

**Before the Independent Hearing Commissioners  
appointed by New Plymouth District Council**

**Under** the Resource Management Act 1991

**In the matter of** hearing on the resource consent application by the New Plymouth Pistol Club Inc for a land use resource consent for the use of a gun range and associated facilities within the General Industrial Zone on the existing site at 228 De Havilland Drive & 1206 Devon Road (LUC24-48583)

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**Joint Statement of Planning Experts**

**Date:** 4 June 2026

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## INTRODUCTION

1 This Joint Witness Statement relates to expert planner conferencing. The expert conferencing was held in person on Wednesday 27 May and Wednesday 3 June 2026.

2 Attendees at the conferencing were:

- Campbell Robinson (New Plymouth District Council)
- Aaron Edwards (New Plymouth Pistol Club Inc)
- Rowan Williams (Puketapu Hapū).

## CODE OF CONDUCT

3 This joint statement is prepared in accordance with section 9.4 of the Environment Court Practice Note 2023. We confirm that we have read the Environment Court Practice Note 2023 and agree to abide by it.

## PURPOSE AND SCOPE OF CONFERENCING

4 The purpose of conferencing was to address conditions and produce a Joint Witness Statement (**JWS**) to highlight points of agreement and disagreement. The Panel specifically requested that the three planners address a condition option relating to a three-day respite period following major events (addressed under condition 28 in Annexure A).

5 The Panel also requested that the planners collaborate on a table comparing three cases cited by Dr. Trevathan in his evidence in chief to form as part of the JWS (attached as Annexure B). These cases were:

- Loaded NZ Western Bay of Plenty case (Brooks v Western Bay of Plenty District [2011] NZEnvC 216)
- Harvey v Nelson City Council [2011] NZEnvC 98
- Davis v Gisborne District Council [2020] NZEnvC 74 interim decision and Davis v Gisborne District Council [2020] NZEnvC 116 final decision.

6 The purpose of the Table B1 below is to compare each case using the following metrics:

- Predicted or requested LAFmax dB
- CNR limit
- Total number of rounds fired per week
- Hours of shooting
- Nearest dwelling
- Activity status

7 The New Plymouth Pistol Club (**the Club**) held a meeting with New Zealand Police (**Police**) representatives on Tuesday 2 June, consistent with direction in Panel Minute 3. Panel direction sought that the Club address Police input in its closing reply. In order to assist the Panel, the planners agreed to consider proposed changes to conditions that reflect Police input, to the extent practical given the limited timeframes.

8 The following proposed condition sets have been prepared and submitted on behalf of the Club during the course of the application:

8.1 LUC24/48583: RESOURCE CONSENT CONDITIONS – DRAFT:

This condition set was issued to NPDC and Puketapu Hapū on 2 February 2026. A copy of the condition set was not provided to Mr Phillips directly by either the Club or NPDC. No feedback was received from NPDC or Puketapu Hapū prior to the hearing.

8.2 LUC24/48583: RESOURCE CONSENT CONDITIONS – DRAFT – REV 1:

Rev 1 condition set was issued to NPDC and Puketapu Hapū on 5 March 2026. A copy of the condition set was not provided to Mr Phillips directly by either the Club or NPDC. The condition set was updated to reference an updated plan set prepared by BTW Company. No feedback was received from NPDC or Puketapu Hapū prior to the hearing. This condition set was included in the evidence of Mr Edwards dated 4 May 2026.

8.3 RECOMMENDED CONDITIONS OF CONSENT LUC24/48583 - REV 1B:

Rev 1B condition set was included in the addendum statement of evidence of Mr Edwards dated 18 May 2026 and provided separately to

the Hearings Coordinator in track change and clean versions. The conditions were updated in response to NPDC section 42A reporting and submitter evidence.

8.4 RECOMMENDED CONDITIONS OF CONSENT LUC24/48583 - REV 1C:

Rev 1C condition set was issued to the Hearings Coordinator on 20 May 2026, tabled on day 2 of the hearing in response to matters raised on day 1 of the hearing.

8.5 RECOMMENDED CONDITIONS OF CONSENT LUC24/48583 - REV 2:

Rev 2 condition set was issued to Mr Robinson and Ms Williams on 26 May 2026 prior to conferencing on 27 May 2026. A copy of the condition set was not provided to Mr Phillips. The condition set was updated following the adjournment of the hearing, addressing key matters raised during the hearing to include specific comments provided by the Panel.

8.6 RECOMMENDED CONDITIONS OF CONSENT LUC24/48583 - REV 2A:

Rev 2A condition set was issued to Mr Robinson and Ms Williams on 3 June 2026 prior to conferencing on the same day. A copy of the condition set was not provided to Mr Phillips. The condition set was updated following the meeting with the Police on 2 June 2026.

9 The nature of the application has been dynamic, with proposed conditions evolving as hearing stages progress. The three planners have worked pragmatically to conference updated conditions/sets where able, noting that some amendments require expert input in order for the planner to form a final opinion.

10 Annexure A records our responses to each condition, and notes agreement or otherwise.

11 Annexure B records our table comparing other relevant cases.

12 Annexure C provides a copy of condition set Rev 2 as provided to Mr Robinson and Ms Williams.

13 Annexure D provides a copy of condition set Rev 2A as provided to Mr Robinson and Ms Williams.

Date: 4 June 2026




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Campbell Robinson



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Aaron Edwards



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Rowan Williams

## **ANNEXURE A: CONDITION CONFERENCING**

**Table A1: Joint Witness Statement – Condition Conferencing**

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<b>Decision Section</b>					
As per condition set 2A	Generally fit for purpose, subject to any consequential changes to conditions.	Agree	No comment	Yes	Yes, subject to any consequential changes to conditions.
<b>Part A: Definitions</b>					
As per condition set 2A	Generally fit for purpose, subject to any consequential changes to conditions.	Agree	No comment	Yes	Yes, subject to any consequential changes to conditions.
<b>Part B: Conditions</b>					
1. The activity subject to this consent must be as described within the application LUC24/48583 received by the council on 2 August 2024 and further information received on 6 December 2024 and 17 December 2024 and be generally in accordance with the	Agree condition is satisfactory, to note the condition does not include undefined future mitigations in relation to the FUZ and that the applicant accepts that some of the mitigations may require resource	Agree  Note: Mr Robinson has advised conditions requiring documentation to be submitted to Council should be addressed to the 'Council Monitoring	Agree	Yes	Yes  Agree to remove:  <del>o. BTW Company;</del> <del>Erosion and</del> <del>Sediment Control</del>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>following plans and documents except as amended by the conditions below:</p> <p>a. BTW Company, Activity Area/Location Plan, Drawing 230984.02, Sheet GD00, Revision B1, Plot Date: 05/03/2026</p> <p>b. BTW Company, Existing Site Plan, Drawing 230984.02, Sheet GD01, Revision B1, Plot Date: 05/03/2026</p> <p>c. BTW Company, Concept Range, Drawing 230984.02, Sheet GD02, Revision B1, Plot Date: 05/03/2026</p> <p>d. BTW Company, Typical Sections, Drawing 230984.02, Sheet GD03, Revision B1, Plot Date: 05/03/2026</p> <p>e. BTW Company, Earthworks Plan, Drawing 230984.02, Sheet</p>	<p>consent under TRC consent requirements.</p> <p>ESCP submitted with the application is effectively superseded by certification requirement under condition 7 – therefore (o) not necessary and could be removed:</p> <p><del>o. BTW Company, Erosion and Sediment Control Plan, 20 October 2025</del></p>	<p>Supervisor'. Conditions will be updated accordingly with the right of reply.</p>			<p><del>Plan, 20 October 2025</del></p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>GD04, Revision B1, Plot Date: 05/03/2026</p> <p>f. BTW Company, Erosion and Sediment Control Plan, Drawing 230984.02, Sheet GD05, Revision B1, Plot Date: 05/03/2026</p> <p>g. BTW Company, Planting Plan, Drawing 230984.02, Sheet GD06, Revision B1, Plot Date: 05/03/2026</p> <p>h. BTW Company, Groundwater Plan and Longsection, Drawing 230984.02, Sheet GD07, Revision B1, Plot Date: 05/03/2026</p> <p>i. ShedEx, Site Plan, Drawing No. SCH1, Date: 17/07/24</p> <p>j. ShedEx, Proposed Floor Plan, Drawing No. SCH2, Date: 17/07/24</p>					

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>k. ShedEx, Elevations, Drawing No. SCH3, Date: 17/07/24</p> <p>l. Red Jacket, Wall Type 1, Job No. 6061, Date: 12/07/24</p> <p>m. Red Jacket, Container Wall Section (for 1 Container), Job No. 6061, Date: 12/07/24</p> <p>n. Red Jacket, Container Wall Elevation (for 1 Container), Job No. 6061, Date: 12/07/24</p> <p>o. BTW Company, Erosion and Sediment Control Plan, 20 October 2025</p> <p>p. BTW Company, Preliminary Site Investigation, 1220 Devon Road, Bell Block, New Plymouth, Rev A1 - 17/12/2024</p> <p>q. BTW Company, NPPC Indicative Stormwater Treatment System Plan, 1220 Devon Road, Bell Block, New Plymouth,</p>					

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>Drawing 230984-EV-03, Sheet 1, Revision 0, Drawn: 18/05/2026</p> <p>r. BTW Company, Staging Plans, Drawing 230984.00-03, Sheets ST01-ST06, Revision A, Plot Date: 26/05/2026</p> <p>s. Pistol New Zealand: New Plymouth Pistol Club Inc., <i>Range Standing Orders</i>, dated 26 July 2024 (and any subsequent amendments approved in accordance with those orders).</p>					
<p>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.</p>	Agree	Agree	Agree	Yes	Yes
<p>3. Pursuant to Section 36 of the Resource Management Act 1991 the Consent Holder must pay the actual and reasonable costs</p>	Agree	Agree	Agree	Yes	Yes

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
incurred by the New Plymouth District Council when monitoring the conditions of this consent.					
<p>4. 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:</p> <p>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.</p>	<p>4.b. not necessary</p> <p>Agree to add Puketapu consultation requirement for all management plans to be certified (as per agreed wording)</p>	<p>4.b. neutral</p> <p>Agree to additional condition proposed.</p>	<p>Puketapu agree to additional condition proposed.</p>	<p>Yes, in part</p>	<p>Agreed addition to include (as a new condition):</p> <p><i><u>Prior to submitting or amending any management plan for certification, consultation must be undertaken with Puketapu Hapū and any comments by Puketapu Hapū must be incorporated in the management plan or when the management plan is submitted for</u></i></p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
b. The Council may certify or decline to certify the revised management plan.					<i>certification the comments must be provided with reasons why the comments have not been accepted (in whole or in part).</i>
5. 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	Agree with the attempt to problem solve or avoid condition paralysis but it is unclear how this condition would integrate and be enabled by the roles and function of the Act.	Support condition in principle and maintain appropriate to engage independent resolution to avoid condition paralysis. I do not know what council delegations dictate and defer to the Panel for consideration.	Do not believe condition provides for the outcomes it is intending to achieve.	No	No

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
shall be met by the Consent Holder.					
6. No works shall commence until certification is given. All works shall be carried out in accordance with the material certified in accordance with condition 4.	Agree, addition of general accordance appropriate	Agree	Agree	Yes	Yes, add: <i>All works shall be carried out in general accordance</i>
7. The Consent Holder must submit an Erosion and Sediment Control Plan (ESCP) to Council 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.	Agree	Agree	Agree	Yes	Yes

