



PART E

Proposed Consent Conditions

**HAWKE'S BAY REGIONAL COUNCIL RESOURCE CONSENTS
PROPOSED CONDITIONS**

HBRC CONSENT - DISCHARGE TO AIR

Activity Description: To discharge contaminants into the air from the operation and maintenance of a sulphuric acid and fertiliser manufacturing plant at Awatoto including all ancillary activities.

Consent Duration: 35 years from the commencement date of this consent.

CONDITIONS

1. The activities authorised by this consent shall be undertaken generally in accordance with the Assessment of Environmental Effects and associated management plans dated 30 November 2021. If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.
2. There shall be no discharge of particulate matter (including dust) or odour that causes an offensive or objectionable effect beyond the boundary of the site.
3. Notwithstanding any other condition of this consent, there shall be no discharge to air from the site of gases, airborne liquid or other airborne contaminants beyond the site, that causes adverse effects on human health, ecosystems or property.

Advice Note:

For the purpose of this condition the term site shall mean 'land and all assets on it'.

Product Storage

4. All bulk raw materials stored on site shall be kept inside a building.
5. The consent holder shall ensure regular sweeping of yard and road areas using mechanical cleaning to minimise emissions of dust beyond the boundary of the site

Acid Plant

6. The Acid Plant stack shall be no less than 55 metres above ground level, the furnace pre-heat stack no less than 18 metres above ground level, and the auxiliary boiler stack no less than 15.8 metres above ground level.
7. The emission rate of Sulphur Dioxide (SO₂) from the Acid Plant stack shall not exceed 1.5 kilograms (kg) per minute (two minute average) and:
 - a) 60 kg/hour (one hour average) at any time until 1 January 2024.
 - b) 40kg/hr (one hour average) at any time from 1 January 2024¹.
8. The combined discharge rate of Sulphur Trioxide (SO₃) and Sulphuric Acid (H₂SO₄) (expressed as SO₃) from the acid plant stack shall not exceed:
 - a) 2 kg/hr as a 1-hour average at any time;
 - b) 0.5 kg/hr for at least 50% of the monitored 1-hour averages in any 3 month period.
9. The discharge from the acid plant may contain up to 150 milligrams per cubic metre (mg/m³) at NTP SO₃ / H₂SO₄ expressed as SO₃ for not more than 4 hours after igniting sulphur in the case of a cold start and not more than 1 hour in the case of a warm start up. This shall be measured in accordance with USEPA method 8 or another method as approved by Council.

Advice note:

¹ Following construction and commissioning of the replacement Acid Plant Converter.

The NTP (Normalised Temperature and Pressure) for the purposes of this consent is based on 0 degrees Celsius at 1 atmosphere pressure.

10. The discharge from the acid plant shall not occur during wind directions between 030 and 155 (onshore winds) between the months of September to May inclusive, when either of the following meteorological conditions occur:
 - a) The relative humidity measured on-site at 10 metres above ground level is 92% or greater, wind speed at 10 metres above ground level is 3 m/s or less and it is not raining; or
 - b) The relative humidity measured on-site at 10 metres above ground level is 95% or greater, wind speed at 10 metres above ground is greater than 3 m/s and it is not raining.
11. Acid plant discharge shall cease within 30 minutes of the above meteorological conditions being detected and shall not recommence until these conditions have not occurred for a period of at least 30 minutes. Plant operators shall be alerted when the measured relative humidity at 10 metres above ground during onshore winds (030-155 degrees) exceeds 90%, and careful observation of meteorological conditions and the visible plume discharge shall occur during such conditions. A record shall be kept of the dates, time periods and meteorological conditions when the acid plant operation ceases according to this condition. This record shall be provided to the Council on request and otherwise annually.
12. A system shall be maintained that automatically shuts off the sulphur feed to the burner so that the discharge to air rate of SO₂ from the sulphuric acid production process does not exceed the emission rates set out in Condition 7.

Manufacturing Plant

13. Stack Height
 - a) Prior to the commissioning of the new combined Manufacturing stack, discharges from each den scrubber shall be via stacks with a height of no less than 38 metres above ground level.
 - b) Prior to the commissioning of the new combined Manufacturing stack discharges from the hygiene scrubber shall be via a stack with a height of no less than 36 metres above ground level.
 - c) The combined Manufacturing stack shall be installed and operational by 1 January 2024 with a discharge height, including cowl, of no less than 50 metres above ground level as measured from the base of the stack.
14. All extracted emissions from the superphosphate manufacturing process shall be discharged through either the den stacks or the hygiene stack, or the combined manufacturing stack following its commissioning.
15. The rate of particulate matter discharged from any Bradley mill shall not exceed 1 kg/hr per mill, and 2 kg/hr in total when two or more mills are in operation.
16. The sum of the fluoride compounds discharged from the den stacks and the hygiene stacks, (prior to the commissioning of the combined manufacturing stack) measured in the samples taken in accordance with Condition 26 expressed as fluoride on a one-hour average basis, shall not exceed:
 - a) a maximum discharge rate of 1.5 kg/hr; and
 - b) 1 kg/hr in more than 50% of samples taken in any 12-month period.
17. The sum of the fluoride compounds discharged from the combined manufacturing stack (after commissioning) measured in the samples taken in accordance with Condition 26 expressed as fluoride on a one hour average basis, shall not exceed a maximum discharge rate of 1 kg/hr.
18. The pH of the condensate from the den and hygiene stacks or the Manufacturing stack, shall be no lower than 2.7 except in the period August to September when the pH shall be no lower than 4.0.

19. An automated water deluge system for the manufacturing den mixer shall be used to minimise contaminant discharges in the event of failure of the mixing process.

Cooling Towers

20. The evaporative cooling towers shall be regularly dosed with micro-biocides to maintain the concentration of the micro-biocide in the cooling water at the level recommended by the supplier that prevents the establishment of Legionella bacteria. Records shall be kept to demonstrate compliance with this condition and shall be provided to the Council on request.

Onsite Monitoring

21. The consent holder shall operate a meteorological station in a location that reasonably represents meteorological conditions on the site. The station shall continuously record, wind speed, wind direction, temperature and relative humidity, and display them in real time in the manufacturing control room and the acid plant control room. The location and the resolution, accuracy and averaging time of monitoring equipment shall be agreed in writing by the Council. All processed data shall be archived and made available to the Council on request.
22. All sampling and surveys shall be carried out by an independent suitably qualified person, or by the consent holder or its representative where the Council has agreed to this in writing. Where the consent holder or its representative carries out testing or monitoring, an independent suitably qualified person shall audit the monitoring and testing methodology at least once per year, unless otherwise agreed in writing by the Council, and shall provide a written report describing the extent of compliance with the required protocol. A copy of this report shall be provided to the Council as part of the Annual Report.
23. All analyses in accordance with conditions on the consent shall be carried out by an independently accredited laboratory to ISO/IEC Guide 25, or to the satisfaction of the Council.
24. The consent holder shall continuously (i.e., at intervals not exceeding 1 minute) measure the rate of SO₂ discharge in the emissions from the acid plant stack. The method of measurement shall be in accordance with ISO10396:2007 (*Stationary source emissions - Sampling for the automated determination of gas emission concentrations for permanently – installed monitoring systems*) or an alternative method, approved in writing by the Council. Testing results shall be reported in the Annual Report as a mass emission rate in units of kg/hr as both 1-minute and 1-hour averages.
25. The consent holder shall measure the rate of discharge of SO₂, SO₃ and H₂SO₄ in the emissions from the acid plant stack, at least twice per year at times when acid is being produced. This monitoring shall be undertaken in accordance with USEPA Method 8 ("Determination of sulphuric acid mist and sulphur dioxide emissions from stationary sources") or an alternative method that is approved, in writing, by the Council.
26. The consent holder shall measure the discharge rate of fluoride in the emissions from manufacturing stacks monthly. The measurement is to be carried out during superphosphate manufacture and no test may commence within one hour of starting acidulation. The method of measurements shall be in accordance with USEPA Method 13B ("Total fluoride specific ion electrode") or an alternative method approved, in writing, by the Council.
27. The consent holder shall measure the rate of discharge of SO₂ in the emissions from the manufacturing stacks monthly. The measurement is to be carried out during superphosphate manufacture and no test may commence within one hour of starting acidulation. This monitoring shall be undertaken in accordance with USEPA Method 8 ("Determination of sulphuric acid mist and sulphur dioxide emissions from stationary sources") or an alternative method that is approved, in writing, by the Council.
28. The rate of particulate matter discharged from each mill shall be measured at least once every 6 months. The method of sampling and analysis shall comply with USEPA Method 5 or Method 17, ISO 9096:2003 or ASTM D3685-98, or a similar iso-kinetic method to the satisfaction of the Council. The testing time for each sample shall be 2- hours continuous,

and at least three samples shall be collected. Results shall be adjusted to 0°C, 101.3 kilopascals, on a dry gas basis, and as a mass emission from each stack expressed as kg/hr.

