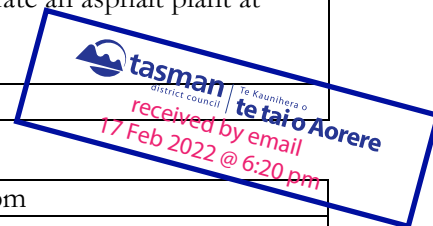


**EXPERT WITNESS CAUCUSING CONFERENCE AND JOINT WITNESS STATEMENT: AIR QUALITY CONDITIONS**

<b>BEFORE THE TASMAN DISTRICT COUNCIL IN THE MATTER</b>	Of an application to establish and operate an asphalt plant at Bartlett Road, Tasman.
<b>APPLICANT</b>	Tasman Bay Asphalt Ltd



<b>Date / Time</b>	9 February 2022 / 2 pm
<b>Venue / Remote Technology Platform</b>	Teams

<b>Witnesses</b>	<b>For</b>
Mr Bender	Applicant
Mr Iseli	Joint submitters
Mr Pigott	Council

**JOINT WITNESS STATEMENT – AIR QUALITY CONDITIONS**

**Introduction**

1. This Joint Witness Statement (JWS):
  - a. Relates to any effects on air quality that may arise from Tasman Bay Asphalt Limited’s (TBAL’s) proposal to establish and operate an asphalt manufacturing plant at Bartlett Road, Tasman.
  - b. Reports on the outcome of expert conferencing between the three air quality experts who have filed evidence in this matter.
  - c. Provides a set of tracked changes conditions identifying consensus, and areas of difference between the experts.
2. The expert conference was held virtually on 9 February 2022 via the Teams conferencing app.
3. The experts involved have read Appendix 3 of the Environment Court Practice Note and confirm compliance with it.

**Discussion of Outstanding Matters**

4. The experts agreed that the outstanding matters to resolve through the conferencing process are issues related to the effects on crops from dust and tainting from odorous discharges from the proposal.

Dust

5. Mr Iseli notes that subject to sealing of areas of the site with truck movements, including paths to the loadout area and the aggregate bins, adverse effects on crops resulting from dust from the site can be minimised. Provided that an appropriate plan is attached to conditions showing the areas to be sealed that include the main truck movement areas, and that good dust management practices are used at the site, Mr Iseli considers that adverse dust effects from the site are likely to be acceptable.
6. Mr Pigott and Mr Bender agree that subject to sealing these areas and implementation of dust management procedures in a certified air quality management plan (AQMP), dust from the site can be adequately managed.

Odour

7. The experts agreed that odour emissions from the proposal are the main unresolved issue in regard to potential effects, in particular the potential for tainting of boysenberries from odour. This issue has remained unresolved due to the absence of any evidence or research proving or disproving the risk of tainting of fruit from industrial emissions of this type.
8. Mr Iseli is of the view that fugitive odours present the highest risk of tainting due to the low height of the discharges during truck loadouts and the close proximity of the boysenberry crop. Mr Iseli has therefore recommended that the truck loadout area be enclosed, with the emissions extracted and incinerated through the main stack, in order to reduce to potential for adverse effects on crops. Mr Iseli noted that best practice in this case is to direct the fugitive emissions through the asphalt mixing drum, so that the odorous compounds can be incinerated in the burner before being extracted through the asphalt plant stack. Mr Iseli has also proposed a condition which would require the design of the extraction system to be certified by a qualified engineer prior to construction.
9. Mr Bender noted that TBAL has accepted the recommendation and has agreed to build an enclosure around the truck loadout area, however that due to the configuration of the plant, directing the air extracted from the loadout area through the existing stack is not the most practicable in terms of plant layout. Furthermore, as the asphalt plant is required by the consent to stop operating by 6pm, whereas loadout activities may occur up until 9pm, and therefore the burner will not necessarily be operating during the loadout periods.
10. TBAL instead proposes to construct an enclosure around the loadout area which includes ventilation of extracted air above the loadout area and near the storage silo at a height of 12.5 metres above surrounding ground level. The enclosure will include two roller doors to allow entry and exit of trucks, and which will be closed during the loadout process.
11. Mr Iseli notes that he is uncertain as to whether the loadout enclosure proposed by TBAL will be sufficient to adequately reduce the risk of tainting on the boysenberries and this will depend on the final design of the enclosure, extraction system, and associated stack,. He considers the best practicable option for this site of extraction and incineration via the asphalt plant stack should be implemented as a precautionary measure, if consent is granted.
12. Mr Iseli maintains the opinion that potential adverse effects on sensitive horticultural crops such as boysenberries would be best prevented by a minimum 200m separation distance between the asphalt plant and sensitive activities. In this case that would require selection of an alternative site.
13. Mr Bender considers that TBAL's proposal will reduce the impact of fugitive discharges by extracting the odorous emissions from the truck loadout from ground level up to a height of 12.5 metres, where they will result in reduced impacts at ground level. Given the lack of any evidence that such industrial discharges may result in tainting, Mr Bender considers that the relatively low level of effects generated by the proposal generally, and including the extracted odours from the loadout area, are unlikely to have any measurable impact on the surrounding crops.
14. Mr Bender further notes that proposed Condition 29 of the air discharge consent allows Tasman District Council to review the conditions of consent should adverse effects from dust or odour be experienced beyond the site boundary. Should the boysenberry crops be shown to be adversely impacted from the operation of the plant, conditions may be imposed upon the consent holder to further mitigate the discharges.

#### Changes to Proposed Conditions

The noted matters of agreement and disagreement below relate to the attached track changes version of conditions. The base document is the conditions tabled by the applicant on 20 January 2021.

Amendments proposed by the air quality experts are shown as underline (additions) or strike through (deletion).

Where explanation is necessary, reasons for agreement or disagreement are shown below.

<b>1.</b>	<b>Additional Condition 10A of Land Use Consent RM201000</b>
<p>10A. <u>The loadout area shall be enclosed to allow extraction of fugitive odours during vehicle loadouts through a stack not less than 12.5m above surrounding ground level. The design of the loadout enclosure shall be certified by a suitably qualified engineer and approved by TDC (appropriate position title) at least 10 days prior to commencement of construction.</u></p>	
<p><b>Reason for addition:</b> The enclosure of the loadout area has been proposed to address concerns regarding the potential for adverse effects of fugitive emissions from the loadout area on the nearby boysenberry crops.</p>	
<p><b>Areas of agreement:</b> All air quality experts have agreed that an enclosure around the loadout area with emissions extracted and discharged at a height of 11 metres above ground level, which is the height of the asphalt silo, will reduce the impact of the fugitive emissions from the loadout area on crops near the site boundary.</p>	
<p><b>Areas of disagreement:</b> Mr Iseli considers that best practice in this case would be to direct the extracted air from the loadout enclosure through the drum mixer where they may be incinerated by the burner prior to discharge from the main asphalt plant stack. Given the uncertainty as to the conditions under which tainting of the boysenberries may occur, Mr Iseli considers the best practicable option should be employed. Mr Bender has noted that this option is not practicable during periods of loadout when the asphalt plant is not in operation. Mr Bender is of the opinion that the loadout enclosure proposed by TBAL will reduce the impacts of odour from fugitive emissions near the site boundary, and tainting of the boysenberry crops is unlikely. Should the boysenberries be shown to be adversely affected by the discharges, the Council can require further mitigations to be enacted by the consent holder to mitigate the adverse effects.</p>	
<b>2.</b>	<b>Change to Condition 22A of Land Use Consent RM201000</b>
<p>22A. Internal trafficable routes, <u>including routes for filling of aggregate bins, as shown by red arrows Plan X on [site plan] 12410, Issue 4, dated 25 January 2022, attached.</u> <del>referred to in Condition 4</del> shall be sealed <u>with asphalt or finished in clean gravels (M4 grade).</u></p>	
<p><b>Reasons for change:</b> TBAL has agreed to seal all internal traffic routes with asphalt, and the use of gravels is no longer considered an option. Sealing of routes for filling of aggregate bins has been added for completeness.</p>	
<b>2.</b>	<b>Removal of Condition 36 of Land Use Consent RM201000</b>
<p>36. <del>Carbon Filters shall be fitted on the bitumen tank vents to prevent fugitive odour discharges.</del></p>	
<p><b>Reason for removal:</b> This condition is more appropriately located in the air discharge consent, and has been reinstated as Condition 13 of RM201002.</p>	
<b>3.</b>	<b>Change to Condition 3 (d) of Air Discharge Consent RM201002</b>
<p>3. The discharge shall only be the following: ... d) Occur a maximum of 10 hours <u>on any day.</u></p>	
<p><b>Reason for change:</b> Changed for clarity.</p>	
<b>4.</b>	<b>Change to Condition 5 of Air Discharge Consent RM201002</b>