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>8. 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) are implemented prior to commencement of the acoustic mitigation works authorised by this consent.</p>	<p>Include plot date consistent with 1(f)</p>	<p>Agree</p>	<p>Agree</p>	<p>Yes</p>	<p>Yes: Update with plot date: <i>based on BTW Company, Drawing 230984.02, Sheet GD05, Revision B1, Plot Date: <u>05/03/2026</u></i>  (Note: Similar updates should be made to other plan references in the condition set where the plot date has been omitted).</p>
<p>9. The erosion and sediment control measures must be maintained for the full duration of the acoustic mitigation works and must not be removed without prior certification from</p>	<p>Agree</p>	<p>Agree</p>	<p>Change ‘acoustic mitigation works’ to ‘earthworks’ to capture all potential earthworks that will</p>	<p>Yes</p>	<p>Yes: <i>The erosion and sediment control measures must be maintained for the full duration of the</i></p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
the Council that the surface is considered stabilised against erosion.			occur as part of the site redevelopment.		<i>acoustic mitigation works earthworks and must not be removed</i>
10. Any update to the ESCP must be submitted to Council for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified.	Agree	Agree	Agree	Yes	Yes
11. 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	Agree with amended wording, this is considered a general condition and deferring to the specific management plans is appropriate. Generally agree 6 months is too long and support 2 months.	Contaminated land management plans will appropriately manage/stabilise areas of contamination. Condition appropriate to manage general earthworks.	Concerned that the 6 month timeframe (as a general earthwork condition) would take precedence over other management plan directions.  Prefer not more than 6 weeks, open to not more than 2 months.	Yes	Agree with addition to clarify:  <i>For avoidance of doubt, management plans take precedence over this condition.</i>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
manner consistent with the surrounding land; or  b. Sealed, paved, metalled or built over.			6 months ok in areas of non-contamination.		
12. No less than 7 working days prior to earthworks for the 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.	Agree 14 day period appropriate.  Support monitoring of active earthworks and opportunities for mana whenua to actively participate in consenting. Payment or resourcing of monitoring can help to achieve that, but that compelling this via a condition is not agreed between the applicant and mana whenua.	Accept 14 day notification period.  Maintain condition generally appropriate. Have concerns around monitoring beyond earthworks, particularly extending to contaminated soil handling.  Amend Works to acoustic mitigation works for clarity:  <i>No less than 7 working days prior to earthworks for the <del>Works</del> <u>acoustic</u></i>	Puketapu operate standard agreements in relation to cultural monitoring noting the high discovery of cultural material that is discovered through earthworks in their rohe. This condition is consistently applied on consents where earthworks take place, noting that the condition has been modified slightly to target the nature of the activity applied for with the addition of 'bund	No	No

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
		<p><i>mitigation works commencing on site</i></p>	<p><i>disturbance, excavation, and contaminated soil handling activities?'</i></p> <p>Maintain right of reply:</p> <p><i>Puketapu Hapu shall be resourced by the consent holder to provide cultural monitors. Puketapu Hapū shall be notified 14 days prior to works commencing. Puketapu Hapū shall be present during all earthworks, bund disturbance, excavation, and contaminated soil handling activities.</i></p>		

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>13. If the consent holder discovers kōiwi tangata, waahi taonga (resources of importance), waahi tapu (places or features of special significance) or other Māori artefacts during the Works, the consent holder must without delay:</p> <p>a. Notify Te Kotahitanga o Te Atiawa, the Consent Authority, Heritage New Zealand Pouhere Taonga and in the case of kōiwi, the New Zealand Police.</p> <p>b. Stop work within the immediate vicinity of the discovery to allow a site inspection by Puketapu Hapū, Te Kotahitanga o Te Atiawa and Heritage New Zealand Pouhere Taonga, who must determine whether the discovery is likely to be extensive, if further site</p>	Agree	Agree	Update to wording in right of reply	Yes	<p>Agree to right of reply protocol:</p> <p><i><u>In the event of discovery of kōiwi tangata, wāhi tapu, wāhi taonga, artefacts, or archaeological material, all works shall cease immediately, the area shall be secured and cordoned off, and no works shall recommence until written approval is provided by Puketapu Hapū, Heritage New Zealand Pouhere Taonga, and where relevant, New Zealand Police and</u></i></p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>investigation is required, and whether an Archaeological Authority is required.</p> <p>c. Any kōiwi tangata discovered should be handled and removed by kaumatua responsible for the tikanga (custom) appropriate to their removal or preservation.</p> <p>d. Site work must only recommence following consultation with Puketapu Hapū, Te Kotahitanga o Te Atiawa, the Consent Authority, Heritage New Zealand Pouhere Taonga and in the case of kōiwi, the New Zealand Police.</p>					<p><i>the Coroner. A qualified archaeologist shall attend the site, and sufficient time shall be provided for tikanga, karakia, and cultural processes as determined by Hapū.”</i></p> <p><i>Puketapu Hapū representatives shall determine the appropriate tikanga and processes relating to:</i></p> <ul style="list-style-type: none"> <li><i>- Handling</i></li> <li><i>- Protection</i></li> <li><i>- Preservation</i></li> <li><i>- Removal and/or</i></li> </ul>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
					- <i>Reinternment of kōiwi tangata</i>
<p>14. From the date of commencement of this consent, the Consent Holder must operate the site in a controlled manner as follows:</p> <p>a. Shooting activity across all ranges must be limited to .22 rimfire firearms, except as provided for in (b) below.</p> <p>b. Suppressed centrefire firearms may be used on Range 8.</p> <p>c. Range 1 must not be used more than once per calendar month.</p> <p>These restrictions apply unless and until modified in accordance with condition [15].</p>	<p>General comment: for all of the noise conditions under Rev 2, Mr Ellerton has not had the chance to provide further advice to NPDC. He has provided a commentary of Rev 1C as outlined in his statement from 25 May 2026.</p> <p>Mr Ellerton commented that nothing in this condition should allow exceedance with Conditions 11 (CNR limit) and 19 (shot limit).</p> <p>Agree that appropriate that the Club have some ability to use the facility from the date of</p>	<p>Maintain condition appropriate to manage interim period.</p> <p>Condition intention is to reduce intensity, consistent with Puketapu position.</p>	<p>No expansion or intensification shall occur until all required physical mitigation work, bund removal work have been completed and independently verified as completed.</p>	<p>Yes, in part</p>	<p>Yes, in part.</p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	commencement with suitable controls.				
<p>15. The operational restrictions in condition [14] apply until the Consent Holder demonstrates, by way of the attended noise measurement campaign required under Condition [33], that:</p> <p>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):</p> <p>i. 83 dB LZpeak when shooting from Range 1.</p> <p>ii. 81 dB LZpeak when shooting from Ranges 2-8.</p>	<p>Noted that the condition introduces the ability for temporary mitigation measures instead of permanent acoustic mitigation. This introduces material doubt as to whether the predicted noise limits can be readily achieved. It appears to be a material departure from the previous mitigation strategy which included the use of both conditions/CNR and permanent physical mitigation.</p>	<p>Maintain condition including temporary measures appropriate to mitigate effects to the same noise level. Pragmatic approach to staged development reflected in the staging plans.</p>	No comment	No	No

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>b. Compliance with the Composite Noise Rating (CNR) 90 limit in condition [30] can be achieved under the proposed operation.</p> <p>For the avoidance of doubt:</p> <p>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.</p> <p>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.</p>					

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
e. The operational restrictions in condition [14] may be lifted progressively on a range-by-range basis where the above requirements are met.					
16. If at any time the Consent Holder is unable to demonstrate compliance with the CNR 90 limit in condition [30], the Consent Holder must immediately restrict shooting activity to that which achieves compliance, including, if necessary, reverting to the operational restrictions specified in condition [14].	Agree	Agree	No comment	Yes	Yes
17. 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.	Agree in principle subject to any further comment from Mr Ellerton.	Maintain appropriate to manage use of Range 1.	Agree, provided no impact to stormwater.	Yes (subject to)	Yes (subject to)

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>18. 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:</p> <p>a. Installation of container-based acoustic barriers.</p> <p>b. Berm modification and range separation works.</p> <p>c. Construction of timber or other acoustic barrier structures.</p> <p>d. Any other mitigation measures required to achieve compliance with conditions [15] and [30].</p>	<p>In principle acceptable, would question whether wording is consistent with the intent and flexibility under condition 15(a)(c)(d)(e).</p> <p>Consider conditions 18 and 22 could be combined (noting preference to retain 18(d) with final condition).</p>	<p>Maintain appropriate. Consider does not conflict with condition 15 temporary measures. Maintains directive to progress works.</p> <p>Agree conditions 18 and 22 could be combined.</p>	<p>No comment in relation to temporary matters.</p> <p>Agree conditions 18 and 22 could be combined. Consider timeframes for stages should be specifically stated within conditions (as per condition 53 in Rev 1C).</p>	<p>Yes, in part</p>	<p>Yes, in part</p>
<p>19. The Range 1 acoustic wall must be set back a minimum distance of 10 m from the</p>	<p>Agree</p>	<p>Agree</p>	<p>Include 'true left bank'</p>		<p>Yes:</p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
unnamed tributary of the Mangaoraka Stream.					<i>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</i>
20. 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.	Agree	Agree	Agree	Yes	Yes
21. All acoustic mitigation works must be completed within 6 years of the date of grant of this consent.	It was not clear that the application sought a period in excess of 5 years to enact the consent. Whilst the additional year to undertake mitigation has	Staging timeframe extended to account for bund removal and stormwater treatment works under Stage 1. Timeframe appropriate	No issue, subject to bund removal being prioritised.	No	No

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	been mooted to address Puketapu concerns, equally it may be perceived as a loss of mitigation by Mr Phillips.	to provide for development.			
22. The acoustic mitigation works must be undertaken in stages in general accordance with the Staging Plans (BTW Company, Drawing 230984.00-03, Sheets ST01–ST06, Revision A), and completed within the timeframes specified in those plans.	Delete/combine with condition 18	Agree	Agree	Yes	Yes
23. Within 3 months of the commencement of this consent, the Consent Holder must provide to Council a construction and implementation programme outlining the sequencing and indicative timeframes for	Agree	Agree	Agree	Yes	Yes

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
completion of the acoustic mitigation works.					
<p>24. Firearms must not be discharged at the Club outside the following hours:</p> <p>a. Summer (Daylight Saving Time):</p> <p>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.</p> <p>ii. Thursday: 0900-2100 hours.</p> <p>iii. Sunday: 0900-1700 hours.</p> <p>b. Winter (Non-Daylight Saving Time):</p> <p>i. Monday, Tuesday, Wednesday, Friday and Saturday: 0900-1700 hours, except that the Police or</p>	<p>Do not agree.</p> <p>Question whether or not more public holidays could be included.</p> <p>Specified number of police days not confirmed.</p> <p>The application does not provide a clear justification for liberal opening hours throughout the year.</p> <p><b>Comment post-Police meeting:</b> Acknowledge number of days has now been provided but concerns remain around scale and intensity and</p>	<p>Maintain condition appropriate to manage activity. Public holidays offered provide appropriate balance between club use and amenity.</p> <p><b>Comment post-Police meeting:</b> Meeting with Police confirmed low-light training to be held up to 12 times per calendar year.</p>	No comment.	No	No

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>AOS may use the facility between 1700-2000 hours for low-light training.</p> <p>ii. Thursday: 0900-2000 hours.</p> <p>iii. Sunday: 0900-1700 hours.</p> <p>c. The total number of occasions on which the Police or AOS may undertake low-light training is limited to [12] per calendar year.</p> <p>Except that no firearms must be discharged on the following days / public holidays:</p> <p>d. Good Friday.</p> <p>e. ANZAC day (25 April).</p> <p>f. Christmas Eve, Christmas Day and Boxing Day.</p>	<p>justification for wider Club opening hours.</p>				
<p>25. Periods of low noise must be maintained at the Club between 1200-1500 hours Monday to Friday (during Summer and</p>	<p>Do not agree.</p> <p>Refer to para 22 Mr Ellerton's statement.</p>	<p>Maintain condition appropriate to manage activity.</p>	<p>No comment</p>	<p>No</p>	<p>No</p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>Winter) and between 1700-1900 hours on Saturdays (during Summer). The periods of low noise do not apply to Police and AOS training.</p>	<p>Refer to paragraphs 13-15 from my statement 25 May 2026.</p> <p><b>Comment post-Police meeting:</b> Comment still stands.</p>	<p><b>Comment post-Police meeting:</b> Proposed change to the condition post-meeting with Police, with Police training able to be managed to provide for adjusted/later low-noise period:</p> <p><i>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). The periods of low noise do not apply to Police and AOS training. Except that on days where</i></p>			