29. The baghouses shall be continuously monitored using an electrostatic probe to detect broken bags in the Bradley mills. A central alarm system shall be operated to warn the plant operator of a bag breakage or any change in pressure that may indicate a broken filter bag. The bag filters serving the Bradley mills shall also be manually inspected on a regular basis and shall be replaced where the inspection reveals excessive wear. Records shall be kept of Bradley mill shutdowns, manual inspections and filter bag replacements. These records shall be provided to the Council on request.
30. The pH of the condensate from the Manufacturing stack shall be measured monthly. The method by which the condensate is to be measured shall be approved in writing by the Council.

Offsite and Ambient Monitoring

31. The consent holder shall measure ambient fluoride, in accordance with the monitoring plan required by Condition 45 and based on a continuous filter exposure period of 7-days. The results shall be reported as average concentration ($\mu\text{g}/\text{m}^3$) over that 7-day sample period. Measurements shall be taken at the following sites, listed below;

Site	Easting (NZMG)	Northing (NZMG)
Brookfields Orchard	28452407	6175251
Plumpton Park	2844864	6177075
Ravensdown Back Paddock	2846499	6175772
Ravensdown Front Paddock	2846745	6176068
<i>[New site east of Ravensdown Napier Works]</i>	<i>[Location to be defined in consultation with HBRC]</i>	
<i>[New site in the vicinity of the Napier City Council Cross Country Drain pumping station]</i>	<i>[Location to be defined in consultation with HBRC]</i>	

32. The location of the sites are shown on HBRC Conditions Plan A. Locations may be modified after securing the agreement of the relevant landowner and with the written approval of the Council. The concentration of fluoride in ambient air measured in accordance with Condition 31 shall not exceed $0.8 \mu\text{g}/\text{m}^3$ (7 day average) at areas used for horticultural production (including Brookfields Orchard and Plumpton Park (locations as detailed in Condition 31).
33. The 7-day average concentration of fluoride measured at the Ravensdown Back Paddock and *[new northern site]* monitoring site (location as detailed in Condition 31), shall not exceed $1.7 \mu\text{g}/\text{m}^3$.
34. The 7-day average concentration of fluoride measured at the Ravensdown Front Paddock and *[new eastern site]* monitoring sites (locations as detailed in Condition 31), shall not exceed $5.5 \mu\text{g}/\text{m}^3$.
35. The consent holder shall ensure ambient fluoride measurement is undertaken in accordance with AS3580.13.2 - 1991 ("Method 13.2: Determination of fluorides - Gaseous and acid soluble particulate fluorides - Manual, double filter paper sampling") or an alternative method approved, in writing, by the Council.
36. Ambient fluoride measurement undertaken in accordance with Condition 31 shall occur at a height of 2.4 metres above ground level.
37. Fugitive SO_2 monitoring:

- a) The consent holder shall install and operate at least two ambient SO₂ monitors around the acid plant in order to detect fugitive SO₂ emissions. The monitoring sites shall be located east of Ravensdown Napier Works, and at the Ravensdown Back Paddock monitoring site as described in Condition 31 and shall be agreed in writing by the Council prior to establishment. The concentration of SO₂ in ambient air shall be monitored continuously (at least every minute) by UV fluorescence analysis, according to the method of measurement AS3580.4.1 - 1990 ("Method 4.1: Determination of sulphur dioxide - direct reading instrumental method"), or an alternative method agreed to in writing by the Council; and
 - b) In the event that ambient concentrations of SO₂ measured at either of the monitoring sites described by Condition 37 (a) exceed 350 µg/m³ as a 10-minute average, immediate action shall be taken to ensure that measured SO₂ concentrations are reduced to less than 350 µg/m³ as a 10 minute average. A record shall be kept of all occurrences when measured SO₂ concentrations exceed this limit and the corrective action taken. This record shall be provided to the Council on request and otherwise annually.
 - c) Any exceedance of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (NES) for SO₂ shall be reported as soon as practicable after detection.
38. Concentrations of PM_{2.5} in ambient air shall be monitored continuously at two sites according to a method of measurement that complies with the monitoring requirements in the NES, or an alternative method agreed to in writing by the Council. The monitoring shall begin within 3 months of commencement of this consent. The monitoring sites shall be located east of Ravensdown Napier Works, and at the Ravensdown Back Paddock monitoring site as described in Condition 31 and shall be agreed in writing by the Council prior to establishment. Results shall be provided as a 24-hour average. Any exceedance of the NES for PM_{2.5} shall be reported as soon as practicable after detection.
39. The consent holder shall undertake a Window Clarity survey on receipt of a reasonable request from a property owner within 1 km of the manufacturing plant stack using the methodology outlined in the BRANZ report DCZ059 (25 June 2004). Any windows found to be affected to 'pen test level 3' or where Light Gloss Units (LGU) are equal or less than 115 as described in BRANZ report DCZ059, shall be replaced by the consent holder if the property owner wishes the glass to be replaced.
40. The consent holder shall undertake a vegetation monitoring programme that has been approved by the Council in accordance with the monitoring plan required Condition 45 of this consent. The programme shall provide for the following matters:
- a) A visual assessment of vegetation; and
 - b) A determination of foliar fluoride concentrations; and
 - c) The timing of the vegetation monitoring programme (which shall occur during the months of September to May inclusive for the duration of the consent, unless otherwise agreed in writing by the Council); and
 - d) The monitoring methodology which shall be agreed in writing by the Council; and
 - e) The location of any monitoring, including but not limited to the following sites

Site	Easting (NZMG)	Northing (NZMG)
Brookfields Orchard, Kings Road	28452407	6175251
Plumpton Park Orchard, Awatoto Road	2844864	6177075
Simkin Orchard, Awatoto Road	2844899	6177531
Steiner Apollo Orchard, Willowbank Road	2845130	6177681
Apollo Orchard, Tannery Road	2843161	6178732
Mr Apple Orchard, Meeanee Road	2843358	6177127
Johnny Appleseed Orchard, Meeanee	2844016	6174605
Wells Orchard, McLeod Road	2845551	6176688
Dewer Orchard, Awatoto Road	2845361	6176994

Advice Note:

The location of the monitoring sites, frequency of monitoring and analytes monitored may only be modified as appropriate with the written agreement of the Council based on any future landuse or property ownership changes which may occur through the life of the consent.

Reporting

41. The consent holder shall advise the Council at least 24 hours in advance of a planned warm or cold restart of the acid plant. The Council shall be advised of the proposed time when sulphur will be ignited.
42. At monthly intervals the consent holder shall provide the Council with a report if any exceedance of limits of any conditions of this consent has occurred along with an explanation of the reasons for the exceedance.
43. The consent holder shall produce a report every year (the 'Annual Report') that presents and summarises all information on the monitoring required by this consent. The report shall include, but not necessarily be limited to:
 - a) Results of monitoring of dust, PM_{2.5}, SO₂, fluoride and acidic compounds;
 - b) The fluoride and foliar monitoring report;
 - c) Any odour or dust complaints;
 - d) A description of any potential and actual effects that have been identified;
 - e) Identification of trends of monitoring information;
 - f) a summary of any air emission control equipment modifications;
 - g) Recommendations for system improvements; and
 - h) The annual report shall be prepared for the period beginning July and ending June of the following year and provided to the Council before 31 October each year
44. The consent holder shall maintain a log of all complaints received directly from the public. The log shall include:
 - a) The date, time, and nature of the complaint;
 - b) The telephone number, and address of the complainant (if provided);

- c) Weather information (including an estimate of wind speed and direction);
- d) Details of key operating parameters at the time of the complaint; and
- e) The remedial action taken, as appropriate, to prevent further incidents.