<p>5. The concentration of PM<sub>10</sub> filterable <u>and condensable</u> particulate <u>matter collectively</u> in the baghouse stack discharge shall not exceed 30 milligrams of PM<sub>10</sub> particulate per cubic metre of air when adjusted to 0 degrees Celsius, 101.3 kilopascals on a dry gas basis.</p>
<p><b>Reason for change:</b> Added reference to condensable particulate matter to be consistent with Condition 7.</p>
<p><b>5.   Change to Condition 9 of Air Discharge Consent RM201002</b></p>
<p>9. The burner shall be maintained and correctly adjusted to avoid <u>any visible</u> smoke emissions <u>from the stack</u>. <i>Advice note: This condition excludes emissions of steam/water vapour from the stack.</i></p>
<p><b>Reason for change:</b> Change made to clarify that the emissions relate to those of smoke or particulate matter from the stack, excluding water vapour or steam.</p>
<p><b>6.   Reinstatement of Condition 13 of Air Discharge Consent RM201002</b></p>
<p>13. Activated Carbon Filters shall be fitted on the bitumen tank vents to <u>prevent fugitive odour discharges</u>.</p>
<p><b>Reason for change:</b> This condition is a requirement that the bitumen tank vents be fitted with activated carbon filter to mitigate odour discharges. This condition had previously been removed and placed in the Land Use Consent together with other dust and odour management procedures. The experts have agreed to re-instate this condition within the air discharge consent.</p>
<p><b>7.   Addition of Condition 14A of Air Discharge Consent RM201002</b></p>
<p>14A. <u>The asphalt loadout area shall be fully enclosed and all emissions during loadout shall be directed to a stack not less than 12.5 metres above the surrounding ground level. The extraction system shall be designed to maintain negative pressure at all times within the enclosure, achieving an efflux velocity of at least 10 m/s from the emission stack. The enclosure shall be fitted with rapid opening doors that are opened only for the purpose of truck entry and exit. The consent holder shall submit the plan of the load out enclosure area design which must be peer reviewed by a suitably qualified Engineer for approval by Council (Manager Resource Use) at least 10 days prior to construction commencing.</u></p>
<p><b>Reason for addition:</b> This newly proposed condition is a duplication of the newly proposed Condition 10A of the land use consent which requires that the consent holder enclose the loadout area and submit a plan of the load out area design peer reviewed by a suitably qualified Engineer for approval by Council (Manager Resource Use) at least 10 days prior to construction commencing. Minimum height and efflux velocities are set which match that of the main asphalt plant stack.</p>
<p><b>Matters of agreement</b></p>
<p>Mr Bender and Mr Iseli agree that this is an appropriate condition to ensure that the design of the load out area enclosure meets the objectives, i.e. that the fugitive odours from the loadout area are adequately mitigated.</p>
<p><b>Matters of disagreement</b></p>
<p>As stated in previously Mr Iseli considers that given the uncertainties around tainting of crops from industrial discharges, a precautionary approach should be taken, and the best practicable option for treating the discharge should be adopted. Best practice in this case is to extract the air from the loadout enclosure through the mixing drum and out the main stack. Mr Bender has noted that the best practice option is not applicable in this case as the loadout area may be in operation when the plant is not manufacturing asphalt. Mr Bender also considers that the alternative design proposed by TBAL will reduce the impacts of the fugitive loadout emissions near the site boundary, and notes that the review condition may be used by Council should this option be inadequate to avoid adverse effects on the nearby crops.</p>
<p><b>8.   Change to Condition 15 of Air Discharge Consent RM201002</b></p>
<p>15. The discharge from <del>the both</del> stacks shall be directed vertically into the air and shall not be impeded by any obstruction above the stack that decreases the vertical velocities below that which would occur in the absence of such obstructions.</p>

<b>Reason for change:</b> Modified in order to include reference to the second proposed stack which ventilates the asphalt loadout enclosure.	
<b>9.</b>	<b>Addition of Condition 16A of Air Discharge Consent RM201002</b>
<u>16A Loadouts from the hot mix storage (silo) to trucks must occur with the roller doors closed and the extraction system fully operational, and the load must be covered before the roller door is lifted and the truck leaves the loadout area. The cover may be secured outside the loadout area, and must be secured before the truck exits the site.</u>	
<b>Reason for addition:</b> This purpose of this condition is to ensure that the loadout operations will occur within the proposed enclosure area and that fugitive emissions will be adequately extracted and discharged through the loadout area stack.	
<b>9.</b>	<b>Addition of Condition 20 of Air Discharge Consent RM201002</b>
<u>20 The bagfilter shall be pro-actively managed and maintained in order to minimise the discharge of particulate matter. This includes, but is not limited to, maintaining sufficient inventory to ensure bags are changed out before, or immediately after, any tears or holes develop.</u>	
<b>Reason for addition:</b> This purpose of this condition is to ensure that good management practices are enacted to minimise risk of abnormal emissions due to bag filter failures.	
<b>10.</b>	<b>Change to Condition 22 of Air Discharge Consent RM201002</b>
22. The discharge shall occur in accordance with an Air Quality Management Plan (AQMP). The AQMP shall be submitted to the Council’s Team Leader Monitoring & Enforcement for <u>certification</u> prior to the exercise of this consent. <u>The discharge shall not commence until written notice of certification of the AQMP by the Council is received.</u> The AQMP may incorporate a series of monitoring, management and operational procedures, methodologies and contingency plans, and together shall accurately record all data required to comply with the conditions of this consent. The AQMP shall include <u>all measures necessary to achieve compliance with the conditions of consent, including but not limited to, but is not limited to,</u> the following:	
<ul style="list-style-type: none"> <li>a) Identification of all fugitive and point sources of discharges of contaminants into air, including a map showing the location of each source;</li> <li>b) Procedures to minimise discharges of contaminants into air, including details of the inspection, maintenance, monitoring and contingency procedures in place for all emissions control equipment at the Application Site;</li> <li>c) Details of management and monitoring practices in place to minimise discharges of contaminants into air, including <u>dust and odour. These measure shall include:</u> <ul style="list-style-type: none"> <li>- <u>Minimising the heights of exposed stockpiles and drop heights;</u></li> <li>- <u>Daily visual monitoring of potential fugitive dust emissions</u></li> <li>- <u>Sweeping, suction cleaning or use of other housekeeping measures to regularly remove accumulated bulk solid materials on yard or hardstand areas;</u></li> <li>- <u>Using water and/or dust suppressants on disturbed surfaces, internal trafficable routes and stockpiles when required;</u></li> <li>- <u>Limiting vehicle speeds within the Lease Area and within the Bartlett Road entrance to the Waimea River Park to 10 km/hr.</u></li> </ul> </li> <li>d) Details of methods and procedures for measuring operating parameters relating to discharges to air, including the monitoring required by Conditions (14) to (17);</li> <li>e) Where appropriate, the operating parameters and manufacturer’s instructions for all emissions control equipment.</li> <li>f) Procedures for the monitoring of <u>dust and odour</u>, including details of inspection procedures, recording requirements and contingency measures;</li> <li>g) The identification of staff responsibilities;</li> <li>h) The procedures for the receipt, recording and handling of air quality complaints received; and</li> <li>i) Details of the frequency and scope of the regular checks to be performance on emissions control equipment</li> </ul>	
<b>Reason for addition:</b> This condition requires that TBAL develop and submit an AQMP to Council prior to beginning of works. Changes to the condition have been made to ensure the	

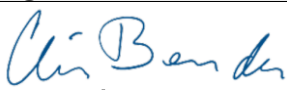


AQMP is certified by Council prior to commencement of the discharges. The requirements of the AQMP stipulated in the condition have also been changed to include dust as well as odour. Specific dust management procedures detailed in RM201000 have also been added for inclusion in the air discharge consent.