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
		<p><i>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.</i></p>			
<p>26. Any firearm used at the Club, excluding Police and AOS use, 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</p>	<p>Agree</p> <p><b>Comment post-Police meeting:</b> Have not been able to obtain comment from Mr Ellerton around the implications of this change.</p>	<p>Agree</p> <p><b>Comment post-Police meeting:</b> Addition post-meeting with Police to explicitly exclude Police and AOS firearms – the Club will not certify Police and AOS firearms. Note Police AOS use limited to suppressed fire (low noise) or Glock (other) and therefore easily</p>	<p>Agree</p>	<p>Yes</p>	<p>Yes (pending review of condition change post-Police meeting)</p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>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.</p>		<p>able to be managed as low-noise or other.</p>			
<p>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 at least one month in advance. Records of notification must be provided to the Council within five working days of any</p>	<p>Do not agree. Refer para 25 of Mr Ellerton's statement and paragraph 13 of my statement 25 May 2026.</p>	<p>Maintain condition appropriate to manage activity. Notifications to neighbour have been added.</p>	<p>No comment</p>	<p>No</p>	<p>No</p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
written (including email) Council request.					
<p>28. Up to two times per calendar year the Consent Holder may hold a three-day event where the CNR restriction in condition [30] and the low noise restriction in condition [25] do not apply.</p> <p>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 at least one month in advance. Records of notification must be provided to the Council within five working days of any written (including email) Council request.</p> <p><b>Advice Note:</b> <i>Three-day events may be held during the staged development of acoustic mitigation works. Condition [14]</i></p>	<p>Yes, in isolation a 3-day respite period after events would provide some relief from noise effects. The administration of those periods should be controlled by a clear condition of consent.</p> <p>Draft wording from Mr Edwards is supported noting that other mitigations discussed by Mr Ellerton should be considered to provide relief from noise effects to Mr Phillips' property.</p> <p><b>Comment post-Police meeting:</b> Police use days will not include 3 days respite observed either 3</p>	<p>Club supportive of 3 day respite period either before or after the events.</p> <p>Propose new condition as follows:</p> <p><i>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:</i></p> <p>a. <i>immediately prior to the commencement of the event; or</i></p>	<p>From a well-being and effects-based perspective a quieter period prior to a major pistol club event is more effective in managing anticipatory stress and cumulative noise effects than a quieter period after the event. My comment relates to the well-being of adjoining residential neighbours.</p> <p><b>Comment post-Police meeting:</b> Seek clarification that Police use days will not include the 3-</p>	<p>Yes, in part</p>	<p>Yes, in part, noting Ms Williams' comment regarding respite period prior to event.</p> <p><i>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:</i></p> <p>c. <i>immediately prior to the commence</i></p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p><i>applies to any ranges where acoustic mitigation works have not been completed.</i></p>	<p>days before or after an event. Retain earlier comments as well.</p> <p>Suggest add statement: <i>For the avoidance of doubt, this restriction applies to all Police and AOS use.</i></p>	<p><i>b. commencing on the day following the final day of the event.</i></p> <p><i>The Consent Holder must nominate which option will apply at the time of notifying the event.</i></p> <p><b>Comment post-Police meeting:</b> Support Mr Robinson’s suggested addition.</p>	<p>days respite observed either 3 days before or after an event. Support Mr Robinson’s suggested addition.</p>		<p><i>ment of the event; or</i></p> <p><i>d. commencing on the day following the final day of the event.</i></p> <p><i>The Consent Holder must nominate which option will apply at the time of notifying the event.</i></p> <p><i>For the avoidance of doubt, this restriction applies to all Police and AOS use.</i></p>
<p>29. The Consent Holder must notify the Council compliance officer by email of all Police or AOS shooting dates and times at the time a booking is confirmed.</p>	<p>Agree in principle with the intent. Suggested wording below.</p> <p>The urgent incident investigation is a very</p>	<p>Agree with 10 day notification and txt and email notification requirements.</p>	<p>No comment</p>	<p>No</p>	<p>No</p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>Except in the case of <del>urgent incident investigations</del> <u>Police Reintegration Programme requirements</u>, such notice must be provided to Council 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 [insert method of communication] at least [10] days in advance of that use.</p>	<p>rare occurrence that would involve a limited number of rounds being required to be fired.</p> <p>Suggested addition:</p> <p><i>“The Consent Holder must notify the Council compliance officer by email of all Police or AOS shooting dates and times at the time a booking is confirmed. Except in the case of urgent incident investigations, such notice must be provided to Council 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 <b>txt message and email</b></i></p>	<p>Agree in principle with 100 round limit for incidents and proposed wording – will seek confirmation from Police via final right of reply as to limit.</p> <p><b>Comment post Police meeting:</b> Police confirm minimum 10 day notification period for training workable. Exclusion required for incidents – correct term is <a href="#">Police Reintegration Programme</a>.</p> <p>New condition proposed to limit use (noting compliance with CNR 90 also applies):</p> <p>XX. <i><u>Police and AOS use of the facility must not exceed</u></i></p>			

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	<p><i>at least [10] days in advance of that use.</i></p> <p><i>In the event of urgent incident investigations, Police use of the site may occur on any day between 0900 and 1900Hrs without compliance with the noise limit required in condition [30]. This exemption is provided on the basis that less than 100 rounds will be fired as part of the urgent incident investigation.</i></p> <p><b>Comment post Police meeting:</b> Suggest an advice note to differentiate Police Reintegration Programme from regular Police and AOS use.</p>	<p><i>52 days per calendar year in total.</i></p> <p>This generally accounts for Police use once a month occurring over three days typically Tues-Thurs (36 days annually) and AOS up to once a month (12 days annually) plus additional 4 days for miscellaneous including reintegration programme.</p> <p>Support an advice note to differentiate Police Reintegration Programme from regular Police and AOS use – applicant to address in final right of reply.</p>			

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	<p>Good to have certainty on the number of days and confirmation that Police use is controlled by both CNR 90 and low or no noise periods notwithstanding concerns that have been raised around low or no noise implementation. I have not seen any justification as to why 52 days per year is required. On that basis cannot agree that the limit is appropriate.</p>				
<p>30. Firearm noise generated at the Club must not exceed a Composite Noise Rating (CNR) of 90 at 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</p>	<p>Comment from Mr Ellerton: <i>Update wording “within notional boundary”.</i> <i>The formula omits the term “R” which relates to the number of rounds per</i></p>	<p>Support update wording to ‘at any point within the notional boundary’ which reflects POPD wording under effects standard NOISE-S1.</p>	<p>No comment</p>	<p>No</p>	<p>No</p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>events provided for in condition [28]. CNR is to be calculated as follows:</p> $CNR = Y + 10 \log_{10} N + 10 \log_{10} T - 25$ <p>Where:</p> <ul style="list-style-type: none"> <li>• <i>Y is the log-average LZpeak level for all recorded shots over the day received at the notional boundary of any dwelling</i></li> <li>• <i>N is the number of shots over the day detected by noise monitoring system required by conditions [31] and [32]</i></li> <li>• <i>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</i></li> </ul>	<p><i>burst. For single shots this would be = 1, and the correction would be zero. For rapids. Police training or similar firing styles where several rounds are fired in quick succession then R may be 3 or more. In following the Commissioners suggestion of simplification (community adaption being set at -13).</i></p> <p><i>Suggested wording:</i></p> <p><i>“Firearm noise generated at the Club must not exceed a Composite Noise Rating (CNR) of 90 within the notional boundary of residential dwellings at 1209 Devon Road (Lot 1 DP 16176)</i></p>	<p>Para [21] of Mr Ellerton’s reply introduces an R value to capture ‘burst fire’. I understand no ‘burst fire’ is permitted at the Club.</p> <p>I default to the applicant right of reply to address final position on CNR formula.</p> <p>Do not oppose inclusion of NZS6801.</p>			

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p><i>required by conditions [31] and [32]</i></p>	<p><i>and 1222 Devon Road (Lot 1 DP 18372), and within the boundary of any noise sensitive activity.</i></p> <p><i>Noise from site activity shall be measured in accordance with NZS6801:2008.</i></p> <p><i>CNR is to be calculated as follows:</i></p> $CNR = (Y - A) - 12 + 10\log N + 10\log R + 10\log T$ <p><i>; Where:</i></p> <ul style="list-style-type: none"> <li><i>• Y is the log average <math>L_{ZPeak}</math> level for all shots over the day;</i></li> <li><i>• A is the degree of community</i></li> </ul>				

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	<p><i>adaptation (set conservatively at 13 for no adaptation);</i></p> <ul style="list-style-type: none"> <li>• <i>N is the number of single shots a day;</i></li> <li>• <i>R is the number of rounds per burst (set at 3 in this case, making this term +5 as a constant); and</i></li> <li>• <i>T is the proportion of day that shooting occurs (time between first and last shot as a proportion of the</i></li> </ul>				

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	<p><i>total hours allowable for that day).</i></p>				
<p>31. Within 1 month of the date of grant 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 [30]. The temporary noise monitoring system must be in place until the permanent Class 1 sound level meter required in condition [32] is operational.</p> <p>For the purpose of verifying compliance with condition [30] while the temporary noise monitoring system is in use, the parameters Y, N and T may be</p>	<p>I would ask what happens in the month leading up to the installation of the temporary monitoring system? Suggest no or limited site activity should occur.</p> <p>Suggest that wording be changed to read:</p> <p><u><i>Prior to the commencement of this consent, the Consent Holder must install...</i></u></p>	<p>Agree in principle to the amendment as technically no monitoring system will be in place during interim period.</p>	<p>No comment</p>	<p>Yes</p>	<p>Yes:</p> <p><u><i>Prior to the commencement of this consent, the Consent Holder must install...</i></u></p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>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.</p>					
<p>32. 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, such that a log of recent gunshots of a minimum period of the previous 14 days is able to be made available to the Council immediately upon request, including the record of</p>	<p>Agree with intent of condition based on data being captured in real time. The condition should be reworded so that the data is proactively provided to the Council every month.</p>	<p>Agree in principle to proactively provide data monthly as my understanding is the meter is capable of providing data. Suggest condition could be amended to require monthly monitoring until the acoustic mitigation works are complete and following a nominal mandatory monthly reporting period that the requirement defaults</p>	<p>No comment.</p>	<p>Yes, in part</p>	<p>Yes, in part</p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
the number of shots fired each day.		back to being required on request.			
33. The noise monitoring systems required by conditions [31] and [32] must be located at or adjacent to the notional boundary of a residential receiver used to assess compliance with condition [30], 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.	Agree	Agree	No comment	Yes	Yes
34. 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:	Agree with the intent but wording changes could improve integration with other conditions and the roles and responsibilities:	Agree with addition.	No comment	Yes	Yes:  <i>34. Within 3 months of the completion of each stage of the acoustic mitigation works, the Consent Holder must</i>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>a. Undertake an attended noise measurement campaign to determine the effectiveness of the acoustic mitigation works, and a sample of the LZpeak and CNR noise levels being received at the notional boundaries of dwellings at the following receivers:</p> <p>i. 1209 Devon Road (Lot 1 DP 16176)</p> <p>ii. 1222 Devon Road (Lot 1 DP 18372)</p> <p>b. If necessary, make any recommendations for changes to the Noise Management Plan (NMP) in condition [40] to ensure the CNR 90 limit continues to be met.</p> <p>c. The Consent Holder must provide written confirmation to Council identifying the ranges</p>	<p><i>“34. 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:</i></p> <p><i>a. Undertake an attended noise measurement campaign to determine the effectiveness of the acoustic mitigation works (<b>required under condition [18]</b>), and a sample of the LZpeak and CNR noise levels being received at the notional boundaries of dwellings at the following receivers:</i></p>				<p><i>engage a suitably qualified and experienced acoustic practitioner who must:</i></p> <p><i>a. Undertake an attended noise measurement campaign to determine the effectiveness of the acoustic mitigation works (required under condition [18]), and a sample of the LZpeak and CNR noise levels...</i></p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>assessed and whether they have been demonstrated to comply with condition [15], within five working days of receipt of the noise measurement campaign results.</p> <p>d. Should the suitably qualified and experienced acoustic practitioner make recommendations for changes to the NMP:</p> <p>i. the Consent Holder must, within 15 working days, submit to Council a revised NMP containing the practitioner's suggested amendments, or reasons why the suggested amendments have not been accepted, in which case alternative amendments shall be submitted.</p> <p>ii. The certification process in conditions 4-6 must be followed</p>	<p><i>i. 1209 Devon Road (Lot 1 DP 16176)</i></p> <p><i>ii. 1222 Devon Road (Lot 1 DP 18372)</i></p> <p><i>b. If necessary, make any recommendations for changes to the Noise Management Plan (NMP) in condition [40] to ensure the CNR 90 limit continues to be met.</i></p> <p><i>c. The Consent Holder must provide written confirmation to Council identifying the ranges assessed and whether they have been demonstrated to comply with condition [15], within five working days of receipt of the noise</i></p>				