Complaints and any immediate actions taken by the consent holder shall be reported to the Council as soon as practicable and within 48 hours of receipt and the log of complaints shall be made available to the Council on request.

Management and Monitoring Plan

45. The consent holder shall prepare and submit to the Council for approval within six months of the date of commencement of this consent and within six months from the commissioning of the combined Manufacturing stack, an Air Discharge Management and Monitoring Plan with the Objective of detailing how all discharges to air from the site and their effects will be measured, assessed and managed in accordance with these conditions. The Management and Monitoring Plan shall be complied with at all times during the exercise of this consent, and shall include:

Management of:

- a) Dust including particulate;
- b) Sulphur dioxide;
- c) Acidic discharges;
- d) Fluoride;
- e) Odour;
- f) Sampling methods;
- g) Analytical methods;
- h) Reporting requirements;
- i) Sampling locations;
- j) Sampling frequencies; and
- k) Auditing and peer review.

Monitoring of:

- a) Manufacturing stack monitoring requirements;
- b) Acid plant stack monitoring requirements;
- c) Grinding mill stack monitoring requirements;
- d) Ambient SO₂, particulate matter and H₂S monitoring;
- e) Offsite ambient fluoride monitoring requirements, and
- f) Offsite vegetation fluoride monitoring requirements.

46. The Council may review conditions of this consent pursuant to sections 128, 129, 130, 131 and 132 of the Resource Management Act 1991. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 136(1) of the Resource management Act 1991. Notice of any review may be served during the month of May in any year, or within 3 months of any monitoring data being submitted.
- a) To deal with any adverse effect on the environment that may arise from the exercise of this consent, which it is appropriate to deal with at that time or which became evident after the date of issue; and
 - b) To require the adoption of the best practicable option to remove or reduce any effects on the environment; and

- c) To modify any monitoring programme, or to require additional monitoring if there is evidence that current monitoring requirements are inappropriate or inadequate.

Technology Review

47. At years 10, 20 and 30 following the commencement of this consent, the consent holder shall commission a suitably qualified and experienced expert to prepare a Best Practicable Option technology review (covering the matters described in Part 2 under the definition of Best Practicable Option of the RMA) of the plant and systems that are utilised on the site for managing air discharges. The BPO Technology Review Report shall contain information on any new best practice technology or operational procedure being applied at similar plants internationally, to should be applied to end of serviceable life upgrade or replacement of plant or systems. A copy of the BPO Technology Review Report shall be provided to the Council (Manager Compliance).

Administration

Notification of Changes to Details

48. It is the responsibility of the consent holder to inform the Council (Manager Consents) if any details regarding this consent, including any sale / purchase of the property and any change to contact details.

Routine Monitoring

49. Routine monitoring inspections will be undertaken by Council officers at a frequency of no more than once every year to check compliance with the conditions of the consent. The costs of any routine monitoring will be charged to the consent holder in accordance with the Council's Annual Plan of the time.

Non-routine Monitoring

50. "Non routine" monitoring will be undertaken if there is cause to consider (e.g. following a complaint from the public, or routine monitoring) that the consent holder is in breach of the conditions of this consent. The cost of non-routine monitoring will be charged to the consent holder in the event that non-compliance with conditions is determined, or if the consent holder is deemed not to be fulfilling the obligations specified in section 17(1) of the RMA, which states:

Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with

a) any of sections 10, 10A, 10B, and 20A; or

b) a national environmental standard, a rule, a resource consent, or a designation.

Consent Impact Monitoring

51. In accordance with section 36 of the RMA (which includes the requirement to consult with the consent holder) the Council will levy additional charges for the cost of monitoring the environmental effects of this consent, either in isolation or in combination with other nearby consents. Any such charge would generally be set through the Council's Annual Plan process.

Debt Recovery

52. It is agreed by the consent holder that it is a term of the granting of this resource consent that all costs incurred by the Council for, and incidental to, the collection of any debt relating to this resource consent, whether as an individual or as a member of a group, and charged under section 36 of the RMA, shall be borne by the consent holder as a debt due to the Council, and for that purpose the Council reserves the right to produce this document in support of any claim for recovery.

HBRC CONSENT – DISCHARGE TO LAND

Activity Description To discharge treated stormwater and process water and associated contaminants from a sulphuric acid and fertiliser manufacturing plant at Awatoto to land in circumstances where contaminants will be absorbed by crops and soils and/or may enter shallow groundwater.

Consent Duration 35 years from the commencement date of this consent.

CONDITIONS

1. The activities authorised by this consent shall be undertaken generally in accordance with the Assessment of Environmental Effects and associated management plans dated 30 November 2021. If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.
2. The discharge to land from the site shall be in accordance with the general conditions attached as Appendix 1 to this consent and within the irrigation area shown on Plan A attached to this consent.

Advice Note:

For the purposes of this consent “discharge” refers to stormwater, process water and groundwater added to the stormwater system for the purpose of sustaining constructed wetland and stormwater device vegetation and non-commercial crops used in the treatment process.

3. The discharge shall be onto vegetated land. Vegetated land includes land where vegetation is actively growing or senescing and cultivated for vegetation establishment.
4. The rate of discharge shall not exceed 12 millimetres per hour.
5. The discharge to land shall not cause surface ponding or overland flow from the site.
6. No animals shall be grazed in the irrigation area.

Monitoring

Soil Moisture Monitoring

7. Soil moisture within the discharge area shall be continuously monitored using soil moisture probes. The discharge system shall be configured so that there is no discharge onto land when soil moisture at the soil moisture probes exceed 85 percent of soil capacity (refer Plan A)
8. Soil moisture monitoring results shall be recorded for each monitoring point, including results of annual calibration of soil moisture monitoring equipment. The results shall be provided to the Council on request.

Soil Chemistry Monitoring

9. Nine sampling sites are to be established across the 17.5 ha to represent the overall sites’ soil chemical and physical properties of the Land Discharge area. Each sampling site is represented by GPS points within Ravensdown’s spatial information system (Hawkeye™) to ensure that ongoing monitoring is from the same geospatial locations (refer Plan B).
10. Sampling sites are to be sampled at a 15cm depth and represented by 15 to 20 cores from each site.
 - a. Sampling sites are to be resampled on an annual basis for the first five years to establish baseline data. From then on they are to be sampled on a biannual basis during late winter/early spring to monitor trends over time (or as required). Results are to be stored within Hawkeye.
11. The soil analysis will consist of:

- a) Soil pH, Olsen P, K, Mg, Ca, Na, Sulphate S and Organic Sulphur,
- b) Potentially Mineralisable Nitrogen (PMN)
- c) EDTA (Co, Mn, Fe, Cu, Zn)
- d) EPA Heavy Metal Suite (As, Cd, Cr, Cu, Pb, Hg, Ni, Zn)
- e) Total soil F.