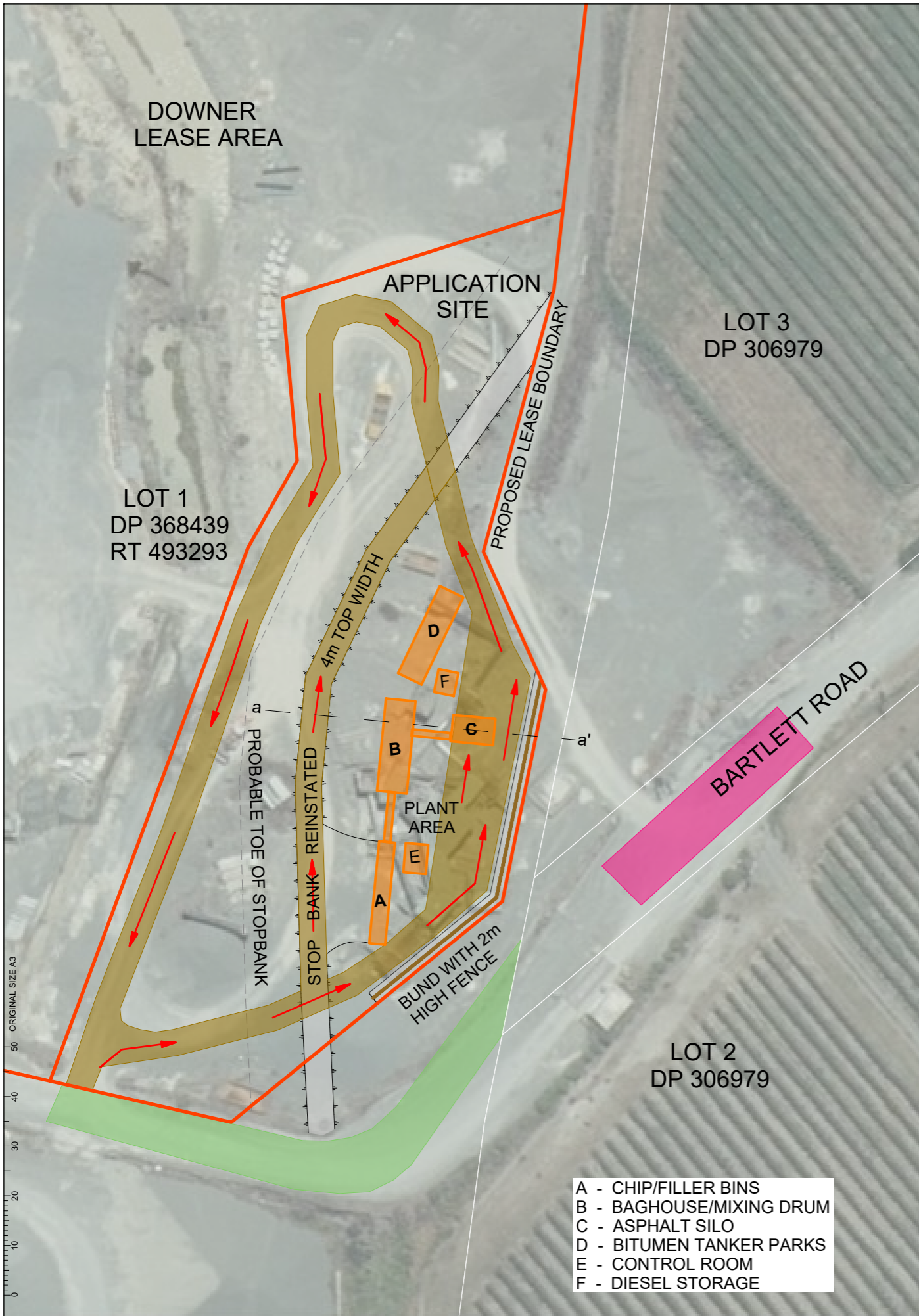
**10. Change to Condition 24 of Air Discharge Consent RM201002**

- 24 A record of complaints relating to discharges of contaminants to air from the Application site including odour or particulate matter or dust, shall be maintained and shall include:
- a) Location of where the odour or particulate matter or dust was detected by the complainant;
  - b) The date and time when the odour or particulate matter or dust was detected;
  - c) The date and time when the odour or dust complaint was received;
  - d) The name, telephone number and address of the complainant;
  - e) A detailed description of the odour or dust incident taking into account the frequency, intensity, duration, offensiveness and location
  - f) A description of the wind speed and wind direction when the odour or particulate matter or dust was detected by the complainant
  - g) Details of key operating parameters at the time of the odour incident;
  - h) The most likely cause of the odour or particulate matter or dust detected;
  - i) Any corrective action undertaken by the consent holder to avoid, remedy or mitigate the odour or particulate matter or dust detected by the complainant.
  - j) This record shall be provided to the Council on request.

**Reason for change:** This condition stipulates that a record of complaints relating to discharges from the site be kept. Changes have been made to expand the minimum information required to be collected by the consent holder.

Signed:

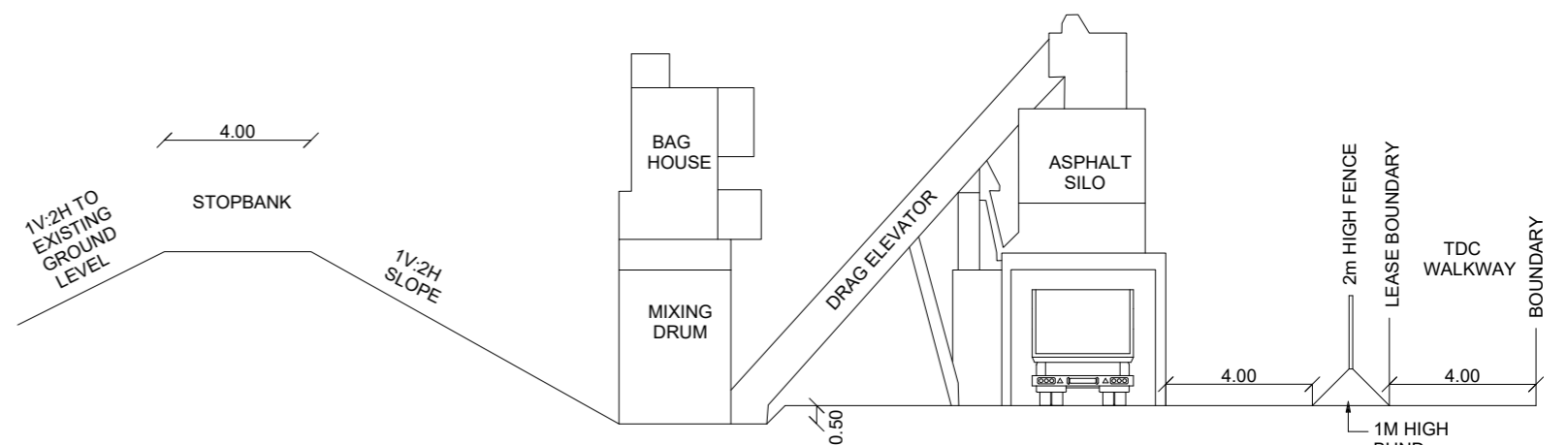
Witness	Signature	Date
Mr Bender		17 February 2022
Mr Iseli		17 February 2022
Mr Pigott		17 February 2022



### Location Diagram

**KEY FOR ASPHALT SEALING**

- LEGAL ROAD UPGRADE IF CONSENT COMMENCES PRIOR TO TDC ACTION OF RM210544
- BARTLETT ROAD EXTENSION INTO WAIMEA RIVER PARK TO ENTRANCE OF LEASE AREA
- APPLICATION SITE TRUCK ROUTES AND LOADING AREA. SEALING TO BE REMOVED AT END OF CONSENT