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>prior to the range being considered to comply with Condition [30].</p> <p><b>Advice Note:</b> Compliance with this condition may be staged for different ranges, as anticipated by condition [15]. Condition [14] applies until such time as ranges have been determined as compliant with condition [15] by a suitably qualified and experienced acoustic practitioner.</p>	<p><i>measurement campaign results.</i></p> <p><i>d. Should the suitably qualified and experienced acoustic practitioner make recommendations for changes to the NMP:</i></p> <p><i>i. the Consent Holder must, within 15 working days, submit to Council a revised NMP containing the practitioner's suggested amendments, or reasons why the suggested amendments have not been accepted, in which case alternative amendments shall be submitted.</i></p> <p><i>ii. The certification process in conditions 4-6 must be followed prior to</i></p>				

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	<p><i>the range being considered to comply with Condition [30].</i></p> <p><b>Advice Note:</b>  <i>Compliance with this condition may be staged for different ranges, as anticipated by condition [15]. Condition [14]”</i></p>				
35. Range Standing Orders required under the Arms Act 1983 (or any subsequent equivalent legislation) must be complied with at all times.	Agree	Included in condition 1 – therefore condition not considered necessary – delete.	No comment	Yes	Yes
36. The total number of shots fired per day across all outdoor ranges must not exceed:  a. Monday-Saturday: 2,700.  b. Sunday: 3,500.	<p>Should emphasise that CNR90 in condition 30 is complied with.</p> <p>Would measures would be in place to ensure people at the club are aware of the shot count on any day?</p>	I understand the meter will constitute a real time counter of recorded shots – will default to the right of reply to confirm applicant position.	No comment	No	No

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	<p>Wording could be improved by including the following:</p> <p><i>“36. The total number of shots fired per day across all outdoor ranges must not exceed:</i></p> <p><i>a. Monday-Saturday: 2,700.</i></p> <p><i>b. Sunday: 3,500.</i></p> <p><b><u>The consent holder shall install a real time counter as to the number of rounds that have been fired. A sign shall be located immediately adjacent to the counter advising of the maximum number of rounds that may be fired on any given day.”</u></b></p>	<p>Agree with reordering this condition to follow condition 40 (Rev 2) as the last <i>Range Management</i> condition.</p> <p><b>Comment post-Police meeting:</b> Exception for AOS use sought following meeting with Police:</p> <p><u>Exception – AOS:</u></p> <p><u>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.</u></p> <p>Note AOS usage approximately 60% suppressed fire, 40% glock - I understand</p>			

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	<p>Suggest reordering so that 37 is put below 40 as it is stand alone and interrupts the flow of like-minded conditions.</p> <p><b>Comment post-Police meeting:</b> In relation to the exception for AOS I have not been able to obtain detailed advice from Mr Ellerton.</p>	<p>AOS compliance with the CNR 90 limit would be achievable on that basis.</p>			
<p>37. 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 within five working days of any written (including email) Council request, except that personal details (persons' names) need not be provided.</p>	<p>Agree with the intent but suggest that the wording could be improved.</p> <p><i>“purpose of their visit</i>  <b><i>the number of rounds fired and the type of firearm(s) used....and a copy of such records...</i></b></p> <p>Was offered at the hearing and provides transparency of how the</p>	<p>Acknowledge comment – will defer to the right of reply.</p>	<p>No comment</p>	<p>No</p>	<p>No</p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	Club is being used. It is our understanding that this information is captured by the Club currently.				
<p>38. When the number of recorded shots fired in a day reaches:</p> <p>a. 2,000 on Monday–Saturday; or</p> <p>b. 2,500 on Sunday,</p> <p>a warning notification must be sent to the Noise Management Officer via the Class 1 sound level meter required by condition [32], and the Noise Management Officer must ensure that the limits in condition [35] are not exceeded for that day.</p>	<p>Agree. See comments in relation to conditions 36 and 39. Recommend that a proactive shot counter be used to provide certainty of compliance.</p> <p><b>Comment post-Police meeting:</b> In relation to the exception for AOS I have not been able to obtain detailed advice from Mr Ellerton.</p>	<p>I understand the meter will constitute a real time counter of recorded shots – will default to the right of reply to confirm applicant position.</p> <p><b>Comment post-Police meeting:</b> consequential amendment required to account for AOS exception:</p> <p>c. <u>2,500 for AOS use</u></p>	No comment	No	No

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>39. When the number of shots fired in a day reaches:</p> <p>a. 2,700 on Monday–Saturday; or</p> <p>b. 3,500 on Sunday,</p> <p>a notification must be sent via the Class 1 sound level meter required by condition [32] to:</p> <p>i. the Noise Management Officer; and</p> <p>ii. Council’s nominated compliance officer.</p> <p>The Noise Management Officer must immediately require all shooting of firearms to cease, and shooting must not recommence until the following day.</p>	<p>See comments in relation to condition 36.</p> <p>Agree that hard shot limits are appropriate, but the condition must be improved to ensure proactive compliance noting the club has 150 members.</p> <p>Once the limit is reached the real time recording sign/shot counter required under condition 36 sign shall immediately change to read:</p> <p><b>“Maximum number of rounds for the day is achieved and firing shall cease until next day”.</b></p> <p>Or something similar.....</p>	<p>Suggested sign amendment noted – will default to the right of reply to confirm applicant position.</p> <p><b>Comment post-Police meeting:</b> consequential amendment required to account for AOS exception:</p> <p><u>c. 3,500 for AOS use</u></p>	<p>No comment</p>	<p>No</p>	<p>No</p>


Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	<p><b>Comment post-Police meeting:</b> In relation to the exception for AOS I have not been able to obtain detailed advice from Mr Ellerton.</p>				
<p>40. 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 required by condition [32], and the Noise Management Officer must ensure that CNR 90 is not exceeded for that day.</p>	<p>Agree with the intent but suggest that any alert should also be sent to the Council’s nominated compliance officer as well.</p> <p><i>“40 Upon the CNR reaching 88 on any day, a warning notification must be sent to the Noise Management Officer <b>and Council’s nominated compliance officer</b>, via the Class 1 sound level meter required by condition [32], and the Noise Management</i></p>	<p>Agree</p>	<p>No comment</p>	<p>Yes</p>	<p>Yes:</p> <p><i>40 Upon the CNR reaching 88 on any day, a warning notification must be sent to the Noise Management Officer <u>and Council’s nominated compliance officer</u>, via the Class 1 sound level meter required by condition [32], and the Noise Management</i></p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	<i>Officer must ensure that CNR 90 is not exceeded for that day.”</i>				<i>Officer must ensure that CNR 90 is not exceeded for that day</i>
<p>41. A NMP must be prepared for the site by a suitably qualified and experienced acoustic practitioner and be submitted to Council 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.</p>	<p>What happens in the 3 months leading up to the NMP being submitted Council and it being certified.</p> <p>Based on the feedback of Mr Ellerton I recommend the consent cannot be commenced until the NMP is certified by Council. The NMP is critical for applicant to demonstrate how compliance can and will be achieved at all times. This application is somewhat unique in that the Club has ~150 members, as well as</p>	<p>Consider the condition set, condition 14 in particular, suitably manages the activity in the interim period prior to the NMP being certified.</p>	<p>No comment</p>	<p>No</p>	<p>No</p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	<p>casual visitors, who must all be able to understand and implement the NMP in real terms.</p> <p>Agree that adaptive management conditions can be suitable control mechanism in consenting but disagree that the substance of the draft NMP provides confidence that noise effects will be avoided, remedied or mitigated.</p> <p>Based on the draft wording I have a low level of confidence this condition would be effective.</p>				
42. The NMP must contain, but not be limited to:	Agree that adaptive management conditions can be suitable control	Maintain the NMP condition, supported with other conditions of	No comment.	No	No

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>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.</p> <p>b. Processes to ensure the CNR 90 limit is complied with, including during the period when the acoustic mitigation works are only partially complete.</p> <p>c. Processes to ensure the acoustic mitigation works, once complete, are inspected and kept in adequate functional condition.</p> <p>d. Details around how the noise monitoring required by condition 32 is to be conducted.</p> <p>e. Details around how the Consent Holder will regulate the level of activity at the Club day-</p>	<p>mechanism in consenting but disagree that the substance of the draft NMP provides confidence that noise effects will be avoided, remedied or mitigated. Based on the draft wording I have a low level of confidence this condition would be effective.</p> <p>I would note that the Council has not received an updated draft NMP since December 2025.</p>	<p>consent, is appropriate noting the certification requirement in condition 43.</p>			

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>to-day, to ensure the CNR 90 limit is not exceeded.</p> <p>f. Details around the permanent Class 1 sound level meter which is to be installed, and who will be responsible for its upkeep.</p> <p>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.</p> <p>h. Processes relating to community relations and communications, and periodic review of the NMP.</p> <p>i. Procedure for maintaining a register of complaints received and a record of the Club's</p>					

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
responses and any remedial actions undertaken.					
43. Any amendments to the NMP must be submitted to Council for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified.	Agree	Agree	Agree	Yes	Yes
44. The existing planting strip adjoining Devon Road as shown in the Planting Plan (BTW Company, Drawing 230984.02, Sheet GD06, Revision B1, Plot Date: 05/03/2026) 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	<p>Agree – I recommend that this area to be retained and maintained should include the planting on the other side of the driveway as this provides effective screening from the road.</p> 	Agree in principle – will defer to right of reply to confirm Club position.	Agree to Campbell comment.	Yes	Yes

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
removed, to the satisfaction of Council.					
45. 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).	Agree with condition as worded.	Agree with condition as worded.	Agree - Puketapu comment that the condition requirement is a minimum and planting could be established around the stormwater treatment device.	Yes	Yes
46. 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 works.	Agree with Ms Williams.	Agree in principle noting the condition had not been updated following updated staging plans to prioritise the removal of the range 1 bund – confirm Club position from a practical perspective through the right of reply (noting the	Puketapu seek establishment of planting margin following the removal of the bund as part of Stage 1 works.  <i>Planting and any associated fencing</i>	Yes, in principle	Yes, in principle, subject to Club right of reply:  <i>Planting and any associated fencing within the riparian planting margin must be established in the first planting</i>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
		potential for disturbance of the margin in the vicinity of the Range 1 acoustic wall at the time of construction).	<i>within the riparian planting margin must be established in the first planting season (May–October) following the completion of Range 1 works bund removal in Stage/Year 1.</i>		<i>season (May–October) following the completion of Range 1 <del>works</del> bund removal in Stage/Year 1.</i>
47. 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	Agree	Agree	Agree	Yes	Yes

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
indigenous species with phytoremediation potential.					
<p>48. 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:</p> <ul style="list-style-type: none"> <li>a. Regular weed control.</li> <li>b. Pest animal control where required.</li> <li>c. Infill planting to maintain densities.</li> <li>d. Post-storm inspections and remedial planting if necessary.</li> </ul>	Agree	Agree	Agree	Yes	Yes
49. Any plants within the riparian planting margin that die, become diseased, fail to establish, or are removed must be replaced in the next planting	Agree	Agree	Agree	Yes	Yes