Groundwater Quality Monitoring

- 12. Groundwater quality monitoring shall be undertaken twice annually for the first year, and annually thereafter, at three shallow groundwater monitoring bores not more than six metres deep. One groundwater monitoring bore shall be located at the mid-point of the north-western boundary of the irrigation area (upgradient), and one located at the mid-point of the eastern boundary of the irrigation area (down-gradient) (refer Plan A).
- 13. All groundwater quality monitoring undertaken in accordance with the conditions of this consent shall be carried out by a person suitably qualified and experienced in environmental monitoring. Any meters used for the monitoring shall be calibrated and operated in accordance with the manufacturer's specifications.
- 14. Groundwater samples collected in accordance with this consent shall be analysed for fluoride. All analyses in accordance with conditions of this consent shall be carried out by a laboratory that is IANZ accredited, or that is authorised by the Council (Manager Compliance).
- 15. In the event that the results of groundwater monitoring indicate a significant increase in fluoride in the downgradient bore in comparison to the upgradient bore the consent holder shall:
 - a) Commission a suitably qualified and experienced person to assess the risk to the environment from the exceedance, including consideration of the ecological effects and effects on groundwater quality for drinking water purposes;
 - b) If the assessment undertaken in accordance with Condition 15.a) identifies a risk to the environment as a result of the exceedance, potential options for reducing the concentration of fluoride in the groundwater shall be assessed;
 - c) Provide a report to the Council summarising the results of the risk assessment (Condition 15.a)) and options assessment (Condition 15.b)) within one year of the identification of the exceedance. This shall include an assessment of the actions to be undertaken to reduce the risk to the environment if one has been identified, including timeframes for undertaking these actions; and
 - d) Implement the improvement actions, within the timeframes specified.

Advice Note:

A significant increase in fluoride is defined as 1085 mg F/kg soil

Foliage Monitoring

- 16. The crop shall be sampled for dry matter and **metabolisable** energy according to the code of practice for the trading of pasture and whole crop forages. These samples should also be analysed for macronutrients to confirm the estimate of nutrients removed in the plan
- 17. Test unwashed samples from each forage cut intended for livestock consumption for fluoride levels in accordance with ANZEC guidelines.

Advice Note:

ANZEC guidelines are to manage the potential effect of aerosols containing fluoride being deposited on vegetation not from the discharge activity itself.

Appendix 1

Refer to the General Conditions relating to the both Land and Water Discharge Permits, following the Water Discharge Permit Consent.

HBRC CONSENT – DISCHARGE TO SURFACE WATER AND GROUNDWATER

Activity Description To discharge treated stormwater and process water and associated contaminants from a sulphuric acid and fertiliser manufacturing plant at Awatoto onto or into land and into water (Waitangi Estuary) in the Coastal Margin.

Consent Duration 35 years from the commencement date of this consent.

CONDITIONS

1. The activities authorised by this consent shall be undertaken generally in accordance with the Assessment of Environmental Effects and associated management plans dated 30 November 2021. If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.
2. The discharge into surface water from the site shall be in accordance with the general conditions attached as Appendix 1 to this consent, and to either the Ravensdown Drain or to the Habitat Abundance Restoration Programme (HARP) wetland area at GPS Co-ordinates NZTM 2000 5613817 1937000.

Advice Note:

For the purposes of this consent “discharge” refers to stormwater, process water and groundwater added to the stormwater system for the purpose of sustaining constructed wetland and stormwater device vegetation and non-commercial crops used in the treatment process.

3. The rate of discharge shall not exceed 265 litres per second.
4. The consent holder shall ensure that the activities authorised by this resource consent are designed, constructed and maintained so that they do not cause erosion or scour of the beds or banks of any receiving water bodies (including drains).

APPENDIX 1

GENERAL CONDITIONS RELATING TO BOTH LAND AND WATER DISCHARGE PERMITS

Water Discharge Hierarchy

1. The discharge shall be managed as follows:
 - a) Discharge to land via spray irrigation when this meets the soil moisture content condition in the land discharge permit of less than 85 percent;
 - b) During times when discharge to land is not permitted (due to soil moisture exceeding 85 percent) under the land discharge permit conditions, discharge shall be to the Ravensdown Drain or Habitat Abundance Restoration Area (HARP) (refer Plan D) only between three hours before and three hours after high tide as at the Port of Napier tide gauge (“high tide discharge”); and
 - c) As third preference, discharge to the Ravensdown Drain or Habitat Abundance Restoration Area (HARP) at any time.

Adaptive Management Plan Process

2. The discharge shall be undertaken in accordance with the *Ravensdown Napier Works: Water Discharge Adaptive Management Plan, November 2021*. The following stormwater system:
3. Until the Stage 1 Stormwater System Improvements are implemented, the discharge shall be via the stormwater system that existed at the site on 30 November 2021;
 - a) If required to ensure the discharge meets the water quality discharge parameters set out in Table 1 of General Condition 15, further stormwater system improvements and/or source control actions shall be implemented in accordance with the recommendations and timeframes recommended by the Comprehensive Review and the Adaptive Management Plan required by General Condition 18.

Design Requirements

4. Following completion of the Stage 2 Stormwater System Improvements the site stormwater system shall have capacity to treat the first 75 millimetres of rainfall falling on the site.
5. All stormwater systems installed at the site in accordance with this consent shall be designed by a suitably qualified professional engineer, experienced in that field, to assist in meeting all standards and design requirements of this consent, and as set out in the application (as specified in the documents referenced in General Condition 1).
6. Final Design Plans of the stormwater and process water treatment system for each stage of stormwater system improvements shall be provided to the Council (Manager: Compliance) for certification that they are consistent with the conditions of this consent prior to construction commencing. If 20 working days have passed and no correspondence has been received from the Council regarding the adequacy of the stormwater system design it shall be deemed certified and construction may commence.
7. The final design plans shall demonstrate the following:
 - a) The storage volume, levels and dimensions of the stormwater treatment and attenuation devices sufficient to demonstrate that the stormwater devices have been designed in accordance with good practice guidance;
 - b) That following the completion of the Stage 2 stormwater system improvements the discharge will meet the requirements of Table 1 of General Condition 15.
8. The stormwater system shall be constructed in accordance with the design plans certified in accordance with General Condition 6.

Engineering Plans - Post Construction

9. Following the completion of construction of each stage of the stormwater improvements, the consent holder shall provide Council with accurate as-built plans of the stormwater system, prepared by a suitably qualified and experienced professional engineer, confirming that the stormwater infrastructure has been installed in accordance with the certified final design plans.

Maintenance

10. The consent holder shall maintain the stormwater system in accordance with good practice to maintain the water quality and water quantity performance required by this consent.
11. The consent holder shall record the details of all inspections and works undertaken under General Condition 10. Those records shall be made available for inspection by the Council (Manager: Compliance) on request.

Source Control Management

12. The consent holder shall undertake actions as described in the *Ravensdown Napier Works Source Control Management Plan November 2021*, to reduce the concentrations of contaminants entering stormwater at the site. The consent holder shall review the Source Control Management Plan action schedule for the purpose of updating the list of proposed site improvements, or responding to changes on the site such as the identification of any additional contaminant sources or changes identified as necessary to reduce inputs to the stormwater treatment system.

Habitat Abundance Restoration Project

13. The consent holder shall undertake the habitat restoration works as set out within the *Ravensdown Napier Works, Habitat Abundance Restoration Project Plan November 2021*.
14. Prior to the commencement of construction, the consent holder will engage a suitably qualified expert to prepare a Restoration Plan that will meet the requirements of the Schedule 2 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.

Water Quality Discharge Parameters

15. The consent holder shall ensure that:
 - a) From the time of commencement of this consent the discharge (at the point of discharge) shall comply with the current discharge parameters in Table 1 in 95 percent of monitoring results in any 12-month period.
 - b) Discharges to land or water shall comply with the relevant parameters in Table 1 for 95 percent of monitoring results in any 12-month period after the completion of Stage 2 set out in the *Ravensdown Napier Works: Water Discharge Adaptive Management Plan, November 2021*.