**tasman** district council | Te Kaunihera o te tai o Aorere  
 received by email  
 17 Feb 2022 @ 6:20 pm

<p>81 Selwyn Place, Nelson 248 Montreal St, Christchurch</p> <p>Ph: 0800 807 818 www.staigsmith.co.nz enquiries@staigsmith.co.nz</p>	<p>Sealing details added 21/01/22 Move of Lease Bdy 26/11/21</p> <p>AMENDMENT DATE</p>	<p>JOB/CLIENT Tasman Bay Asphalt Bartlett Road Hope</p>	<p>DRAWING Proposed Asphalt Plant Site Plan</p>	<p>Survey: Drawn: SA Checked: JB Approved: DC</p>	<p>ISSUE 4</p>	<p>PROJECT NO. 12410</p>	<p>SCALE: A3 A1</p>	<p>SHEET 1</p>
					<p>DATE 25 Jan 2022</p>			

[this page blank]





## 16/02/2022: Amendments to conditions in response to air quality conferencing

### Land use conditions for RM201000

#### General

- 1 The Consent Holder shall ensure that all works are carried out in general accordance with the information submitted in support of the applications RM201000, by Staig & Smith dated XXXX, further information received XXXX and attached Plans A, B, C dated XXX.

In the event that there is any conflict between these documents and any condition of these consents, the conditions prevail.

- 2 In this resource consent the terms set out in this condition have the meanings specified in this condition:

**Lease Area** means the wider Downer Group NZ Lease Area

**Application Site** means the sub-lease area for the Consent Holder, including the access ways within the Lease Area

**Plant Area** means the area within the Application Site that outside of the stopbank.

- 3 The Consent Holder shall prepare an Erosion and Sediment Control Plan (ESCP), to be submitted to Council's Engineering Department for certification for the operation of the Asphalt Plant and the Application Site. The ESCP shall include:
  - (a) Details of all principles, procedures and practices that will be implemented for erosion, sediment and dust control to minimise the potential for sediment discharge from the site.
  - (b) The design criteria and dimensions of erosion and sediment control structures.
  - (c) A detailed site plan showing the location and timing of all erosion and sediment control structures to be implemented, including controls to remain in place until each stage is fully stabilised.
  - (d) Construction timetable for the erosion and sediment control works and any bulk earthworks involved.
  - (e) Timetable and nature of progressive site rehabilitation and revegetation proposed.
  - (f) Maintenance, monitoring and reporting procedures.
  - (g) Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or the failure of any key erosion and sediment control structures.

#### Construction

- 4 The Consent Holder shall remove the existing crushing plant materials to at least 1m below ground level, if not already undertaken by Downer Group NZ Ltd as the lease holder for the Lease Area.

---

20/01/2022 Applicant amendments to conditions in response to pre-exchanged evidence and Hearing day 1.

1

- 5 The Consent Holder shall undertake benchmark testing of the Plant Area to ascertain soil contamination background levels.
- 6 The Consent Holder shall realign the stopbank and level and compact the Plant area prior to construction of the MARINI Latin America Carbon T-Box 130 buildings in accordance with Earthworks consent RM201018.
- 7 The Consent Holder shall install the MARINI Latin America Carbon T-Box 130, in accordance with manufactures specifications and Building Act requirements.
- 8 External lighting is to be kept to a minimum and lights directed internally, away from any housing.
- 9 The height of the Bag House and the Silo shall not exceed 11 metres above finished ground level.
- 10 The stack shall be 12.5m above the surrounding ground level and 13m above finished ground level immediately under the bag house.

10a The loadout area shall be enclosed to allow extraction of fugitive odours during vehicle loadouts through a stack not less than 12.5m above ground level. The design of the loadout enclosure shall be certified by a suitably qualified engineer and approved by TDC (appropriate position title) at least 10 days prior to commencement of construction.

- 11 Any fencing within the berm is to be post and wire.
- 12 Construction works on the Asphalt Plant authorised by this consent shall only occur between the following hours
  - a) 0700 – 1800 Monday to Saturday
  - b) No work shall occur on Sundays or public holidays

All construction activities shall be carried out so as to comply with NZS6803:1999 Acoustics – Construction Noise standards. To determine compliance, noise shall be measured and assessed in accordance with the provisions of NZS6801:2008 and NZS6802:2008.

#### **Operation**

- 13 The MARINI Latin America Carbon T-Box 130 shall operate at a maximum rate of 130 ton per hour.
- 14 The Consent Holder shall not exceed a production rate of 400 tonnes per day.

#### **Acoustic barrier**

- 15 The Consent Holder shall construct a 3m high acoustic barrier prior to operation of the MARINI Latin America Carbon T-Box 130, in the location as shown on the Site Plan attached as Plan A RM201000 dated XXXX, being the edge of the Application Site and the Lease Area.

The barrier shall have a minimum superficial mass of 10kg.m<sup>2</sup>.

The barrier shall be constructed with no gaps or holes.

The barrier shall be maintained to be acoustically effective for as long as the consent is given effect to.

**Operational Hours and Noise limits**

- 16 The MARINI Latin America Carbon T-Box 130 shall operate to a maximum of 10 hours per 24 hours
- 17 The Consent Holder shall not operate the MARINI Latin America Carbon T-Box 130 or load and transport any asphalt from the Application site on Sundays or Public Holidays.
- 18 The Consent Holder shall operate as follows:

Monday-Friday:

- 6.30am-7am staff arrive
- 7am-6.30pm operate MARINI Latin America Carbon T-Box 130, loading trucks, and truck movements transporting asphalt from the Application Site.

Saturday

- 6.30am-7am staff arrive
- 7am-6.00pm operate MARINI Latin America Carbon T-Box 130 loading trucks, and truck movements transporting asphalt from the Application Site.

Except for 30 days per 12 month period, the Consent Holder shall operate:

Monday-Friday:

- 6.30am-7am staff arrive
- 7am-9pm operate MARINI Latin America Carbon T-Box 130
- 7am-10pm loading trucks, and truck movements transporting asphalt from the Application Site.

Saturday:

- 6.30am-7am staff arrive
- 7am-6.00pm operate MARINI Latin America Carbon T-Box 130
- 7am-10.00pm loading trucks, and truck movements transporting asphalt from the Application Site.

- 19 The operation of the MARINI Latin America Carbon T-Box 130 and associated activities occurring on Application Site must comply with the times and noise limits set out below, at any position within the notional boundary of noise sensitive receiver sites.

Proposed activity	Operating hours	Noise limits
Operation of the asphalt plant	<b>Monday to Friday</b> 7.00am to 9.00pm	55 dB LAeq
	<b>Saturday</b> 7.00am to 6.00pm	
	Monday to Friday 7.00am to 9.00pm	55 dB LAeq

All other activities within the Application Site, including:  on site vehicle movements and the loading and unloading of trucks	Monday to Friday	6.30am to 7.00am	40 dB L <sub>Aeq</sub>
		9.00pm to 10.00pm	70 dB L <sub>AMAX</sub>
	Saturday	7.00am to 6.00pm	55 dB L <sub>Aeq</sub>
	Saturday	6.30am to 7.00am	40 dB L <sub>Aeq</sub>
		6.00pm to 10.00pm	70 dB L <sub>AMAX</sub>

- 20 To determine compliance with **Condition 19**, noise shall be measured and assessed in accordance with the provisions of NZS6801:2008 Acoustics – Measurement of Environmental Sound and and NZS6802:2008 Acoustics Environmental Noise
- 21 The Consent Holder shall prepare a Noise Management Plan (NMP) for transportation effects, and this may be part of the Traffic Management Plan. The purpose of the NMP is to minimise and manage noise from any truck or transportation movements both within and outside of the Application Site, the NMP shall state:
- the number of truck movements allowed per time
  - the times during which truck movements are allowed to be made to and from the Application site
  - the checks that must be undertaken before a truck leaves the site to ensure the truck does not create additional instantaneous noise levels from loose parts or chains when driving on rural roads
  - the procedures for ensuring that all drivers are aware of the NMP and its requirements