<b>Condition</b>	<b>Robinson</b>	<b>Edwards</b>	<b>Williams</b>	<b>Agree</b>	<b>Agreed Wording</b>
season (May–October) with the same or a similar species.					
50. 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 for certification at least 10 working days prior to commencing soil disturbance.	Agree	Agree	Agree	Yes	Yes
51. 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	Agree	Agree	Agree	Yes	Yes

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>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:</p> <ul style="list-style-type: none"> <li>a. Erosion and sediment controls preventing migration of contaminants to surface water or groundwater.</li> <li>b. Environmental controls for stockpiling of soil.</li> <li>c. Procedures to minimise on-site contaminant dispersal.</li> <li>d. Procedures for the safe handling, decontamination, and management of tires.</li> <li>e. Unexpected contamination discovery protocols.</li> </ul>					

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>f. Transport and disposal procedures for any material transported off-site.</p> <p>g. Methodology of any soil management on-site in creating any new bund.</p> <p>h. Soil testing requirements as a result of unexpected discoveries or off-site soil disposal.</p> <p>i. Worker health and safety measures, including PPE, hygiene, and training for handling contaminated materials.</p>					
<p>52. Prior to submitting or amending the SMP, consultation must be undertaken with Puketapu Hapū and any comments by Puketapu Hapū must be incorporated in the SMP or when the SMP is submitted for certification the comments</p>	<p>Agree to delete</p>	<p>New condition agreed in condition 4 discussion that all management plans are to be provided to Puketapu for comment prior to certification. On that basis, condition 52 not</p>	<p>Agree to delete on basis of new condition covering all management plans to be certified.</p>	<p>Yes</p>	<p>Yes, agree to delete: 52. Prior to submitting or amending the SMP, consultation must be undertaken with Puketapu Hapū and</p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
must be provided with reasons why the comments have not been accepted (in whole or in part).		required (effectively superseded by new condition 4)			any comments by Puketapu Hapū must be incorporated in the SMP or when the SMP is submitted for certification the comments must be provided with reasons why the comments have not been accepted (in whole or in part).
53. 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.	Agree	Agree	Agree	Yes	Yes
54. Any amendments to the SMP must be submitted to Council	Agree	Agree	Agree	Yes	Yes

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified.					
55. 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.	Agree	Agree	No comment	Yes	Yes
56. If unexpected conditions, such as staining, odorous material, are encountered during the soil disturbance works; work in that area must cease and the Council must be notified. Unexpected contamination and contingency measures must be overseen and assessed by a suitably qualified and experienced practitioner.	Agree	Agree	No comment	Yes	Yes

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>57. 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 the fill area to the west of Range 7 and future activities following completion of construction. 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, and worker exposure, to ensure that risks to human health and the</p>	<p>Agree with Ms Williams.</p>	<p>Generally agree with Ms Williams – condition intent is to include measures to manage potential lead contamination from future shooting activity.</p> <p>Suggested amendments to capture condition intent to manage all future activities:</p> <p><i>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</i></p>	<p>Agree with general intent. Consider that bullet traps/lead management measures should be specifically referenced in the condition to reference/apply to all ranges.</p>	<p>Yes</p>	<p>Yes, in principle</p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
environment are appropriately avoided, remedied, or mitigated.		<p><i>Management Guidelines No.1 – Reporting on Contaminated Sites in New Zealand to control management of <u>relocated contaminated soil (including the fill area to the west of Range 7) and future activities across the wider site following completion of construction. 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</u></i></p>			

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
		<i>(including lead management measures), and worker exposure, to ensure that risks to human health and the environment are appropriately avoided, remedied, or mitigated.</i>			
58. The OSMP must be submitted to Council for certification within 20 days of the completion of the soil disturbance works.	Agree	Agree	Agree	Yes	Yes
59. Any amendments to the OSMP must be submitted to the Council for certification, in accordance with the Certification of Management Plans conditions, prior to those amendments being implemented.	Agree	Agree	Agree	Yes	Yes

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>60. Within three months of the completion of the soil disturbance works, a work summary report must be provided to the Council which must include:</p> <p>a. The approximate location and dimensions of soil disturbance carried out including a relevant site plan and photographs.</p> <p>b. Records of any unexpected discoveries encountered during the works and the actions taken to address them.</p> <p>c. Results of soil sampling or material sampling.</p> <p>d. Disposal dockets for any soil or materials removed from site.</p> <p>e. Confirmation that the works were carried out in accordance with the approved SMP.</p>	<p><i>Ms Sheppard has reviewed condition 39 of Rev1C which is similar to condition 60 and states:</i></p> <p><i>“As lead concentrations are present in soil above the soil contaminant standard (SCS), the report required under Condition 39 should be upgraded to a soil validation report that 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. It is acknowledged that the intent is not to remediate the site, which is the usual trigger for a</i></p>	<p>I understand agreed in principle from Mr Bolger.</p> <p>Agree with providing a copy of the summary report to Puketapu.</p> <p>New condition to be confirmed in applicant right of reply, seeking comment from both Ms Shephard and Mr Bolger.</p>	<p>Puketapu seek copy of the summary report to be provided a copy at the same time as Council.</p>	<p>Yes</p>	<p>Yes, in principle.</p> <p>New condition to be confirmed through right of reply.</p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
f. Recommendations or requirements for ongoing monitoring or management.	<p><i>soil validation report; however, it is reasonable to expect contaminant concentrations in soil beneath the bund, which is to be relocated from adjacent to the stream, to be left at concentrations that do not present an ongoing risk to the stream. Accordingly, the soil concentrations remaining after the bund is relocated should be documented via a soil validation report.”</i></p>				
61. A Surface Water and Sediment Monitoring Plan (SWSMP) must be prepared by a suitably qualified and experienced practitioner and be submitted to Council for certification at least 10 working	<p>Agree with 61 as drafted.</p> <p>With regard to Puketapu new condition sought:</p> <p>Agree with the position of Ms Williams. Further oversight is appropriate</p>	<p>Acknowledge Puketapu comment. Will defer to right of reply.</p>	<p>Puketapu agree in principle with the SWSMP condition requirement.</p>	No	No

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>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.</p>	<p>given the historical contamination of the site that has occurred. The suggested conditions align well with the intent of Strategic Objective HC-3, Objectives WB-O1 and WB-O4 and Policies WB-P7 and WB-P9.</p>		<p>Puketapu seek an additional new condition that:</p> <p><i>The Consent Holder must engage Puketapu to undertake annual Cultural Health Index assessments and cultural monitoring of the unnamed tributary and receiving environments for the duration of the consent.</i></p>		
<p>62. The SWSMP must include, but not be limited to:</p> <p>a. Sampling locations (upstream, downstream, and adjacent to the bund area).</p>	<p>Agree with condition, noting 62(a) could be more specific in relation to the bund to specifically refer to Range 1 bund area.</p>	<p>Agree reference to Range 1 bund area in condition 62(a) could be more specific.</p>	<p>As above, seek to include a cultural health monitoring requirement, with specific addition to (b) as follows:</p>	<p>No</p>	<p>No</p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>b. Parameters including, at minimum: lead, copper, zinc, arsenic, antimony, pH, suspended sediment, and any other contaminants of concern identified in prior investigations.</p> <p>c. Outline protocols for stream sediment sampling and analysis.</p> <p>d. Frequency of monitoring:</p> <p>i. During earthworks: at least monthly and following defined rainfall trigger events.</p> <p>ii. Post-earthworks: quarterly for a minimum of 12 months following completion of acoustic mitigation works.</p>		<p>Acknowledge Puketapu comment. Will defer to right of reply.</p>	<p><i>b. Parameters including, at minimum: lead, copper, zinc, arsenic, antimony, pH, suspended sediment, and any other contaminants of concern identified in prior investigations and cultural indicators developed in partnership with Puketapu Hapū, including mauri, habitat condition and presence of taonga species.</i></p> <p>Seek extension of monitoring period under (d)(ii) from 12 months to 5 years. 12 months is considered insufficient given long</p>		

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
			term mobility and persistence of heavy metals.		
63. All monitoring results must be provided to Council on a quarterly basis for the duration of the monitoring period.	Agree	Agree with Ms Williams.	Puketapu request a copy of the monitoring results.	Yes	Yes: All monitoring results must be provided to Council and Puketapu Hapū on a quarterly basis for the duration of the monitoring period.
64. 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:	Ms Shepherd has not had time to review condition updates post Rev 1C. Will endeavour to provide feedback to inform the right of reply.	Condition updated post Rev 1C to include further corrective actions. Will defer to right of reply to confirm applicant position.	There must be no measurable increase in the concentrations of heavy metals downstream of the site relative to upstream baseline conditions. The trigger values are guideline based and do not ensure	No	No

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>a. Likely cause(s) of the exceedance.</p> <p>b. Immediate mitigation actions undertaken to avoid or minimise further contaminant discharges.</p> <p>c. Proposed corrective actions to avoid recurrence of the exceedance.</p> <p>Where an exceedance of trigger values occurs, the Consent Holder must:</p> <p>d. Undertake an investigation into the cause of the exceedance, including inspection of erosion and sediment controls, stormwater management systems, and any relevant areas of soil disturbance;</p> <p>e. Implement appropriate corrective actions as soon as</p>			<p>protection. Stronger outcome based controls are requested.</p> <p>Puketapu do not support 48 hour time limit and request immediate cessation of work and notification to Hapū.</p>		

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>practicable, which may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>i. Maintenance, repair or upgrade of erosion and sediment control measures;</li> <li>ii. Modification of earthworks practices, staging, or site stabilisation methods;</li> <li>iii. Improvement to stormwater treatment or containment measures;</li> <li>f. Undertake additional monitoring, where necessary, to confirm the effectiveness of the corrective actions implemented; and</li> <li>g. Provide a written update to Council within 20 working days outlining the outcomes of the investigation, actions taken, and</li> </ul>					

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
any further measures required to ensure ongoing compliance.					
65. Any amendment to the SWSMP must be submitted to the Council for certification, in accordance with the Certification of Management Plans conditions, prior to implementation.	Agree – could directly reference the certification of management plans conditions.	Agree - recommend consistency with other management plan certification conditions:  <u>Any amendments to the SWSMP must be submitted to Council for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified.</u>	Agree	Yes	Yes:  <u>Any amendments to the SWSMP must be submitted to Council for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified.</u>
66. Stormwater runoff from the site must be managed to avoid, remedy, or mitigate the discharge of contaminants, including heavy metals, to the	Agree with Ms Williams.	Maintain condition is appropriate as there is no complete avoidance directive.	Puketapu seek avoidance only, not remedy or mitigate so as to achieve no net increase in	No	No

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
unnamed tributary of the Mangaoraka Stream.			contaminant concentration.		
67. 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.	Ms Shepherd provides the following comment in relation to the conditions as presented in Rev 1C: <i>“If setting conditions regarding stormwater treatment, it is typical to state the water quality standard that must be achieved for the contaminants of concern, or where this will be documented (such as the SWSMP). The Engineered Stormwater Treatment Options and Monitoring letter prepared by BTW Company Ltd (BTW) dated 18 May 2026 refers to the ANZG 95% species protection value although specifically for lead. While lead is the primary contaminant,</i>	Condition has been updated in Rev 2 to include reference to ANZG 95% values. Defer to right of reply.	Puketapu change sought:  <i>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 and achieve compliance at the point of discharge with ANZG 95%</i>	No	No

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	<i>copper, zinc and antimony should not be overlooked when setting the standard as the Synthetic Precipitation Leaching Procedure (SPLP) results from the soil sampling undertaken by BTW in September 2025 indicated soil leachate results for these metals also exceeded the ANZG 95% species protection values.”</i>		<i>freshwater protection values.</i>		
68. Any exceedance of the ANZG trigger values referred to in condition 66 must be managed in accordance with condition 65.	Agree	Agree	Agree	Yes	Yes
69. All stormwater treatment systems must be operated and maintained for the duration of the activity to ensure ongoing effectiveness in reducing heavy	Agree	Agree	Agree	Yes	Yes