Table 1 – Discharge water quality analytes and parameters

Contaminant	Current Discharge Parameters (milligrams per litre)	Discharge Parameters – Any Tide Discharge (milligrams per litre)	Discharge Parameters – High Tide Discharge (milligrams per litre)	Source For Parameter Value
Total Phosphorus	Less than 17 mg/L 95% of the time and less than 22 mg/L 99% of the time	N/A	N/A	N/A
Soluble reactive phosphorus	Less than 15 mg/L 95% of the time and less than 35 mg/L 99% of the time	0.042	0.0735	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary

Contaminant	Current Discharge Parameters (milligrams per litre)	Discharge Parameters – Any Tide Discharge (milligrams per litre)	Discharge Parameters – High Tide Discharge (milligrams per litre)	Source For Parameter Value
Ammoniacal nitrogen Unionised ammonia based on pH8 at 20 deg C, all flows	N/A	0.28	0.49	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary
Nitrate nitrogen	N/A	Improving trend toward 0.14	Improving trend toward 0.245	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary
Nitrite	N/A	0.546	0.9555	Regional Coastal Environment Plan, Rule 17
Total nitrogen	N/A	Improving trend toward 0.308	Improving trend toward 0.539	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary
Total suspended solids (TSS)	100	70	122.5	Regional Coastal Environment Plan, Schedule D, Part II Standards that apply to specific catchments
pH	6.5 – 8.5	7.0-8.5	7.0-8.5	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary
Fluoride	30	14	24.5	Site specific value – Hickey 2004
Aluminium	N/A	0.154	0.2695	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary / Regional Coastal Environment Plan
Copper	N/A	0.00364	0.00637	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary / Regional Coastal Environment Plan
Cadmium	N/A	0.0154	0.02695	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary / Regional Coastal Environment Plan
Chromium	N/A	0.0756	0.1323	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary / Regional Coastal Environment Plan

Contaminant	Current Discharge Parameters (milligrams per litre)	Discharge Parameters – Any Tide Discharge (milligrams per litre)	Discharge Parameters – High Tide Discharge (milligrams per litre)	Source For Parameter Value
Nickel	N/A	0.196	0.343	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary / Regional Coastal Environment Plan
Zinc	N/A	0.042	0.0735	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary / Regional Coastal Environment Plan

16. For the purposes of this consent, these discharge parameters have been calculated so that the discharge will meet the relevant water quality standards beyond the zone of reasonable mixing for the discharge. The zone of reasonable mixing shall be the Ravensdown Drain and 90 metres down the Awatoto Drain (GPS Co-ordinates NZTM 2000 1936918 east, 5613708 north).

Discharge Monitoring

17. The consent holder shall carry out the following monitoring:

- a) A sampling station shall be maintained at the Discharge Pond outlet and be accessible to Council officers or its agents at all times.

A representative, flow-proportional, composite sample (sampled continuously over a period of one week) shall be collected from the sampling station, referred to in Condition 15a, at least once per week when discharge is occurring and tested for the following parameters:

- i. pH
- ii. Total phosphorus
- iii. Soluble reactive phosphorus
- iv. Fluoride
- v. Total suspended solids
- vi. Total nitrogen
- vii. Nitrate nitrogen
- viii. Nitrite
- ix. Ammoniacal nitrogen

Results shall be recorded on a mass per unit volume of discharge basis and the volume of discharge shall also be recorded. The records shall be forwarded to the Council at monthly intervals, along with an assessment of compliance against Table 1 of General Condition 15.

- b) A representative, flow-proportional, composite sample (sampled continuously over a period of one week) shall be collected from the sampling station, referred to in Condition 15a, at six monthly intervals and tested for the following parameters:

- i. Dissolved copper
- ii. Dissolved zinc
- iii. Dissolved cadmium
- iv. Dissolved chromium
- v. Dissolved aluminium
- vi. Dissolved nickel
- vii. Total sulphur

Results shall be taken on a mass per unit volume of discharge basis and the volume of discharge taken shall also be recorded. The records shall be forwarded to the Council at six monthly intervals.

- c) All sampling in accordance with the conditions of this consent shall be carried out by a person suitably qualified and experienced in environmental monitoring.
- d) All analyses in accordance with conditions of this consent shall be carried out by a laboratory that is IANZ accredited, or that is authorised by the Council (Manager: Compliance).
- e) The consent holder shall calibrate and operate any meters required for monitoring in accordance with the manufacturer's specifications.
- f) In the event the values in General Condition 15 table 1 are exceeded the Consent Holder may have the sample re-tested to confirm that the exceedance was not due to a testing error. In these circumstances the exceedance only needs to be reported to the Consent Authority in accordance with General Condition 18 if the re-tested sample confirms the exceedance.

Reporting

18. The consent holder shall prepare an annual report for the period of July to June each year and, by the 30 October following that period, submit it to the Council. The report shall summarise monitoring and compliance against the consent conditions and discuss any non-compliance and recommended necessary actions to achieve compliance. The report shall include, at a minimum:

Compliance Monitoring Reporting

- a) A summary of the volume of the discharge, the location it has been discharged to, and details of any discharge to surface water that was not on a High Tide Discharge.
- b) A summary of the results of groundwater quality monitoring from the irrigation area.
- c) The results of any assessment of effects of the irrigation discharge, if one is undertaken in accordance with Condition 12 of the discharge to land permit, and a summary of the progress against any actions identified.
- d) A summary of the results of the discharge sampling undertaken at the site.
- e) An assessment of the discharge monitoring results against the relevant water quality parameters for the site, and a summary of any exceedances of these parameters.
- f) A record of any known non-compliance with conditions of this consent and the actions taken to remedy this non-compliance.
- g) Any update to the Source Control Management Plan action schedule.
- h) A register of complaints relating to the authorised discharge made during the report period, and a record of how complaints were addressed.
- i) A summary of actions undertaken as part of the HARP over the previous 12 months.

Adaptive Management Plan Reporting

- j) Until the water quality parameters set out in this Appendix are met the reporting shall include the following information on the Adaptive Management process:
 - i. A progress summary of the stormwater improvements that have been implemented at the site over the reporting period confirming adherence with the timetable established in the *Ravensdown Napier Works: Water Discharge Adaptive Management Plan, November 2021*.
 - ii. If following the completion of Stage 2 stormwater system improvements and after an initial three month monitoring period, any water quality parameters set in this

Appendix are exceeded, the consent holder shall commission a suitably qualified expert to undertake a Comprehensive Review of the options available to resolve the remaining parameter exceedances. A report prepared to document this Comprehensive Review shall be provided to the Consents Manager HBRC within six months after the completion of the stage 2 stormwater system improvements, and shall include:

- i. the options assessed;
 - ii. a best practicable options analysis prepared using methodology in Section 2 of the RMA;
 - iii. the reasons for the water quality improvement selected to resolve the issue;
 - iv. the proposed timeframes for implementing any water quality improvements selected, and the reasons for this timeframe.
- iii. The consent authority shall consider the Comprehensive Review Report and certify that the recommended additional treatment proposed is fit for purpose to resolve the remaining parameter exceedances in an appropriate timeframe.

Mana Whenua Recognition and Participation

19. Within six months of the commencement of these consents the consent holder shall seek nominations to establish a Mana Whenua Advisory Komiti in order to further develop effective measures that recognise and implement the broad recommendations contained within the Cultural Values reports; *Whataangaanga and Surrounds; Cultural Values, Names and Associations, November 2021* and *Ravensdown Napier Resource Consent Renewal Cultural Impact Assessment, Ngāti Pārau Hāpu, November 2021*.
20. The consent holder shall work with the Mana Whenua Advisory Komiti to develop its own terms of reference within twelve months of the commencement of these consents which will cover the objectives, administration, meeting periods and funding for participation.
21. Ravensdown shall appoint three representatives to sit on the Mana Whenua Advisory Komiti in order to ensure effective and ongoing liaison and partnership with Mana Whenua Hapu through the durations of these consents.

Review

22. The conditions of this consent may be reviewed by Council during the month of May of any year pursuant to sections 128, 129, 130, 131 and 132 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 36 of the RMA. The consent(s) may be reviewed for any of the following purposes:
 - a) To deal with any adverse effect on the environment which may arise from the exercise of the consent, which it is appropriate to deal with at that time or which became evident after the date of issue;
 - b) To require that the discharge is consistent with requirements in a regional plan or a National Environmental Standard;
 - c) To modify any monitoring programme, or to require additional monitoring if there is evidence that current monitoring requirements are inappropriate, inaccurate or inadequate;
 - d) To modify and/or add conditions of consent in order to ensure that it is consistent with the operative provisions of a regional plan. This shall include (but not be limited to) conditions specifying any maximum or minimum levels, minimum flows and associated implementation timeframes, and/or abstraction rates or volumes (including allocation limits); and
 - e) In the event that the Stage 1 and 2 treatment works set out in the *Ravensdown Napier Works: Water Discharge Adaptive Management Plan, November 2021* do not result in compliance with all of the water discharge conditions set out in this Appendix following the

monitoring check undertaken in Year 6 of the adaptive management period or after the Comprehensive Review process set out in Condition 18 (j) above.