#### Traffic Management

- 22A **The Consent Holder will seal the formed road next to the Application Site from the end of the existing seal to the entrance to the Application Site.**
- 22 Internal trafficable routes, **including routes for filling of aggregate bins**, as shown on site plan **12410, Issue 4, dated 25 January 2022, attached,** shall be sealed **with asphalt**.
- 23 All trucks to and from the Application Site must use the truck routes set out in Table 1 and Plan X [Truck Route Plan in application] referred to in Condition 1 except as provided for in a) below:

Destination	In-bound Movement	Out-bound Movement
Western	Route colour: <b>Orange</b>  Description: Pugh Road – right turn onto Ranzau West Road – left turn onto Bartlett Road	Route colour: <b>Red</b>  Description: Bartlett Road – left turn onto SH 60
Northern	Route colour: <b>Yellow</b>  Description: Pugh Road – right turn onto Ranzau	Route colour: <b>Green</b>  Description: Bartlett Road – right turn onto Ranzau

- Deleted:** by red arrows Plan X [
- Deleted:** ]
- Deleted:** referred to in Condition 1
- Deleted:** or finished in clean gravels (M4 grade)

	West Road – left turn onto Bartlett Road	West Road – Ranzau Road – left turn onto SH6
Southern	<p>Route colour: <b>White</b></p> <p>Description: left turn from SH 6 – Ranzau Road – Ranzau West Road – left turn onto Bartlett Road</p>	<p>Route colour: <b>Blue</b></p> <p>Description: Bartlett Road – right turn onto Ranzau West Road – Ranzau Road – right turn onto SH 6</p>

a) Exceptions:

- i. Outbound trucks will not use the **green** route between 8.30am-9.15am and 2.45pm-3.30pm. During those times outbound trucks that would otherwise use the green route will use the **yellow** route, unless ii. below also applies.
- ii. Where there is a road closure blocking use of one of the routes in Table 1 and Plan X referred to in Condition 1. In that instance, trucks that would use that route may use an alternative route as necessary to reach their destination.

- 24 Within the Lease Area and within the Bartlett Road entrance to the Waimea River Park internal truck movements shall be in accordance with Plan [site plan] in Condition 1 and shall observe a speed limit of 10km/hr
- 25 Prior the commissioning of the asphalt plant, the Consent Holder shall prepare a Traffic Management Plan to operate under, including inducting of all staff and supply contractors to ensure they are familiar with the requirements. The Traffic Management Plan shall:
  - a) Cover and apply to all trucks moving to and from the Application Site, including trucks collecting asphalt and delivery of aggregate, diesel and bitumen.
  - b) Identify for each transport route, including the Bartlett Road entrance to the Waimea River Park, where any potential constraints or conflicts with any other road users may be, and the appropriate safety responses;
  - c) Require that all trucks shall be regularly maintained and serviced, with training of staff to ensure truck parts do not create additional instantaneous noise levels from loose parts or chains when driving on rural roads.
  - d) Be reviewed and provided to Council for certification and provided to Waka Kotahi NZ Transport Agency for information.
- 26 The consent holder shall maintain a record of truck movements to and from the Application Site and submit annually (no later than 30 June each year) to Council and Waka Kotahi NZ Transport Agency. The record shall include details of the volume and location of the jobs, by which the trucking numbers and routes are able to assessed.

**Traffic Generation**

- 27 The activity shall not exceed 80 truck movements per day.

*Advice note:*

One movement is a trip into the Application Site or a trip out of the Application Site, and includes all delivery trucks as well as asphalt trucks.

- 28 The consent holder shall maintain a record of truck movements to and from the Application Site and submit annually (no later than 30 June each year) to Council and Waka Kotahi NZ Transport Agency. The record shall include details of the volume and location of the jobs, by which the trucking numbers and routes are able to assessed.

**Hazardous substances**

- 29 No more than 5,000 litres of diesel shall be stored in a self-bunded tank that is fit for purpose, with bollards shall be positioned around the perimeter of the tank.
- 30 No more than 50,000 litres of Bitumen shall be stored in self-bunded transportation trailers.
- 31 Prior to the diesel tank being filled, the Consent Holder shall prepare an Emergency and Spill Contingency Plan for the Plant Area. The Plan shall include the following as a minimum:
- a) the name, job title and 24-hour telephone number for the person(s) responsible for activating the Plan;
  - b) a description of the facility including the location, size and storage capacity. The description should include a map and/or diagrams;
  - c) a site map of the location. This map is intended to illustrate the facility's relationship to other areas that may be affected by a spill. The map should be to scale and be large enough to include the location of your facility, nearby buildings or facilities, roads, culverts, catch basins, drainage patterns and any nearby bodies of water which could be impacted by a spill or topographic features which would affect access and response;
  - d) the steps to be taken to report, contain, clean up and dispose of contaminants in the case of a spill;
  - e) the means by which the Plan is activated;
  - f) a description of the training provided to employees to respond to a spill;
  - g) an inventory of and the location of response and clean up equipment available to implement the Plan;
  - h) the date the Plan was prepared;
  - i) a listing of local contractors or clean-up specialists;
  - j) a listing of emergency numbers such as fire, ambulance and police; and
  - k) Material Safety Data Sheets (MSDS) for the product.
- 32 A spill kit shall be provided on-site in areas where hazardous substances are stored. These kits shall be visible, appropriately labelled and readily accessible by all staff. These kits shall contain absorbent materials, clean-up materials and personal protective equipment.
- 33 If a surface spillage occurs in the Plant Area, the following steps shall be undertaken without delay:

- a) stop the release at source;
- b) contain the release where possible;
- c) respond to any emergencies;
- d) report the release to the appropriate authorities and to the owner;
- e) assess the degree of contamination; and
- f) develop a corrective action plan in conjunction with the appropriate authority and clean up the released product.

**Advice Note:**

Some of these management responses can be taken concurrently.

Any accidental spill of bitumen or asphalt is to be scraped up and discharged to an appropriate facility or re-used within the Asphalt process.

- 34 The tanks and all associated equipment on-site shall be regularly checked to ensure their integrity.
- 35 The Consent Holder shall keep an accurate written record of all accidents or incidents involving the spillage of hazardous substances and shall supply these to the Council's Team Leader Monitoring & Enforcement on request. Any spillage of hazardous substances where the substance is not collected and removed from site shall be reported immediately (within 24 hours) to the Council's Team Leader Monitoring & Enforcement.

### Dust and Odour Management

37 The Filler bins shall be fitted with lids.

38 The Consent Holder shall submit to Council's Team Leader Monitoring & Enforcement prior to the exercise of this consent a Dust Management Plan, which may be part of the Air Quality Management Plan in RM201002. The purpose of the Dust Management Plan is to specify all practicable measures to minimise the discharge of dust emissions from the Application Site. These measures shall include but not be limited to:

- a) Minimising the heights of exposed stockpiles and drop heights;
- b) Daily visual monitoring of potential fugitive dust emissions.
- c) Sweeping, suction cleaning or use of other housekeeping measures to regularly remove accumulated bulk solid materials on yard or hardstand areas;
- d) Using water and/or dust suppressants on disturbed surfaces, internal trafficable routes and stockpiles when required;
- e) Limiting vehicle speeds within the Lease Area and within the Bartlett Road entrance to the Waimea River Park to 10km/hr.

### Flood Hazard

39 The Consent Holder shall not block the stopbank, and shall ensure that it is available to Council's Rivers Engineers at all time for flood monitoring.

**Commented [GU1]:** Moved to air discharge consent. LP

**Deleted:** 36 Carbon Filters shall be fitted on the bitumen tank vents to prevent fugitive odour discharges.

**Deleted:** ¶

- 40 Should an extreme flood even be predicted where it was expected that the flood waters would overtop the stopbank, the Consent Holder will remove the bitumen and diesel tanks from the site.

**Complaints register**

- 41 The Consent Holder shall maintain a complaints register for operation of the Asphalt Plant and truck movements to and from the Application site. The register shall be made available to Council upon request.

