoring Plan (**SWSMP**) must be prepared by a suitably qualified and experienced practitioner and be submitted to Council’s Monitoring Supervisor for certification at least 10 working days prior to the commencement of soil disturbance. The purpose of the SWSMP is to ensure potential adverse effects on surface water and the unnamed tributary of the

Mangaoraka Stream arising from soil disturbance activity associated with acoustic mitigation works, are appropriately avoided, remedied, or mitigated.

63. The SWSMP must include, but not be limited to:

- a. Sampling locations (upstream, downstream, and adjacent to the bund area).
- b. Parameters including, at minimum: lead, copper, zinc, arsenic, antimony, pH, suspended sediment, and any other contaminants of concern identified in prior investigations.
- c. Outline protocols for stream sediment sampling and analysis.
- d. Frequency of monitoring:
 - i. During earthworks: at least monthly and following defined rainfall trigger events.
 - ii. Post-earthworks: quarterly for a minimum of 12 months following completion of acoustic mitigation works.

64. All monitoring results must be provided to Council's Monitoring Supervisor and Puketapu Hapū on a quarterly basis for the duration of the monitoring period.

65. Trigger values must be based on the Australian and New Zealand Guidelines for Fresh & Marine Water Quality (**ANZG**) 95% freshwater protection. Any exceedance of trigger values must be reported within 48 hours (to allow for laboratory confirmation of the validated sample result), to include:

- a. Likely cause(s) of the exceedance.
- b. Immediate mitigation actions undertaken to avoid or minimise further contaminant discharges.
- c. Proposed corrective actions to avoid recurrence of the exceedance.

Where an exceedance of trigger values occurs, the Consent Holder must:

- d. Undertake an investigation into the cause of the exceedance, including:
 - i. Comparison with all prior monitoring results to identify any trends in the data;

- ii. Inspection of erosion and sediment controls and stormwater management systems;
 - iii. Inspection of any relevant areas of soil disturbance;
- e. Implement appropriate corrective actions as soon as practicable, which may include, but are not limited to:
 - i. Maintenance, repair or upgrade of erosion and sediment control measures;
 - ii. Modification of earthworks practices, staging, or site stabilisation methods;
 - iii. Improvement to stormwater treatment or containment measures;
- f. Undertake additional monitoring, where necessary, to confirm the effectiveness of the corrective actions implemented; and
- g. Provide a written update to Council's Monitoring Supervisor within 20 working days outlining the outcomes of the investigation, actions taken, and any further measures required to ensure ongoing compliance.

66. Any amendment to the SWSMP must be submitted to Council's Monitoring Supervisor for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified.

Stormwater Treatment System

67. Stormwater runoff from the site must be managed to avoid, remedy, or mitigate the discharge of contaminants, including heavy metals, to the unnamed tributary of the Mangaoraka Stream.
68. The Consent Holder must design, install, operate, and maintain engineered stormwater treatment systems to treat stormwater runoff from areas of soil disturbance and contaminated soils, to reduce concentrations of heavy metals prior to discharge as required to achieve compliance with ANZG 95% freshwater protection values.
69. Any exceedance of the ANZG trigger values referred to in condition 65 attributable to stormwater discharges from the site must be managed in accordance with condition 65.

Advice note: For the avoidance of doubt, condition 65(e)(iii) is the relevant corrective action for stormwater treatment systems.

70. All stormwater treatment systems must be operated and maintained for the duration of the activity to ensure ongoing effectiveness in reducing heavy metal concentrations in stormwater prior to discharge.

Review Condition

71. Pursuant to section 128(1) of the Resource Management Act 1991, the Council may serve notice of its intention to review the conditions of this consent within three months following each anniversary of the date of commencement of this consent, for any of the following purposes:

- a. To address any adverse effects on the environment arising from the exercise of this consent that were not foreseen at the time of granting the consent, including (but not limited to) noise effects; or
- b. To address any inaccuracies contained in the information provided with the application that materially influenced the decision to grant consent, and where, as a result, it is necessary to impose more appropriate conditions.

Advice notes

- a) This consent lapses on 6 years from the grant of consent unless the consent is given effect to before that date; or unless an application is made before the expiry of that date for Council to grant an extension of time. An application for an extension of time will be subject to the provisions of section 125 of the Resource Management Act 1991.