Administration

Notification of Changes to Details

23. It is the responsibility of the consent holder to inform the Council (Manager Consents) if any details regarding this consent, including any sale / purchase of the property and any change to contact details.

Routine Monitoring

24. Routine monitoring inspections will be undertaken by Council officers at a frequency of no more than once every year to check compliance with the conditions of the consent. The costs of any routine monitoring will be charged to the consent holder in accordance with the Council's Annual Plan of the time.

Non-routine Monitoring

25. "Non routine" monitoring will be undertaken if there is cause to consider (e.g. following a complaint from the public, or routine monitoring) that the consent holder is in breach of the conditions of this consent. The cost of non-routine monitoring will be charged to the consent holder in the event that non-compliance with conditions is determined, or if the consent holder is deemed not to be fulfilling the obligations specified in section 17(1) of the RMA, which states:

Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with

a) any of sections 10, 10A, 10B, and 20A; or

b) a national environmental standard, a rule, a resource consent, or a designation.

Consent Impact Monitoring

26. In accordance with section 36 of the RMA (which includes the requirement to consult with the consent holder) the Council will levy additional charges for the cost of monitoring the environmental effects of this consent, either in isolation or in combination with other nearby consents. Any such charge would generally be set through the Council's Annual Plan process.

Debt Recovery

27. It is agreed by the consent holder that it is a term of the granting of this resource consent that all costs incurred by the Council for, and incidental to, the collection of any debt relating to this resource consent, whether as an individual or as a member of a group, and charged under section 36 of the RMA, shall be borne by the consent holder as a debt due to the Council, and for that purpose the Council reserves the right to produce this document in support of any claim for recovery.

HBRC CONSENT - WATERTAKE

Activity Description To take water from well numbers 15986 and 15989 (150 mm diameters) for the following industrial uses and environmental purposes:

- The manufacture of sulphuric acid and fertilisers;
- The treatment of stormwater and process water including sustaining constructed treatment wetlands and the maintenance of crop cover on the discharge to land area (shown on Plan B); and
- Sustain an artificial wetland within the Waitangi Regional Park.

Consent Duration 35 years from the date of commencement of this consent.

CONDITIONS

1. The combined rate of taking from all wells shall not exceed 80 litres per second.
2. The combined volume taken, shall not exceed the following:
 - a) 13,477 cubic metres in any 7 day period; and,
 - b) 666,455 cubic metres within the 12 month period, 1 July to 30 June in consecutive calendar years;

The maximum 7-day and 12 month period volumes for each of the uses is set out in the table below:

Site Water Use	Proposed Volume	
	Weekly (m ³)	Annual (m ³)
Site base load ¹	2,820	
Manufacture of sulphuric acid and fertilisers	7,945	
Sustaining treatment wetland	175	
Maintaining crop cover on irrigation area	1,900	
Subtotal for Operations	12,840	633,240²
Sustaining HARP wetland	637 ³	33,215
Total	13,477	666,455

¹ Site Base Load is domestic usage and site wash water.

² Assuming 48 weeks per year of manufacturing.

³ Using an evapotranspiration rate of 0.7 L/s/Ha and a water surface area of 1.5Ha

3. Water meter shall be installed to monitor the volumes associated with each use outlined in the Table in condition 2 above (excepting the site base load), prior to the exercise of this consent, and shall be operated and maintained to measure the volume of water taken to an accuracy of +/- 5%.
4. The device(s) required by condition 3 shall be installed and maintained in accordance with the Council's "Technical Specifications and Installation Requirements for Flow Meters" (February 2010) (see Advice Note I).
5. Water take and use data supplied to the Council in accordance with the conditions of this consent shall be collected by a water measuring device or system that has been verified by a

suitably qualified person to be accurate to within +/-5% at that point of take within the following time periods:

- a) For existing devices or systems: within the previous 5 water years (water year is 1 July – 30 June); or,
 - b) For new devices or systems: before the end of the first water year (ending 30 June) for that water permit.
6. All water measuring devices or systems shall be re-verified by a suitably qualified person as accurate to within +/-5% within a maximum of 5 years from the date of the previous verification.
 7. From commencement of this consent, the consent holder shall read the water meter at 7-day intervals and shall provide the Council with a record of the following
 - a) the meter reading (in cubic metres); and,
 - b) the date and time of each reading; and,
 - c) the point of take that the record relates to; and,

These records shall be provided to the Council no later than 7 days after the end of each calendar month (see Advice Note II).

8. The consent holder shall, upon request by the Council (Manager Compliance), supply details of the use of water occurring under this consent, including (but not limited to) a full description of all processes that the water is used in, a description of the products that are produced on the site, and confirmation that condition 14 is complied with.
9. All works and structures relating to this resource consent shall be designed and constructed to conform to best engineering practices and at all times maintained to a safe and serviceable standard.
10. The consent holder shall undertake all operations in accordance with any drawings, specifications, statements of intent and other information supplied as part of the application for this resource consent. In the event that there is conflict between the information supplied with the application and any consent condition(s), the condition(s) shall prevail.
11. The consent holder shall ensure that a backflow prevention device is installed and maintained to prevent contaminants from entering the aquifer through the bores. The consent holder shall provide the details and specifications of the back flow prevention devices/systems to Council (Manager Compliance) prior to the exercising of this consent. The device shall be installed, maintained and tested in accordance with the manufacturer's specifications. Records of testing and maintenance shall be kept and provided to the Council (Manager Compliance) upon request.
12. If an event occurs on-site that may lead to contaminants entering groundwater, the Consent Holder shall notify the Napier City Council and the Council (Manager Compliance) of the event as soon as reasonably practicable after the event occurs.

Advice Note:

Such an event might include for example chemical spillage or backflow/loss of chemicals to the well. Napier City Council can be contacted on 835 7579. The Regional Council 24 hour Pollution Hotline should also be contacted on 0800 108 838.

13. To minimise the risk of contaminants entering groundwater, the consent holder shall:
 - a) Ensure that well headworks are constructed and maintained to prevent any leakage and/or movement of water or contaminants between the ground surface and groundwater, and shall ensure that there are no openings through which contaminants might enter the well. This shall include (but not be limited to) ensuring that there are no gaps around any pipework and/or cables at the wellhead.

- b) Ensure that the well is maintained and serviced by a suitably qualified and experienced person at a frequency suitable for ensuring that condition 13(a) is met, and provide records of this maintenance and servicing to the Council (Manager Compliance) upon request.
- c) In the absence of sufficient records to demonstrate to the satisfaction of the Council (Manager Compliance) that condition 13(a) is met, the consent holder, upon request by the Council (Manager Compliance), shall engage at their cost a suitably qualified and experienced person to inspect and certify that the wells(s) meet the requirements of condition 13(a). The certification shall be provided to the Council (Manager Compliance) within 7 days of its receipt.

Advice note:

For the purposes of this condition, an acceptable “suitably qualified and experienced person” is a professional well driller or well engineer (or equivalent), with demonstrable experience in the field of wellhead security, design, construction and maintenance.