**Consent Duration**

- 42 The term of the consent is:
- a) 20 years or for the period that extraction and crushing operating on the Council approved lease areas within the Waimea River Park Reserve occurs, whichever is the lesser; and
  - b) Once all extraction and crushing operations cease within the Waimea River Park Reserve, the Consent Holder shall vacate and remediate the Application Site within 6 months.
- 43 The consent shall lapse 5 years from the date of commencement.

**Restoration Works**

- 44 The Consent Holder shall restore the site in accordance with the provided Restoration Plan attached at Plan X dated XX, and as outlined in Earthworks/NES-CS Consent RM201018.



## Earthworks / NES-CS Conditions for RM201018

### General

- 1 The Consent Holder shall ensure that all works are carried out in general accordance with the information submitted in support of the applications RM201000 and RM201018, by Staig & Smith dated XXXX, further information received XXXX and attached Plans A, B, C dated XXX.

In the event that there is any conflict between these documents and any condition of these consents, the conditions prevail.

- 2 In this resource consent the terms set out in this condition have the meanings specified in this condition:

**Lease Area** means the wider Downer Group NZ Lease Area

**Application Site** means the sub-lease area for the Consent Holder, including the access ways within the Lease Area

**Plant Area** means the area within the Application Site that outside of the stopbank.

- 3 Any levelling and compacting of the Plant Area shall not to impact the functionality of the stopbank.
- 4 The levelling of the Plant Area will include directing stormwater away from areas of potential discharge (tanks storage, conveyor belt and silo) and avoiding runoff across the Lease Area boundary
- 5 The Consent Holder shall realign and regrade the stopbank level with the high point of the road and the connecting stopbank, ensuring a 4m wide top to the stopbank.
- 6 Earthworks are to be undertaken during a forecasted dry period.
- 7 Earthworks are to be undertaken as quickly as possible to avoid a breach in the stopbank

### Before work

- 8 Before undertaking any works authorised by this resource consent, the Consent Holder shall appoint a representative who shall be the Council's principal contact person in regard to matters relating to these resource consents
- 9 The Consent Holder shall inform the Council's Team Leader – Monitoring and Enforcement, in writing, of the name and contact details of the following persons:
  - a. The Consent Holder's representative required under **Condition 8**.
  - b. The principal contractor (if not the consent holder representative)
- 10 Should the person appointed under Condition 8 change during the term of this resource consent, the Consent Holder shall provide the new name and contact details, in writing to the Council's Team Leader – Monitoring and Enforcement within one working day
- 11 At least 10 working days prior to the commencement of works, the Consent Holder shall notify the Council's Team Leader – Monitoring and Enforcement in writing, of the

date that the works are intended to commence. The Consent Holder shall arrange for a site meeting between the Consent Holder's principal contractor and the Council's assigned monitoring officer, which shall be held non site prior to any works commencing. No works shall commence until the Council's assigned monitoring officer has completed the site meeting.

- 12 The Consent Holder shall submit to the Council's River Engineer a report prepared by an appropriately qualified professional engineer designing the realignment of the stopbank for certification and other earthworks within the Plant Area for the acoustic barrier and the MARINI Latin America Carbon T-Box 130.

The realignment of the stopbank shall anchor in with the height of the existing stopbank under the end of Bartlett Road to the south and the height of the stopbank where it re-joins.

No works shall be undertaken until the plan has been certified by Council's River Engineer. The certification shall be given if the proposed works do not put the existing stopbank at risk and the result of the works will at least maintain the design capacity of the stopbank.

*Advice Note:*

Once approved by Council, a copy is to be sent to Te Ātiawa Manawhenua Kt Te Tau Ihu Trust, Te Runanga o Ngāti Rārua, Ngāti Koata, Ngāti Kuia and Ngāti Apa ki te Rā Tō for information.

- 13 At least 10 working days prior to the commencement of works, the Consent Holder shall prepare and submit an Erosion and Sediment Control Plan (ESCP) to the Council's Team Leader – Monitoring and Enforcement for certification. No works shall be undertaken until the ESCP has been certified by Council's Team Leader – Monitoring and Enforcement.

*Advice note:*

Certification of the ESCP is in the nature of certifying that adoption of the ESCP will result in compliance with the conditions of this consent.

Once approved by Council, a copy is to be sent to Te Atiawa Manawhenua Kt Te Tau Ihu Trust and Ngāti Kuia and Ngāti Apa ki te Rā Tō for information.

- 14 The following shall apply in respect of Condition 14:
- a. The Consent Holder may commence the activities in accordance with the submitted ESCP 15 working days after their submission, unless the Council advises the Consent Holder in writing that it refuses to certify them on the grounds that it fails to meet the requirements of the condition and gives reasons for its decision, and
  - b. Should the Council refuse to certify the ESCP, the Consent Holder shall submit a revised plan to the Council for certification and (a) shall apply for any resubmitted plan.
- 15 The ESCP required by Condition 14 shall set out the practices and procedures to be adopted in order that compliance with the conditions of this is consent is achieved. The ESCP shall include as a minimum:
- a) An aerial image of the site detailing, as a minimum, the location of

- i. Property boundaries
  - ii. Surface waterbodies
  - iii. Roads
  - iv. All erosion, sediment and dust control measures, and
  - v. Stormwater management measures and the direction of stormwater flows
- b) Detailed drawings and specifications of all designated erosion and sediment control structures
- c) Construction timetable for the erosion and sediment control works, bulk earthworks, re-stabilisation of exposed ground and any planting
- d) Maintenance, monitoring and reporting procedures,
- e) Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or the failure of any key erosion and sediment control structures and
- f) Hydrocarbon spill response and contingency measures

Any changes to the ESCP shall be confirmed in writing by the Consent Holder and authorised by Council's Team Leader – Monitoring and Enforcement and shall not be implemented until notified of the authorisation

- 16 Prior to undertaking earthworks authorised by this consent, the Consent Holder shall ensure that all personnel working on the site are made aware of, and have access to the following:
- a) The conditions of this resource consent, and
  - b) The certified ESCP as required by Condition 9

#### **Cultural**

- 17 The Consent Holder shall undertake all works under an Archaeological Accidental Discovery Protocol. In the event, a Māori Archaeological site is found all works shall cease and the Consent Holder shall advise Te Ātiawa Manawhenua Kt Te Tau Ihu Trust, Te Runanga o Ngāti Rārua, Ngāti Koata, and Ngāti Kuia and Ngāti Apa ki te Rā Tō immediately of the discovery.

#### *Advice Note:*

For any archaeological discovery, the Consent Holder shall consult with the Central Regional Office of Heritage New Zealand Pouhere Taonga and shall not recommence works in the area of the discovery until the relevant Heritage New Zealand approvals to damage, destroy or modify such sites have been obtained.

- 18 At least 5 days before earthworks begin, the Consent Holder shall invite an iwi monitor from Te Ātiawa Manawhenua Kt Te Tau Ihu Trust, Te Runanga o Ngāti Rārua, Ngāti Koata, and Ngāti Kuia and Ngāti Apa ki te Rā Tō to be present when earthworks are commencing to realign the stopbank and re-level the Plant Area.