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
metal concentrations in stormwater prior to discharge.					
70. 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	Agree that a comprehensive review condition should be included but disagree on the limitations on when the review could occur. Given the potentially high magnitude of effects being generated the council should retain the ability to act at pace to address any non-compliance, unintended or unforeseen effects:  <i>70. 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 <del>within three</del></i>	Acknowledge conditions amendments sought - defer to the right of reply.	Puketapu seek the following:  <i>Pursuant to section 128(1) of the Resource Management Act 1991, the Council may review the conditions of consent annually where monitoring identifies contaminant migration, degradation of freshwater values, cultural effects, exceedance of trigger thresholds, or failure of mitigation measures.</i>	No	No

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
<p>decision to grant consent, and where, as a result, it is necessary to impose more appropriate conditions.</p>	<p><i>months following each anniversary of the date of commencement of this consent, for any of the following purposes:</i></p> <p><i>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</i></p> <p><i>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</i></p>				

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
	<i>impose more appropriate conditions.</i>				
<p>Advice note:</p> <p>a) This consent lapses on [XX] 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.</p>	<p>The consent lapse date needs to be clearly stated as being 6 years from the date of approval. This would then align with the condition 21.</p>	<p>Agree</p>	<p>Agree</p>	<p>Yes</p>	<p>Yes:</p> <p>b) <i>This consent lapses on [<u>6 years from the date of approval</u>] 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</i></p>

Condition	Robinson	Edwards	Williams	Agree	Agreed Wording
					<i>provisions of section 125 of the Resource Management Act 1991.</i>

## **ANNEXURE B: CASE LAW SUMMARY TABLE**

**Table B1: Comparison of Cases Cited by Dr Trevathan Evidence in Chief**

Metric	Loaded NZ Western Bay of Plenty	Harvey v Nelson City Council	Davis v Gisborne District Council	Current application LUC24/48583 <sup>1</sup>
LAF Max Limit	60 <sup>2</sup>	50	65 up until 2022 and 55dB after that time <sup>3</sup>	65/70 (predicted at 1222 and 1209 Devon Road respectfully)
CNR Limit	80 <sup>4</sup>	Not used	Not used	90 (exempted for 2 x 3-day events per year)
No of rounds per week	<ul style="list-style-type: none"> <li>4500 per week (46 weeks)</li> <li>5000 per week (6 weeks)<sup>5</sup></li> </ul>	<ul style="list-style-type: none"> <li>Target/sport – 250 shots per week</li> <li>Clay target (6 Sundays per annum) - 750 shots per occasion;</li> <li>Game and pest eradication – no limit<sup>6</sup></li> </ul>	<ul style="list-style-type: none"> <li>Estimated to be 35000 or less per week</li> </ul> <p>Based on an estimated 5000 or less per day<sup>7</sup> (not specifically restricted via condition).</p>	<ul style="list-style-type: none"> <li>19700 per week</li> </ul> <p>Based on rounds per day:</p> <ul style="list-style-type: none"> <li>2700 Monday-Saturday</li> <li>3500 Sunday</li> </ul> <ul style="list-style-type: none"> <li>Exception for Armed Offender Squad training to shoot up to 3500 rounds on one day per calendar month</li> <li>Excludes 2 x 3-day events (estimated up to 30000 rounds over the event<sup>8</sup>).</li> </ul>
Shooting hours	<ul style="list-style-type: none"> <li>Tuesday – Sunday 0900 – 2000 hours or 30mins after sunset whichever is the earliest.</li> <li>Sunday 1200-1800hours.</li> <li>Not open Christmas, New Years Day, Good Friday, Easter Sunday. May operate on 6 Mondays per year<sup>9</sup>.</li> </ul>	<ul style="list-style-type: none"> <li>1000-1600 hours (clay target)</li> </ul>	<p>From 1 July 2022 shooting at the Site may only occur on:</p> <ul style="list-style-type: none"> <li>Tuesdays from 0900 to 1700 hours;</li> <li>Saturdays from 0900 to 1600 hours; and</li> <li>Every fourth Wednesday from 0900 to 1700 hours.</li> <li>No shooting on Mondays, Thursdays, Fridays or Sundays, all Public Holidays and the period between, and including, from midnight on 23 December to midnight on 2 January<sup>10</sup>.</li> </ul>	<p>a. Summer (Daylight Saving Time):</p> <ol style="list-style-type: none"> <li>Monday, Tuesday, Wednesday, Friday and Saturday: 0900-1900 hours, except that the New Zealand Police (<b>Police</b>) or Armed Offenders Squad (<b>AOS</b>) may use the facility between 1900-2100 hours for low-light training.</li> <li>Thursday: 0900-2100 hours.</li> <li>Sunday: 0900-1700 hours.</li> </ol> <p>b. Winter (Non-Daylight-Saving Time):</p> <ol style="list-style-type: none"> <li>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.</li> <li>Thursday: 0900-2000 hours.</li> <li>Sunday: 0900-1700 hours.</li> </ol> <p>c. The total number of occasions on which the Police or AOS may undertake low-light training is limited to [12] per calendar year.</p> <p>No firearms discharged on the following days / public holidays:</p> <ul style="list-style-type: none"> <li>Good Friday.</li> <li>ANZAC day (25 April).</li> <li>Christmas Eve, Christmas Day and Boxing Day</li> </ul>
Nearest Dwelling	497m <sup>11</sup>	Not clearly stated in decision	176m <sup>12</sup>	110m
Application status	Discretionary Activity <sup>13</sup>	Permitted Activity (range only) <sup>14</sup>	Discretionary Activity under s128 of the Act <sup>15</sup>	Non-Complying Activity

<sup>1</sup> Draft Condition set 2A submitted 3.6.26

<sup>2</sup> Condition 13

<sup>3</sup> Condition 6

<sup>4</sup> Condition 13

<sup>5</sup> Condition 5-12

<sup>6</sup> Para 140

<sup>7</sup> Para 56

<sup>8</sup> Statements of Mr O’Sullivan at the hearing (subsequently confirmed by Mr Edwards) that events can involve up to 100 competitors each firing up to 300 shots

<sup>9</sup> Conditions 3-4

<sup>10</sup> Conditions 3-5

<sup>11</sup> Para 10 (mentions property only)

<sup>12</sup> Para 58

<sup>13</sup> Para 2 (status of original consent application)

<sup>14</sup> Para 11

<sup>15</sup> Para 83

**ANNEXURE C: CONDITION SET REV 2**

**RECOMMENDED CONDITIONS OF CONSENT LUC24/48583 REV 2**

**26/05/2026**

**NEW PLYMOUTH PISTOL CLUB**

**RESOURCE CONSENT LU25/48583**

**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 recreational 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].

**Commented [AE1]:** Comments included to note some of the key changes relative to Revision 1C

**Commented [AE2]:** Decision details added as per Panel direction

5. The proposal is [not contrary to] the relevant objectives and policies of the PODP and other relevant planning instruments.
6. The proposal [passes the 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).
- ii. **Composite Noise Rating (CNR)** means the noise metric calculated in accordance with condition [30], 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 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 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 [31] and the permanent Class 1 sound level meter required by condition [32].

**Commented [AE3]:** Definitions section added as per Panel suggestions

- 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 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 B1, Plot Date: 05/03/2026
  - b. BTW Company, Existing Site Plan, Drawing 230984.02, Sheet GD01, Revision B1, Plot Date: 05/03/2026
  - c. BTW Company, Concept Range, Drawing 230984.02, Sheet GD02, Revision B1, Plot Date: 05/03/2026
  - d. BTW Company, Typical Sections, Drawing 230984.02, Sheet GD03, Revision B1, Plot Date: 05/03/2026
  - e. BTW Company, Earthworks Plan, Drawing 230984.02, Sheet GD04, Revision B1, Plot Date: 05/03/2026
  - f. BTW Company, Erosion and Sediment Control Plan, Drawing 230984.02, Sheet GD05, Revision B1, Plot Date: 05/03/2026
  - g. BTW Company, Planting Plan, Drawing 230984.02, Sheet GD06, Revision B1, Plot Date: 05/03/2026
  - h. BTW Company, Groundwater Plan and Longsection, Drawing 230984.02, Sheet GD07, Revision B1, Plot Date: 05/03/2026
  - 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

**Commented [AE4]:** Note: I have assumed a commencement condition not necessary given proposal is for the continued operation.

- i. 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, Erosion and Sediment Control Plan, 20 October 2025
- p. BTW Company, Preliminary Site Investigation, 1220 Devon Road, Bell Block, New Plymouth, Rev A1 - 17/12/2024
- q. 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

r. BTW Company, Staging Plans, Drawing 230984.00-03, Sheets ST01-ST06, Revision A, Plot Date: 26/05/2026

**Commented [AE5]:** Staging plans added

s. 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).

**Commented [AE6]:** Commissioners suggested referring to Range Standing Orders as a separate item here

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 New Plymouth District Council when monitoring the conditions of this consent.

**Management Plan Certification**

**Commented [AE7]:** Certification conditions added to apply to all management plan to be certified

4. 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.
5. 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 shall be met by the Consent Holder.
6. No works shall commence until certification is given. All works shall be carried out in accordance with the material certified in accordance with condition 4.

### Earthworks

#### Erosion and Sediment Control

7. The Consent Holder must submit an Erosion and Sediment Control Plan (**ESCP**) to Council 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.
8. 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) are implemented prior to commencement of the acoustic mitigation works authorised by this consent.
9. The erosion and sediment control measures must be maintained for the full duration of the acoustic mitigation works and must not be removed without prior certification from the Council that the surface is considered stabilised against erosion.
10. Any update to the ESCP must be submitted to Council for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified.

**Commented [AE8]:** ESCP conditions changed from approved plan to requirement to be certified

#### *Site Stabilisation*

11. 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.

*Cultural Monitoring and Discovery Protocol*

12. No less than 7 working days prior to earthworks for the 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.
13. If the consent holder discovers kōiwi tangata, waahi taonga (resources of importance), waahi tapu (places or features of special significance) or other Māori artefacts during the Works, the consent holder must without delay:
- Notify Te Kotahitanga o Te Atiawa, the Consent Authority, Heritage New Zealand Pouhere Taonga and in the case of kōiwi, the New Zealand Police.
  - Stop work within the immediate vicinity of the discovery to allow a site inspection by Puketapu Hapū, Te Kotahitanga o Te Atiawa and Heritage New Zealand Pouhere Taonga, who must determine whether the discovery is likely to be extensive, if further site investigation is required, and whether an Archaeological Authority is required.
  - Any kōiwi tangata discovered should be handled and removed by kaumatua responsible for the tikanga (custom) appropriate to their removal or preservation.
  - Site work must only recommence following consultation with Puketapu Hapū, Te Kotahitanga o Te Atiawa, the Consent Authority, Heritage New Zealand Pouhere Taonga and in the case of kōiwi, the New Zealand Police.

**Commented [AE9]:** Puketapu input TBC

**Commented [AE10]:** Puketapu input TBC

Note: Condition adopted from recent approved subdivision within Puketapu Structure Plan Area - SUB24/50102 & LUC25/48842 33E Airport Road, Bell Block

**Operational Controls and Construction Timing**

14. From the date of commencement of this consent, the Consent Holder must operate the site in a controlled manner as follows:
- Shooting activity across all ranges must be limited to .22 rimfire firearms, except as provided for in (b) below.
  - Suppressed centrefire firearms may be used on Range 8.
  - Range 1 must not be used more than once per calendar month.

These restrictions apply unless and until modified in accordance with condition [15].

15. The operational restrictions in condition [14] apply until the Consent Holder demonstrates, by way of the attended noise measurement campaign required under Condition [33], that:

**Commented [AE11]:** Condition set moved from 47-55 in Rev 1C.

Range 1 acoustic wall conditions included in this section.