- 14. Water may not be used under this consent for commercial ‘water bottling’, where water bottling is defined as the: “taking and using water for bottling in bottles, bladders or other containers for human consumption where bore water makes up at least 90% of the content of the container”.
- 15. The Council may review conditions of this consent pursuant to sections 128, 129, 130, 131 and 132 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 36 of the RMA. The consent(s) may be reviewed for any of the following purposes:
 - a) To deal with any adverse effect on the environment which may arise from the exercise of this consent, which it is appropriate to deal with at that time or which became evident after the date of issue;
 - b) To require that the installation and reading of the water-measuring device or water meter data reporting system is consistent with any policies or rules in a regional plan, a National Environmental Standard;
 - c) To modify any monitoring programme, or to require additional monitoring if there is evidence that current monitoring requirements are inappropriate, inaccurate or inadequate;
 - d) To ensure that the rate and volume of water authorised by the consent is consistent with actual water needs for an efficient take for the consented purpose and is physically able to be taken;
 - e) To require, if necessary, the installation of a backflow prevention device to ensure that no contaminant can enter the aquifer through the bore;
 - f) To modify and/or add conditions of consent in order to ensure that it is consistent with the operative provisions of a regional plan. This shall include (but not be limited to) conditions specifying any maximum or minimum levels, minimum flows and associated implementation timeframes, and/or abstraction rates or volumes (including allocation limits).

Advice Notes

Water Meter Technical Specifications

- I. The following documents are available from the Council’s website “Technical Specifications and Installation Requirements for Flow Meters” (February 2010) (www.hbrc.govt.nz/services/water/water-metering/meters/) and “HBRCs Requirements for the use of Portable pumps used to report water use” (February 2013) (www.hbrc.govt.nz/assets/Document-Library/Technical-Publications/Technical-Specifications-and-Installation-Requirements-for-portable-pumps-March-2013.pdf). The Telemetry System Installation Form is provided to telemetry installers by the Council upon request.

Administration

Notification of Changes to Details

- II. It is the responsibility of the consent holder to inform the Council (Manager Consents) if any details regarding this consent, including any sale / purchase of the property and any change to contact details.

Routine Monitoring

- III. Routine monitoring inspections will be undertaken by Council officers at a frequency of no more than once every year to check compliance with the conditions of the consent. The costs of any routine monitoring will be charged to the consent holder in accordance with the Council's Annual Plan of the time.

Non-routine Monitoring

- IV. "Non routine" monitoring will be undertaken if there is cause to consider (e.g. following a complaint from the public, or routine monitoring) that the consent holder is in breach of the conditions of this consent. The cost of non-routine monitoring will be charged to the consent holder in the event that non-compliance with conditions is determined, or if the consent holder is deemed not to be fulfilling the obligations specified in section 17(1) of the RMA, which states:

Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with

a) any of sections 10, 10A, 10B, and 20A; or

b) a national environmental standard, a rule, a resource consent, or a designation.

Consent Impact Monitoring

- V. In accordance with section 36 of the RMA (which includes the requirement to consult with the consent holder) the Council will levy additional charges for the cost of monitoring the environmental effects of this consent, either in isolation or in combination with other nearby consents. Any such charge would generally be set through the Council's Annual Plan process.

Debt Recovery

- VI. It is agreed by the consent holder that it is a term of the granting of this resource consent that all costs incurred by the Council for, and incidental to, the collection of any debt relating to this resource consent, whether as an individual or as a member of a group, and charged under section 36 of the RMA, shall be borne by the consent holder as a debt due to the Council, and for that purpose the Council reserves the right to produce this document in support of any claim for recovery.

HBRC CONSENT – WATERTAKE – CONSTRUCTION, DEWATERING

Activity Description To take groundwater by dewatering associated with the construction of new stormwater and process water treatment facilities.

Consent Duration 10 years from the date of commencement of this consent.

CONDITIONS

1. The activities authorised by this consent shall be undertaken generally in accordance with the Assessment of Environmental Effects and associated management plans dated 30 November 2021. If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.
2. Prior to the take of groundwater for dewatering the consent holder shall prepare a Construction Environmental Management Plan (CEMP) with the objective of ensuring the take of dewatering water shall be managed to minimise environmental effects. The dewatering section of the CEMP shall be prepared by a person who is suitably qualified and experienced in managing groundwater takes.
3. The dewatering section of the CEMP shall:
 - a) Set out how the take of groundwater for dewatering shall be undertaken to minimise environmental effects;
 - b) Set out the measures that will be implemented so that the take of groundwater for dewatering does not cause subsidence or damage to any structures on adjacent properties;
 - c) Set out how the take of groundwater for dewatering shall be undertaken so that it does not reduce the water available in any nearby bore;
 - d) Set out how the dewatering shall be undertaken so that the rate of dewatering is as low as reasonably practicable.

Advice Note:

It is expected that one CEMP will be prepared which will cover the requirements of all construction phase activities for this project, including take and discharge of dewatering water and excavations.

4. The CEMP shall contain the following information regarding the dewatering take:
 - a) The anticipated rate of dewatering;
 - b) Details of the method that will be used to take groundwater;
 - c) Methods that will be used to avoid environmental effects during the dewatering;
 - d) Procedures for observing and monitoring the take, including the frequency of monitoring, location of monitoring, method of monitoring, and who will be responsible for the monitoring;
 - e) Details of reporting that will be undertaken in accordance with this consent.
5. The dewatering sections of the CEMP shall be provided to the Council at least 20 working days prior to the dewatering discharge commencing, for certification they meet the objective set in Condition 2 and cover the matters set out in Conditions 3 and 4. The take of groundwater for dewatering shall not commence until certification of the dewatering sections of the CEMP has been received from Council. Notwithstanding this, if 20 working days have passed and no correspondence has been received from the Council regarding the adequacy of the CEMP, the take of groundwater for dewatering may commence.

6. Groundwater take for dewatering shall be undertaken in accordance with the dewatering sections of the CEMP.
7. If an event occurs on-site that may lead to contamination of groundwater, the consent holder shall notify Council (Manager Compliance) of the event as soon as reasonably practicable after the event occurs.

Advice Note:

The Regional Council's 24 hour Pollution Hotline should also be contacted on 0800 108 838.

8. All works and structures relating to this resource consent shall be designed and constructed to conform to best engineering practices and at all times maintained to a serviceable standard.
9. The conditions of this consent may be reviewed by the Council during the month of May of any year pursuant to sections 128 to 132 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 36 of the RMA. The conditions may be reviewed for any of the following purposes:
 - a) To deal with any adverse effect on the environment which may arise from the exercise of this consent, which it is appropriate to deal with at that time or which became evident after the date of issue;
 - b) To require that the installation and reading of the water-measuring device or water meter data reporting system is consistent with any policies or rules in a regional plan, a National Environmental Standard;
 - c) To modify any monitoring programme, or to require additional monitoring if there is evidence that current monitoring requirements are inappropriate, inaccurate or inadequate;
 - d) To ensure that the rate and volume of water authorised by the consent is consistent with actual water needs for an efficient take for the consented purpose and is physically able to be taken;
 - e) To require, if necessary, the installation of a backflow prevention device to ensure that no contaminant can enter the aquifer through the bore;
 - f) To modify and/or add conditions of consent in order to ensure that it is consistent with the operative provisions of a regional plan. This shall include (but not be limited to) conditions specifying any maximum or minimum levels, minimum flows and associated implementation timeframes, and/or abstraction rates or volumes (including allocation limits).

Administration

Notification of Changes to Details

10. It is the responsibility of the consent holder to inform the Council (Manager Consents) if any details regarding this consent, including any sale / purchase of the property and any change to contact details.

Routine Monitoring

11. Routine monitoring inspections will be undertaken by Council officers at a frequency of no more than once every year to check compliance with the conditions of the consent. The costs of any routine monitoring will be charged to the consent holder in accordance with the Council's Annual Plan of the time.

Non-routine Monitoring

12. "Non routine" monitoring will be undertaken if there is cause to consider (e.g. following a complaint from the public, or routine monitoring) that the consent holder is in breach of the conditions of this consent. The cost of non-routine monitoring will be charged to the consent holder in the event that non-compliance with conditions is determined, or if the consent holder is deemed not to be fulfilling the obligations specified in section 17(1) of the RMA, which states:

Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with

a) any of sections 10, 10A, 10B, and 20A; or

b) a national environmental standard, a rule, a resource consent, or a designation.