#### *Advice note:*

An iwi monitor is not required at the end of the project when the application site is being re-earthworked to remove the access ramps over the stopbank and relevel the

Asphalt Plant site, as the works will be occurring on a previously monitored modified site

#### **During Earthworks**

- 19 Work authorised by this consent shall only occur between the following hours:
  - a) 0700 – 1800 Monday to Saturday
  - b) No work shall occur on Sundays or public holidays
- 20 All activities shall be carried out so as to comply with NZS6803:1999 Acoustics – Construction Noise standards. To determine compliance, noise shall be measured and assessed in accordance with the provisions of NZS6801:2008 and NZS6802:2008.
- 21 All erosion, sediment and dust control measures shall be installed prior to the commencement of any disturbance or discharge to land, and shall be maintained until all disturbed areas are stabilised and / or revegetated
- 22 The consent holder shall adopt the best practical means to prevent the movement of disturbed soil or vegetation into surface water or flood waters impacting on the site. These measures may include, but are not restricted to:
  - a) working during periods of fine weather when the likelihood of erosion and sedimentation will be less and risk of flooding is low;
  - b) stormwater run-off controls around the area of disturbance, such as filter fences, cut-offs, culverts, and water tables to prevent scour, gullying or other erosion;
  - c) providing undisturbed buffers between the land disturbance and any water body along with filter fences or other means of intercepting stormwater run-off;
  - d) sediment traps adequate to contain and treat sediment-laden run-off water; and
  - e) any other measures appropriate to the nature and scale of the land disturbance.
- 23 If during the works fill or excavated soil needs to be temporarily stockpiled on-site, then the consent holder shall ensure stockpiles are:
  - a) kept tidy and with a stable slope; and
  - b) stored in a manner that minimises any potential discharge of material into the surrounding environment
- 24 The consent holder's operations shall not give rise to any discharge of contaminants (eg. dust), at or beyond the site boundary, which is noxious, dangerous, offensive or objectionable. Dust control measures shall be available and used on site, in accordance with the certified ESCP, to ensure compliance with this condition.

#### **Administration**

- 25 Pursuant to section 128 of the Resource Management Act the Council may, during the month of March each year, review any or all of the conditions of the consents for all or any of the following purposes:
  - a) dealing with any adverse effect on the environment which may arise from the exercise of the consents that was not foreseen at the time of granting of the consent, and which is therefore more appropriate to deal with at a later stage; or

- to deal with any unforeseen adverse noise issue that might arise as a result of the implementation of these consents; or
- b) requiring the consent holder to adopt the best practicable option to remove or reduce any adverse effect on the environment resulting from the land disturbance; or
  - c) to comply with any national environmental standards made under the Resource Management Act 1991

#### Duration

- 26 The term of the consent is:
- a) 20 years or for the period that extraction and crushing operating on the Council approved lease areas within the Waimea River Park Reserve occurs, whichever is the lesser; and
  - b) Once all extraction and crushing operations cease within the Waimea River Park Reserve, the Consent Holder shall vacate and remediate the Application Site within 6 months.
- 27 These consents shall lapse 5 years from the date of commencement.

#### NES-CS

- 28 All works undertaken in association with the Application Site, including removal of the gravel crusher, realigning the stop bank and levelling the Plant Area, as well as restoration earthworks at the end of the consent shall be undertaken accordance with an Accidental Discovery Plan (ADP) for the Application Site.
- 30 After removing the gravel crusher and associated infrastructure, the Consent Holder will undertake Benchmark analytical testing of the Application Site prior to installing the Asphalt Plant.
- Advice Note:*
- If benchmark testing indicates remedial works are required, the Lease Holder Downer Group NZ Ltd shall be responsible
- 30 At the end of the consent, upon removal of the Asphalt Plant and associated infrastructure, the Consent Holder will undertake analytical testing of the Application Site. If testing shows changes to background testing, the Applicant shall remediate the Application Site to background levels in **Condition 30**.
- 31 The Consent Holder shall remove the access ramps over the stopbank, and place this material within the Lease Area and shall topsoil and plant with appropriate vegetation in accordance with the provided Restoration Plan attached at Plan X dated XX

### Air Discharge Conditions for RM201002

- 1 The discharge shall only be contaminants to air from the manufacture of asphaltic concrete from the MARINI Latin America Carbon T-Box 130 plant and ancillary activities at Downer Group NZ Ltd's old crushing plant at 272 Bartlett Road, Appleby. The application site located within Lot 1 DP 368439, attached Plan A RM201002, dated XXXX, which forms part of this consent.
- 2 In this resource consent the terms set out in this condition have the meanings specified in this condition:  
**Lease Area** means the wider Downer Lease Area  
**Application Site** means the sub-lease area for the Consent Holder, including the access ways within the Lease Area  
**Plant Area** means the area outside of the stopbank.
- 3 The discharge shall only be the following:
  - a) Combustion by-products from the external combustion of diesel with a total net heat output of 13 megawatts;
  - b) Organic contaminants (including odorous contaminants) from the operation of an asphalt plant capable of producing up to 130 tonnes per hour of asphalt and associated heated storage and handling of bitumen and asphalt;
  - c) Dust from the handling and storage of aggregate and bulk solid materials associated with asphalt manufacture.
  - d) Occur a maximum of 10 hours on any day.

### Limits

- 4 The discharge shall not cause odour or particulate matter that is offensive or objectionable beyond the boundary of the Application site.  
*Advice Note*  
Boundary of the site is defined as outside of the Application Site and acoustic fence. It is not the parcel boundary for the River Park.
- 5 The concentration of PM<sub>10</sub> filterable and condensable particulate matter collectively in the baghouse stack discharge shall not exceed 30 milligrams of PM<sub>10</sub> particulate per cubic metre of air when adjusted to 0 degrees Celsius, 101.3 kilopascals on a dry gas basis.
- 6 The minimum stack exit velocity shall be 10 metres per second.
- 7 The emission rate of PM<sub>10</sub>, consisting of both filterable and condensable particulate matter collectively, from the baghouse stack shall not exceed 0.93 kilograms of PM<sub>10</sub> particulate per hour (0.26g/s).
- 8 The temperature of asphalt product exiting the asphalt mixing mill or drum shall not exceed 175 degrees Celsius at any time.
- 9 The burner shall be maintained and correctly adjusted to avoid any visible smoke emissions from the stack.

Advice note: This condition excludes emissions of steam/water vapour from the stack.

#### Emissions control and pollution abatement measures

- 10 No part of the process associated with a discharge to air shall be operated without the associated emissions control equipment being fully operational and functioning correctly.
- 11 The asphalt plant shall be a continuous mix plant.
- 12 While in operation, drying and combustion gases from the mixing drum shall be extracted and directed to a baghouse fabric filtration system. Exhaust from the bag filter shall be discharged via a stack that is 12.5m above the surrounding ground level and 13m above finished ground level immediately under the bag house.

13 Activated Carbon Filters shall be fitted on the bitumen tank vents to prevent fugitive odour discharges.

- 14 The conveyor(s) or method of conveyance of asphalt product from the asphalt mixing mill or drum to product silos shall be enclosed. While in operation, ventilation air from the enclosed conveyor(s) or method of conveyance shall be extracted and directed to the aggregate drying drum and incinerated as part of burner combustion air.

14a The asphalt loadout area shall be fully enclosed and all emissions during loadout shall be directed to a stack at a height of not less than 12.5 metres above the surrounding ground level. The extraction system shall be designed to maintain negative pressure at all times within the enclosure, achieving an efflux velocity of at least 10m/s from the emission stack. The enclosure shall be fitted with rapid opening doors that are opened only for the purpose of truck entry and exit. The consent holder shall submit the plan of the load out enclosure area design which must be peer reviewed by a suitably qualified Engineer for approval by Council (Manager Resource Use) at least 10 days prior to construction commencing.

Commented [GU2]: JI added condition 27 from McCain

- 15 The discharges from both stacks shall be directed vertically into the air and shall not be impeded by any obstruction above the stack that decreases the vertical velocities below that which would occur in the absence of such obstructions.

Deleted: the

- 16 All measures shall be taken to ensure that fugitive emissions from the extracted enclosures and equipment, ducting and emissions control equipment are kept to a practicable minimum and all measures shall be taken to ensure the MARINI Latin America Carbon T-Box 130 operates as designed.

16A Loadouts from the hot mix storage (silo) to trucks must occur with the roller doors closed and the extraction system fully operational, and the load must be covered before the roller door is lifted and the truck leaves the loadout area. The cover may be secured outside the loadout area and must be secured before the truck exits the site.

Commented [GU3]: JI added condition 16 from McCain

#### Monitoring

- 17 The discharge of both filterable and condensable particulate matter discharged from the asphalt plant stack shall be measured within three months of the date of exercise of this consent and thereafter at least once every 12 months.