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 when shooting from Range 1.
- ii. 81 dB LZpeak when shooting from Ranges 2-8.

b. Compliance with the Composite Noise Rating (CNR) 90 limit in condition [30] 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 [14] may be lifted progressively on a range-by-range basis where the above requirements are met.

16. If at any time the Consent Holder is unable to demonstrate compliance with the CNR 90 limit in condition [30], the Consent Holder must immediately restrict shooting activity to that which achieves compliance, including, if necessary, reverting to the operational restrictions specified in condition [14].

17. 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*

18. 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.

**Commented [AE12]:** Condition updated to include temporary mitigation measures as a pragmatic approach to mitigating noise levels during the staged construction period - conditions are drafted so that there is no change to the noise level limits.

**Commented [SO13]:** In response to concerns expressed by Mr Ellerton, the applicant intends to alter these to Lpeak values (83 and 81) - as the test for mitigation works for ranges being considered to be 'complete'.

- d. Any other mitigation measures required to achieve compliance with conditions [15] and [30].
- 19. The Range 1 acoustic wall must be set back a minimum distance of 10 m from the unnamed tributary of the Mangaoraka Stream.
- 20. 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.
- 21. All acoustic mitigation works must be completed within 6 years of the date of grant of this consent.
- 22. The acoustic mitigation works must be undertaken in stages in general accordance with the Staging Plans (BTW Company, Drawing 230984.00-03, Sheets ST01–ST06, Revision A), and completed within the timeframes specified in those plans.
- 23. Within 3 months of the commencement of this consent, the Consent Holder must provide to Council 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.

**Commented [AE14]:** Addition of summer and winter hours, noting reductions in winter hours

- 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 ~~[XX]~~ per calendar year.

**Commented [AE15]:** Club to confirm with NZ Police

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). The periods of low noise do not apply to Police and AOS training.
- 26. Any firearm used at the Club 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 at least one month in advance. Records of notification must be provided to the Council 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 [30] 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 at least one month in advance. Records of notification must be provided to the Council 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 [14] applies to any ranges where acoustic mitigation works have not been completed.*

**New Zealand Police and Armed Offenders Squad Use**

**Commented [AE16]:** Police need to confirm notice timeframes

29. The Consent Holder must notify the Council compliance officer by email of all Police or AOS shooting dates and times at the time a booking is confirmed. Except in the case of urgent incident investigations, such notice must be provided to Council at least [X] 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 [insert method of communication] at least [X] days in advance of that use.

**Noise Limits, Monitoring and Verification**

30. Firearm noise generated at the Club must not exceed a Composite Noise Rating (CNR) of 90 at 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]. 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 [31] and [32]*
- *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 [31] and [32]*

31. Within 1 month of the date of grant 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 [30]. The temporary noise monitoring system must be in place until the permanent Class 1 sound level meter required in condition [32] is operational.

For the purpose of verifying compliance with condition [30] 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.

32. 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, such that a log of recent gunshots of a minimum period of the previous 14 days is able to be made available to the Council immediately upon request, including the record of the number of shots fired each day.
33. The noise monitoring systems required by conditions [31] and [32] must be located at or adjacent to the notional boundary of a residential receiver used to assess compliance with condition [30], 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.
34. 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, 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 [40] to ensure the CNR 90 limit continues to be met.
  - c. The Consent Holder must provide written confirmation to Council identifying the ranges assessed and whether they have been demonstrated to comply with condition [15], 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 a revised NMP containing the practitioner's suggested amendments, or reasons why the suggested amendments have not been accepted, in which case alternative amendments shall be submitted.
- ii. The certification process in conditions 4-6 must be followed prior to the range being considered to comply with Condition [30].

**Advice Note:** *Compliance with this condition may be staged for different ranges, as anticipated by condition [15]. Condition [14] applies until such time as ranges have been determined as compliant with condition [15] by a suitably qualified and experienced acoustic practitioner.*

#### *Range Management*

35. Range Standing Orders required under the Arms Act 1983 (or any subsequent equivalent legislation) must be complied with at all times.
36. The total number of shots fired per day across all outdoor ranges must not exceed:
  - a. Monday-Saturday: 2,700.
  - b. Sunday: 3,500.
37. 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 within five working days of any written (including email) Council request, except that personal details (persons' names) need not be provided.
38. 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 [32], and the Noise Management Officer must ensure that the limits in condition [35] are not exceeded for that day.
39. 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 [32] to:

- i. the Noise Management Officer; and
- ii. Council's nominated compliance officer.

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

40. 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 required by condition [32], and the Noise Management Officer must ensure that CNR 90 is not exceeded for that day.

#### *Noise Management Plan*

41. A NMP must be prepared for the site by a suitably qualified and experienced acoustic practitioner and be submitted to Council 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.
42. 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 32 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.
43. Any amendments to the NMP must be submitted to Council for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified.

#### **Entrance Corridor Planting**

44. The existing planting strip adjoining Devon Road as shown in the Planting Plan (BTW Company, Drawing 230984.02, Sheet GD06, Revision B1, Plot Date: 05/03/2026) 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**

45. 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).
46. 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 works.
47. 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.
48. 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.

49. 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*

50. 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 for certification at least 10 working days prior to commencing soil disturbance.
51. 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.

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

**Commented [AE17]:** Confirm with Puketapu if condition sought (and whether similar condition sought for other management plans).

53. 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.

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

55. 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.

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

#### *Ongoing Site Management Plan*

57. 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 the fill area to the west of Range 7 and future activities following completion of construction. 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, and worker exposure, to ensure that risks to human health and the environment are appropriately avoided, remedied, or mitigated.

58. The OSMP must be submitted to Council for certification within 20 days of the completion of the soil disturbance works.

59. Any amendments to the OSMP must be submitted to the Council for certification, in accordance with the Certification of Management Plans conditions, prior to those amendments being implemented.

*Work Summary Report*

60. Within three months of the completion of the soil disturbance works, a work summary report must be provided to the Council 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 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**

61. A Surface Water and Sediment Monitoring Plan (**SWSMP**) must be prepared by a suitably qualified and experienced practitioner and be submitted to Council 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.

62. 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.

**Commented [AE18]:** Updated to include exceedance steps

- ii. Post-earthworks: quarterly for a minimum of 12 months following completion of acoustic mitigation works.

63. All monitoring results must be provided to Council on a quarterly basis for the duration of the monitoring period.

64. 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 inspection of erosion and sediment controls, stormwater management systems, and 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 within 20 working days outlining the outcomes of the investigation, actions taken, and any further measures required to ensure ongoing compliance.

65. Any amendment to the SWSMP must be submitted to the Council for certification, in accordance with the Certification of Management Plans conditions, prior to implementation.

#### **Stormwater Treatment System**

66. 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.

67. 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.

68. Any exceedance of the ANZG trigger values referred to in condition 66 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.*

69. 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**

70. 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:

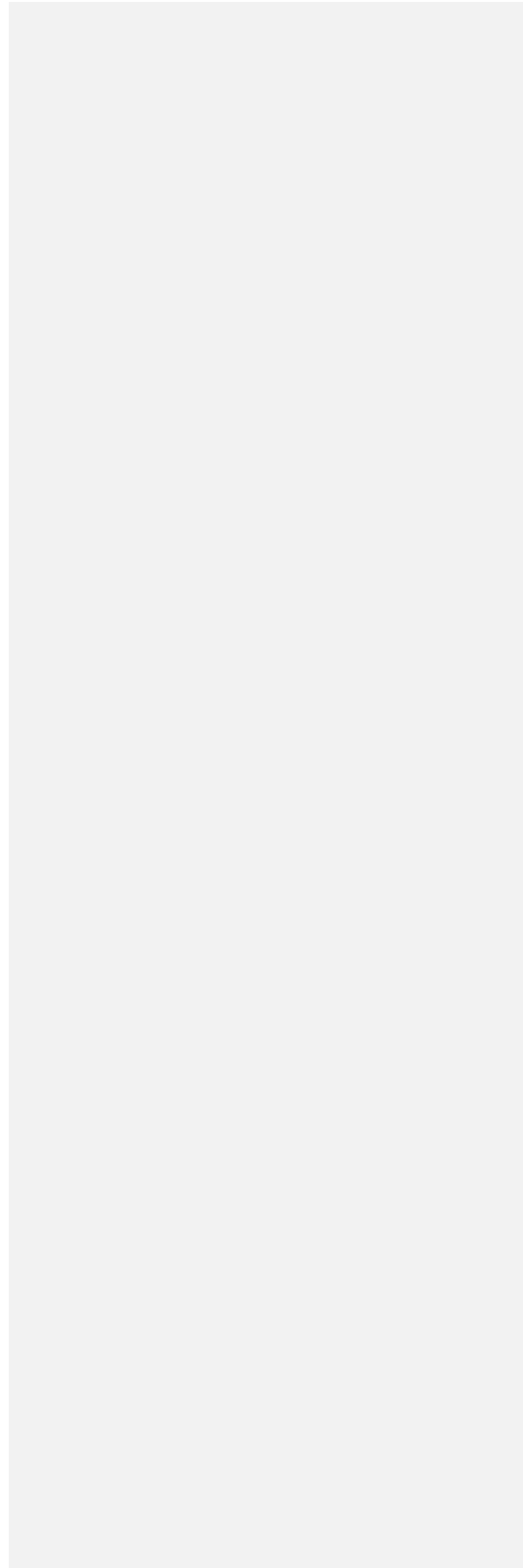
- a. To address any adverse effects on the environment arising from the exercise of this consent that were not foreseen at the time of granting the consent, including (but not limited to) noise effects; or
- b. To address any inaccuracies contained in the information provided with the application that 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 [XX] 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

**Commented [AE19]:** Update to include requirement to install, compliance standard and exceedance steps

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.



**ANNEXURE D: CONDITION SET REV 2A**

**RECOMMENDED CONDITIONS OF CONSENT LUC24/48583 REV 2A**

~~26/05/2026~~03/06/2026

**NEW PLYMOUTH PISTOL CLUB**

**RESOURCE CONSENT LU25/48583**

**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 recreational 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].

**Commented [AE1]:** Comments included to note some of the key changes relative to Revision 1C

**Commented [AE2]:** Updated post-meeting with Police

**Commented [AE3]:** Decision details added as per Panel direction

5. The proposal is [not contrary to] the relevant objectives and policies of the PODP and other relevant planning instruments.
6. The proposal [passes the 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).
- ii. **Composite Noise Rating (CNR)** means the noise metric calculated in accordance with condition [30], 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 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 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 [31] and the permanent Class 1 sound level meter required by condition [32].

**Commented [AE4]:** Definitions section added as per Panel suggestions

- 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 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 B1, Plot Date: 05/03/2026
  - b. BTW Company, Existing Site Plan, Drawing 230984.02, Sheet GD01, Revision B1, Plot Date: 05/03/2026
  - c. BTW Company, Concept Range, Drawing 230984.02, Sheet GD02, Revision B1, Plot Date: 05/03/2026
  - d. BTW Company, Typical Sections, Drawing 230984.02, Sheet GD03, Revision B1, Plot Date: 05/03/2026
  - e. BTW Company, Earthworks Plan, Drawing 230984.02, Sheet GD04, Revision B1, Plot Date: 05/03/2026
  - f. BTW Company, Erosion and Sediment Control Plan, Drawing 230984.02, Sheet GD05, Revision B1, Plot Date: 05/03/2026
  - g. BTW Company, Planting Plan, Drawing 230984.02, Sheet GD06, Revision B1, Plot Date: 05/03/2026
  - h. BTW Company, Groundwater Plan and Longsection, Drawing 230984.02, Sheet GD07, Revision B1, Plot Date: 05/03/2026
  - 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

**Commented [AE5]:** Note: I have assumed a commencement condition not necessary given proposal is for the continued operation.

- i. 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, Erosion and Sediment Control Plan, 20 October 2025
- p. BTW Company, Preliminary Site Investigation, 1220 Devon Road, Bell Block, New Plymouth, Rev A1 - 17/12/2024
- q. 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

r. BTW Company, Staging Plans, Drawing 230984.00-03, Sheets ST01-ST06, Revision A, Plot Date: 26/05/2026

**Commented [AE6]:** Staging plans added

s. 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).