- a) Measurements shall occur when the asphalt plant is operating at greater than 50% of maximum production capacity.
  - b) The method of sampling and analysis of filterable particulate matter shall be ISO 9096:2003, ASTM D3685-98, USEPA Methods 5 or 17, or equivalent methods.
  - c) The method of sampling and analysis of condensable particulate matter shall be USEPA Method 202 or an equivalent method.
  - d) The laboratory performing the testing and analysis shall be accredited under NZ/ISO/IEC 17025 to undertake the method used at the time of the test.
  - e) Total particulate sampling results (the sum of filterable and condensable particulate measured) shall be reported as a concentration expressed as milligrams per cubic metre adjusted to 0 degrees Celsius 101.3 kilopascals, and on a dry gas basis, and as a mass emission rate expressed as kilograms per hour. The results shall include a description of the method used, the approximate rate of asphalt production during testing and any assumptions made.
  - f) The consent holder shall provide test results to the Council's Team Leader Monitoring and Enforcement, within 30 working days of sampling
- 18 Continuous monitoring of differential pressure or an alternative method with the prior written approval of the Council's Team Leader Monitoring and Enforcement shall be employed to identify failure of filter element(s) within the baghouse. The monitoring system shall be fitted with an alarm in the case of element failure.
- 19 The temperature of asphalt product exiting the asphalt mixing mill or drum shall be continuously monitored and the monitoring system shall be fitted with an alarm in the case of exceedance of the temperature specified in **condition 8**.
- 20 The bagfilter shall be pro-actively managed and maintained in order to minimise the discharge of particulate matter. This includes, but is not limited to, maintaining sufficient inventory to ensure bags are changed out before, or immediately after, any tears or holes develop. **Air Quality Management Plan**
- 22 The discharge shall occur in accordance with an Air Quality Management Plan (AQMP). The AQMP shall be submitted to the Council's Team Leader Monitoring & Enforcement for certification prior to the exercise of this consent. The discharge shall not commence until written notice of certification of the AQMP by the Council is received. The AQMP may incorporate a series of monitoring, management and operational procedures, methodologies and contingency plans, and together shall accurately record all data required to comply with the conditions of this consent. The AQMP shall include all measures necessary to achieve compliance with the conditions of consent, including but not limited to, the following:
- a) Identification of all fugitive and point sources of discharges of contaminants into air, including a map showing the location of each source;
  - b) Procedures to minimise discharges of contaminants into air, including details of the inspection, maintenance, monitoring and contingency procedures in place for all emissions control equipment at the Application Site;
  - c) Details of management and monitoring practices in place to minimise discharges of contaminants into air, including dust and odour; These measure shall include:
    - Minimising the heights of exposed stockpiles and drop heights;
    - Daily visual monitoring of potential fugitive dust emissions

Deleted: 7

Commented [GU4]: JI added condition 14 from McCain

Deleted: ¶  
¶

Deleted: , but is not limited to



- Sweeping, suction cleaning or use of other housekeeping measures to regularly remove accumulated bulk solid materials on yard or hardstand areas;
- Using water and/or dust suppressants on disturbed surfaces, internal trafficable routes and stockpiles when required;
- Limiting vehicle speeds within the Lease Area and within the Bartlett Road entrance to the Waimea River Park to 10 km/hr.

- d) Details of methods and procedures for measuring operating parameters relating to discharges to air, including the monitoring required by **Conditions (14) to (17)**;
- e) Where appropriate, the operating parameters and manufacturer's instructions for all emissions control equipment.
- f) Procedures for the monitoring of **dust and odour**, including details of inspection procedures, recording requirements and contingency measures;
- g) The identification of staff responsibilities;
- h) The procedures for the receipt, recording and handling of air quality complaints received; and
- i) Details of the frequency and scope of the regular checks to be performance on emissions control equipment
- 23 The consent holder shall review and (if necessary) update the AQMP at least once every year for the term of this consent, to ensure that any review takes account of the monitoring for the previous year, and that a review is triggered in the event of any verified breach of **condition 3**. Any proposed changes to the AQMP shall be submitted to Council's Team Lead Monitoring & Enforcement for certification within one month of the consent holder's review.

The AQMP shall be certified if it gives effect to the conditions of consent and aligns with good practice.

### Records and Reporting

- 24 A record of complaints relating to discharges of contaminants to air from the Application site including odour or particulate matter or dust, shall be maintained and shall include:
- a) Location of where the odour or particulate matter or dust was detected by the complainant;
  - b) The date and time when the odour or particulate matter or dust was detected;
  - c) The date and time when the odour or dust complaint was received;
  - d) The name, telephone number and address of the complainant;
  - e) A detailed description of the odour or dust incident taking into account the frequency, intensity, duration, offensiveness and location
  - f) A description of the wind speed and wind direction when the odour or particulate matter or dust was detected by the complainant
  - g) Details of key operating parameters at the time of the odour incident;
  - h) The most likely cause of the odour or particulate matter or dust detected; and
  - i) Any corrective action undertaken by the consent holder to avoid, remedy or mitigate the odour or particulate matter or dust detected by the complainant.

j) This record shall be provided to the Council on request.

#### **Maintenance and Servicing**

- 25 The Asphalt Plant and bitumen heater burners shall be serviced at least once every year by a person competent in the servicing of such devices. This servicing shall include ash and carbon deposit removal, and adjustment if necessary of the fuel to air ratio to prevent visible smoke and particulate matter emissions. Service reports shall be prepared and retained and copies shall be provided to the Council's Team Leader Monitoring & Enforcement during the month of March each year or on request.
- 26 The bag filter shall be maintained in accordance with the manufacturer's recommendations in order to minimise the discharge of particulate matter. Records of the date and type of maintenance and inspections carried shall be kept and made available to the Council on request.

#### **Duration**

- 27 The term of the consent is:
- a) 20 years or for the period that extraction and crushing operating on the Council approved lease areas within the Waimea River Park Reserve occurs, whichever is the lesser; and
  - b) Once all extraction and crushing operations cease within the Waimea River Park Reserve, the Consent Holder shall vacate and remediate the Application Site within 6 months.
- 28 This consent shall lapse 5 years from the date of commencement.

#### **Review**

- 29 The Council may, on any of the last five working days of April or October, serve notice of its intention to review the conditions of this consent for the purposes of:
- a) Dealing with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
  - b) Requiring the adoption of the best practicable option to remove or reduce any adverse effect on the environment; or
  - c) Requiring further mitigation if particulate matter emission test results exceed the emission limit specified by **condition 6** or if a breach of Condition 4 occurs at or beyond the property boundary.

## Alastair Jewell

---

**From:** Sally Gepp <sally@sallygepp.co.nz>  
**Sent:** Thursday, 17 February 2022 6:20 pm  
**To:** Alastair Jewell  
**Cc:** Madeleine Wright  
**Subject:** TBAL  
**Attachments:** 20220216 JWS for air quality conditions conference.pdf; 20220217 Applicant's conditions final.docx; 12410 Bartlett Road Site Plan Issue 4.pdf



**Importance:** High

Dear Alastair

Please find attached the Joint Witness Statement – Air Quality prepared by Mr Bender, Mr Piggott, and Mr Iseli and two attachments.

Please note that the document titled “20220217 Applicant’s conditions final” is not the applicant’s proposed conditions (due to be filed in a week), but the version of conditions that the air quality witnesses have recommended. The air quality witnesses have given the document that name, which might be confusing. I do not want to change the document name in case it appears I have inappropriately tampered with conferencing documents, but you might like to re-name it to avoid confusion (e.g. “Conditions with amendments recommended through air quality joint witness conferencing”).

Regards

**Sally Gepp**  
**Barrister**

**Tel: 021 558 241                      Level 1, 189 Hardy Street, Nelson 7010**

**[www.sallygepp.co.nz](http://www.sallygepp.co.nz)**

This email is from Sally Gepp, Barrister. The contents of this email and any attachments are confidential to the intended recipient. They may not be disclosed to or used by or copied in any way by anyone other than the intended recipient. If this email is received in error, please contact me on 021 558 241 and then delete the email. I do not accept responsibility for viruses and it is your responsibility to scan or otherwise check this email and any attachments.