**Commented [AE7]:** Commissioners suggested referring to Range Standing Orders as a separate item here

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 New Plymouth District Council when monitoring the conditions of this consent.

**Management Plan Certification**

**Commented [AE8]:** Certification conditions added to apply to all management plan to be certified

4. 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.
- 5. 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 shall be met by the Consent Holder.
- 6. No works shall commence until certification is given. All works shall be carried out in accordance with the material certified in accordance with condition 4.

### Earthworks

#### Erosion and Sediment Control

- 7. The Consent Holder must submit an Erosion and Sediment Control Plan (**ESCP**) to Council 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.
- 8. 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) are implemented prior to commencement of the acoustic mitigation works authorised by this consent.
- 9. The erosion and sediment control measures must be maintained for the full duration of the acoustic mitigation works and must not be removed without prior certification from the Council that the surface is considered stabilised against erosion.
- 10. Any update to the ESCP must be submitted to Council for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified.

**Commented [AE9]:** ESCP conditions changed from approved plan to requirement to be certified

#### *Site Stabilisation*

- 11. 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.

*Cultural Monitoring and Discovery Protocol*

12. No less than 7 working days prior to earthworks for the 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.
13. If the consent holder discovers kōiwi tangata, waahi taonga (resources of importance), waahi tapu (places or features of special significance) or other Māori artefacts during the Works, the consent holder must without delay:
- Notify Te Kotahitanga o Te Atiawa, the Consent Authority, Heritage New Zealand Pouhere Taonga and in the case of kōiwi, the New Zealand Police.
  - Stop work within the immediate vicinity of the discovery to allow a site inspection by Puketapu Hapū, Te Kotahitanga o Te Atiawa and Heritage New Zealand Pouhere Taonga, who must determine whether the discovery is likely to be extensive, if further site investigation is required, and whether an Archaeological Authority is required.
  - Any kōiwi tangata discovered should be handled and removed by kaumatua responsible for the tikanga (custom) appropriate to their removal or preservation.
  - Site work must only recommence following consultation with Puketapu Hapū, Te Kotahitanga o Te Atiawa, the Consent Authority, Heritage New Zealand Pouhere Taonga and in the case of kōiwi, the New Zealand Police.

**Commented [AE10]:** Puketapu input TBC

**Commented [AE11]:** Puketapu input TBC

Note: Condition adopted from recent approved subdivision within Puketapu Structure Plan Area - SUB24/50102 & LUC25/48842 33E Airport Road, Bell Block

**Operational Controls and Construction Timing**

14. From the date of commencement of this consent, the Consent Holder must operate the site in a controlled manner as follows:
- Shooting activity across all ranges must be limited to .22 rimfire firearms, except as provided for in (b) below.
  - Suppressed centrefire firearms may be used on Range 8.
  - Range 1 must not be used more than once per calendar month.

These restrictions apply unless and until modified in accordance with condition [15].

15. The operational restrictions in condition [14] apply until the Consent Holder demonstrates, by way of the attended noise measurement campaign required under Condition [33], that:

**Commented [AE12]:** Condition set moved from 47-55 in Rev 1C.

Range 1 acoustic wall conditions included in this section.

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 when shooting from Range 1.
- ii. 81 dB LZpeak when shooting from Ranges 2-8.

b. Compliance with the Composite Noise Rating (CNR) 90 limit in condition [30] 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 [14] may be lifted progressively on a range-by-range basis where the above requirements are met.

16. If at any time the Consent Holder is unable to demonstrate compliance with the CNR 90 limit in condition [30], the Consent Holder must immediately restrict shooting activity to that which achieves compliance, including, if necessary, reverting to the operational restrictions specified in condition [14].

17. 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*

18. 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.

**Commented [AE13]:** Condition updated to include temporary mitigation measures as a pragmatic approach to mitigating noise levels during the staged construction period - conditions are drafted so that there is no change to the noise level limits.

**Commented [SO14]:** In response to concerns expressed by Mr Ellerton, the applicant intends to alter these to Lpeak values (83 and 81) - as the test for mitigation works for ranges being considered to be 'complete'.

- d. Any other mitigation measures required to achieve compliance with conditions [15] and [30].
- 19. The Range 1 acoustic wall must be set back a minimum distance of 10 m from the unnamed tributary of the Mangaoraka Stream.
- 20. 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.
- 21. All acoustic mitigation works must be completed within 6 years of the date of grant of this consent.
- 22. The acoustic mitigation works must be undertaken in stages in general accordance with the Staging Plans (BTW Company, Drawing 230984.00-03, Sheets ST01–ST06, Revision A), and completed within the timeframes specified in those plans.
- 23. Within 3 months of the commencement of this consent, the Consent Holder must provide to Council 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.

**Commented [AE15]:** Addition of summer and winter hours, noting reductions in winter hours

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 ~~[12XX]~~ 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). ~~The periods of low noise do not apply to Police and AOS training. 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 at least one month in advance. Records of notification must be provided to the Council 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 [30] and the low noise restriction in condition [25] do not apply.

**Commented [AE16]:** Club to confirm with NZ Police

**Commented [AE16R2]:** Confirmed up to 12

**Commented [AE17]:** Addition to clarify that the Club will not certify Police AOS firearms. Police use limited to suppressed fire (low noise) or glock (other).

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 at least one month in advance. Records of notification must be provided to the Council 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 [14] 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.

*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.

29-31. The Consent Holder must notify the Council compliance officer by email of all Police or AOS shooting dates and times at the time a booking is confirmed. Except in the case of ~~urgent incident investigations~~ Police Reintegration Programme requirements, such notice must be provided to Council at least [~~10X~~] 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 [insert method of communication] at least [~~10X~~] days in advance of that use.

*Noise Limits, Monitoring and Verification*

30-32. Firearm noise generated at the Club must not exceed a Composite Noise Rating (CNR) of 90 at 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]. CNR is to be calculated as follows:

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

Where:

**Commented [AE18]:** New proposed condition in response to Panel direction to consider 3-day respite after 3-day events

**Commented [AE19]:** Police need to confirm notice timeframes

**Commented [AE19R2]:** Minimum 10 days notice workable for Police for majority of training. Exception for incidents - confirmed by Police as necessary, being in relation to their Reintegration Programme:  
<https://www.policeassn.org.nz/news/critical-incidents-what-is-reintegration/>

**Commented [AE20]:** This generally accounts for Police use once a month occurring over three days typically Tues-Thurs (36 days annually) and AOS up to once a month (12 days annually) plus additional 4 days for miscellaneous including reintegration programme.

- *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 [31] and [32]*
- *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 [31] and [32]*

~~31-33.~~ Within 1 month of the date of grant 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 [30]. The temporary noise monitoring system must be in place until the permanent Class 1 sound level meter required in condition [32] is operational.

For the purpose of verifying compliance with condition [30] 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.

~~32-34.~~ 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, such that a log of recent gunshots of a minimum period of the previous 14 days is able to be made available to the Council immediately upon request, including the record of the number of shots fired each day.

~~33-35.~~ The noise monitoring systems required by conditions [31] and [32] must be located at or adjacent to the notional boundary of a residential receiver used to assess compliance with condition [30], 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.

~~34-36.~~ 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, 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 [40] to ensure the CNR 90 limit continues to be met.
- c. The Consent Holder must provide written confirmation to Council identifying the ranges assessed and whether they have been demonstrated to comply with condition [15], 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 a revised NMP containing the practitioner's suggested amendments, or reasons why the suggested amendments have not been accepted, in which case alternative amendments shall be submitted.
  - ii. The certification process in conditions 4-6 must be followed prior to the range being considered to comply with Condition [30].

**Advice Note:** *Compliance with this condition may be staged for different ranges, as anticipated by condition [15]. Condition [14] applies until such time as ranges have been determined as compliant with condition [15] by a suitably qualified and experienced acoustic practitioner.*

#### *Range Management*

~~35-37.~~ Range Standing Orders required under the Arms Act 1983 (or any subsequent equivalent legislation) must be complied with at all times.

~~36-38.~~ 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.

**Commented [AE21]:** Note: AOS use approximately 60% suppressed, 40% glocks

37-39. 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 within five working days of any written (including email) Council request, except that personal details (persons' names) need not be provided.

38-40. 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 [32], and the Noise Management Officer must ensure that the limits in condition [35] are not exceeded for that day.

39-41. 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 [32] to:

- i. the Noise Management Officer; and
- ii. Council's nominated compliance officer.

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

40-42. 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 required by condition [32], and the Noise Management Officer must ensure that CNR 90 is not exceeded for that day.

#### *Noise Management Plan*

41-43. A NMP must be prepared for the site by a suitably qualified and experienced acoustic practitioner and be submitted to Council 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.

42.44. 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 32 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.

43.45. Any amendments to the NMP must be submitted to Council for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified.

#### **Entrance Corridor Planting**

44.46. The existing planting strip adjoining Devon Road as shown in the Planting Plan (BTW Company, Drawing 230984.02, Sheet GD06, Revision B1, Plot Date: 05/03/2026) 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**

~~45-47.~~ 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).

~~46-48.~~ 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 works.

~~47-49.~~ 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.

~~48-50.~~ 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.

~~49-51.~~ 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*

~~50-52.~~ 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 for certification at least 10 working days prior to commencing soil disturbance.

~~54-53.~~ 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.

~~52-54.~~ Prior to submitting or amending the SMP, consultation must be undertaken with Puketapu Hapū and any comments by Puketapu Hapū must be incorporated in the SMP or when the SMP is submitted for certification the comments must be provided with reasons why the comments have not been accepted (in whole or in part).

**Commented [AE22]:** Confirm with Puketapu if condition sought (and whether similar condition sought for other management plans).

~~53-55.~~ 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.

~~54-56.~~ Any amendments to the SMP must be submitted to Council for certification, in accordance with the certification process in conditions 4–6, and must not be implemented until certified.

~~55-57.~~ 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.

~~56-58.~~ If unexpected conditions, such as staining, odorous material, are encountered during the soil disturbance works; work in that area must cease and the Council must be notified. Unexpected contamination and contingency measures must be overseen and assessed by a suitably qualified and experienced practitioner.

#### *Ongoing Site Management Plan*

~~57-59.~~ 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 the fill area to the west of Range 7 and future activities following completion of construction. 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, and worker exposure, to ensure that risks to human health and the environment are appropriately avoided, remedied, or mitigated.

~~58-60.~~ The OSMP must be submitted to Council for certification within 20 days of the completion of the soil disturbance works.

~~59-61.~~ Any amendments to the OSMP must be submitted to the Council for certification, in accordance with the Certification of Management Plans conditions, prior to those amendments being implemented.

#### *Work Summary Report*

~~60-62.~~ Within three months of the completion of the soil disturbance works, a work summary report must be provided to the Council 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 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

**Commented [AE23]:** Updated to include exceedance steps

~~64-63.~~ A Surface Water and Sediment Monitoring Plan (**SWSMP**) must be prepared by a suitably qualified and experienced practitioner and be submitted to Council 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.

~~62-64.~~ 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.

~~63-65.~~ All monitoring results must be provided to Council on a quarterly basis for the duration of the monitoring period.

~~64-66.~~ 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 inspection of erosion and sediment controls, stormwater management systems, and 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 within 20 working days outlining the outcomes of the investigation, actions taken, and any further measures required to ensure ongoing compliance.

~~65-67.~~ Any amendment to the SWSMP must be submitted to the Council for certification, in accordance with the Certification of Management Plans conditions, prior to implementation.

#### **Stormwater Treatment System**

~~66-68.~~ 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.

~~67-69.~~ 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.

~~68-70.~~ Any exceedance of the ANZG trigger values referred to in condition 66 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.

**Commented [AE24]:** Update to include requirement to install, compliance standard and exceedance steps

~~69-71.~~ 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**

~~70-72.~~ 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 [XX] 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.