Consent Impact Monitoring

13. In accordance with section 36 of the RMA (which includes the requirement to consult with the consent holder) the Council will levy additional charges for the cost of monitoring the environmental effects of this consent, either in isolation or in combination with other nearby consents. Any such charge would generally be set through the Council's Annual Plan process.

Debt Recovery

14. It is agreed by the consent holder that it is a term of the granting of this resource consent that all costs incurred by the Council for, and incidental to, the collection of any debt relating to this resource consent, whether as an individual or as a member of a group, and charged under section 36 of the RMA, shall be borne by the consent holder as a debt due to the Council, and for that purpose the Council reserves the right to produce this document in support of any claim for recovery.

HBRC CONSENT – DISCHARGE TO LAND AND WATER – CONSTRUCTION, DEWATERING

Activity Description To discharge dewatering water associated with the construction of new stormwater and process water treatment facilities onto or into land (settling pond) and into water (Waitangi Estuary) in the Coastal Margin.

Consent Duration 35 years from the commencement date of this consent.

CONDITIONS

1. The activities authorised by this consent shall be undertaken generally in accordance with the Assessment of Environmental Effects and associated management plans dated 30 November 2021. If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.
2. Prior to the discharge of water from dewatering the consent holder shall prepare a Construction Environmental Management Plan (CEMP) with the objective of ensuring the take of dewatering water shall be managed to minimise environmental effects. The dewatering discharge section of the CEMP shall be prepared by a person who is suitably qualified and experienced in managing discharges to the receiving environment
3. The CEMP shall contain the following information regarding dewatering:
 - a) Procedures for assessing the quality of the dewatering water to determine its quality prior to discharge. These shall be prepared in accordance with advice from a suitably qualified and experienced contaminated land practitioner;
 - b) Water quality limits for discharges of dewatering water to the receiving environment, based on advice from a suitably qualified and experienced surface water quality scientist or ecologist;
 - c) Procedures for treating or managing the dewatering water, if necessary to meet the water quality limits for the environment;
 - d) Procedures for observing and monitoring the discharge, including the frequency of monitoring, location of monitoring, method of monitoring, and who will be responsible for the monitoring;
 - e) Details of actions that will be undertaken in the event that the monitoring of the discharge indicates that the water quality limits are not being met;
 - f) Details of reporting that will be undertaken in accordance with this consent.

Advice note:

It is expected that one CEMP will be prepared which will cover the requirements of all construction phase activities for this project, including take and discharge of dewatering water and excavations.

4. The dewatering sections of the CEMP shall be provided to the Council at least 20 working days prior to the dewatering discharge commencing, for certification that they meet the objective set in Condition 2 and cover the matters set out in Condition 3 above. Dewatering discharge shall not commence until certification of the dewatering sections of the CEMP has been received Council. Notwithstanding this, if 20 working days have passed and no correspondence has been received from the Council regarding the adequacy of the CEMP, the discharge may commence.
5. Dewatering discharge shall be undertaken in accordance with the dewatering sections of the CEMP.
6. The dewatering discharge shall not cause erosion or scour of the receiving environment.
7. The dewatering discharge shall not cause or exacerbate flooding in the receiving environment.

8. The discharge shall not contain more than 100 milligrams per litre of total suspended solids.
9. The reporting required under the CEMP shall be provided to the Council on request.
10. The conditions of this consent may be reviewed by Council during the month of May of any year pursuant to sections 128 to 132 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 36 of the RMA. The conditions may be reviewed for any of the following purposes:
 - a) To deal with any adverse effect on the environment which may arise from the exercise of the consent, which it is appropriate to deal with at that time or which became evident after the date of issue;
 - b) To require that the discharge is consistent with requirements in a regional plan or a National Environmental Standard;
 - c) To modify any monitoring programme, or to require additional monitoring if there is evidence that current monitoring requirements are inappropriate, inaccurate or inadequate;
 - d) To modify and/or add conditions of consent in order to ensure that it is consistent with the operative provisions of a regional plan. This shall include (but not be limited to) conditions specifying any maximum or minimum levels, minimum flows and associated implementation timeframes, and/or abstraction rates or volumes (including allocation limits).

Administration

Notification of Changes to Details

11. It is the responsibility of the consent holder to inform the Council (Manager Consents) if any details regarding this consent, including any sale / purchase of the property and any change to contact details.

Routine Monitoring

12. Routine monitoring inspections will be undertaken by Council officers at a frequency of no more than once every year to check compliance with the conditions of the consent. The costs of any routine monitoring will be charged to the consent holder in accordance with the Council's Annual Plan of the time.

Non-routine Monitoring

13. "Non routine" monitoring will be undertaken if there is cause to consider (e.g. following a complaint from the public, or routine monitoring) that the consent holder is in breach of the conditions of this consent. The cost of non-routine monitoring will be charged to the consent holder in the event that non-compliance with conditions is determined, or if the consent holder is deemed not to be fulfilling the obligations specified in section 17(1) of the RMA, which states:

Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with

a) any of sections 10, 10A, 10B, and 20A; or

b) a national environmental standard, a rule, a resource consent, or a designation.

Consent Impact Monitoring

14. In accordance with section 36 of the RMA (which includes the requirement to consult with the consent holder) the Council will levy additional charges for the cost of monitoring the environmental effects of this consent, either in isolation or in combination with other nearby consents. Any such charge would generally be set through the Council's Annual Plan process.

Debt Recovery

15. It is agreed by the consent holder that it is a term of the granting of this resource consent that all costs incurred by the Council for, and incidental to, the collection of any debt relating to this resource consent, whether as an individual or as a member of a group, and charged under section 36 of the RMA, shall be borne by the consent holder as a debt due to the Council, and for that purpose the Council reserves the right to produce this document in support of any claim for recovery.

HBRC CONSENT –LANDUSE- CONSTRUCTION, EARTHWORKS AND VEGETATION CLEARANCE

Activity Description Vegetation clearance and soil disturbance activities in the Coastal Margin associated with:

- Erection, reconstruction, placement, alteration, extension, removal, or demolition of stormwater and process water treatment and discharge structures; and
- Wetland restoration activities

Consent Duration 35 years from the commencement date of this consent.

CONDITIONS

1. The activities authorised by this consent shall be undertaken generally in accordance with the Assessment of Environmental Effects and associated management plans dated 30 November 2021. If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail. Where a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.
2. The planting and associated works authorised by this consent shall be undertaken in the area and for the purposes described in *Ravensdown Napier Works, Habitat Abundance and Restoration Plan, November 2021*.
3. Within six months from the commencement date of this consent, the consent holder shall reconvene the HARP Advisory Group made up of Mana Whenua, HBRC (landowner) representatives and other interest stakeholders.
4. The consent holder shall ensure that any contractors engaged to undertake work authorised by this consent abide by the conditions of this consent. The person responsible for the work on site shall be familiar with the consent conditions and a copy of this consent shall be present on site at all times while the work is being undertaken.
5. All practicable measures shall be implemented to minimise sediment discharges into waterbodies.
6. All disturbed areas shall be stabilised as soon as practicable following completion of the works.
7. The earthworks and vegetation clearance shall occur in accordance with an Erosion and Sediment Control Plan (ESCP). The objective of the ESCP shall be to detail the best practicable erosion and sediment control measures that will be taken to ensure compliance with this resource consent. The Plan shall be prepared as far as practicable to be in accordance with the Hawke's Bay Water Guidelines: Erosion and Sediment Control (2009).

Advice Note:

The requirement for a ESCP for these works is also contained in the associated Napier City Council resource consent and only one Plan is required for certification by both Councils).

8. The ESCP shall be provided to the Council at least 20 working days prior to the earthworks and/or vegetation removal commencing, for certification that it meets the objective set out in Condition 7 and is prepared as far as practicable to be in accordance with the Hawke's Bay Water Guidelines: Erosion and Sediment Control (2009).
9. Earthworks and vegetation clearance shall not commence until certification of the ESCP has been received from Council. Notwithstanding this, if 10 working days have passed and no correspondence has been received from the Council regarding the adequacy of the ESCP, the works may commence.

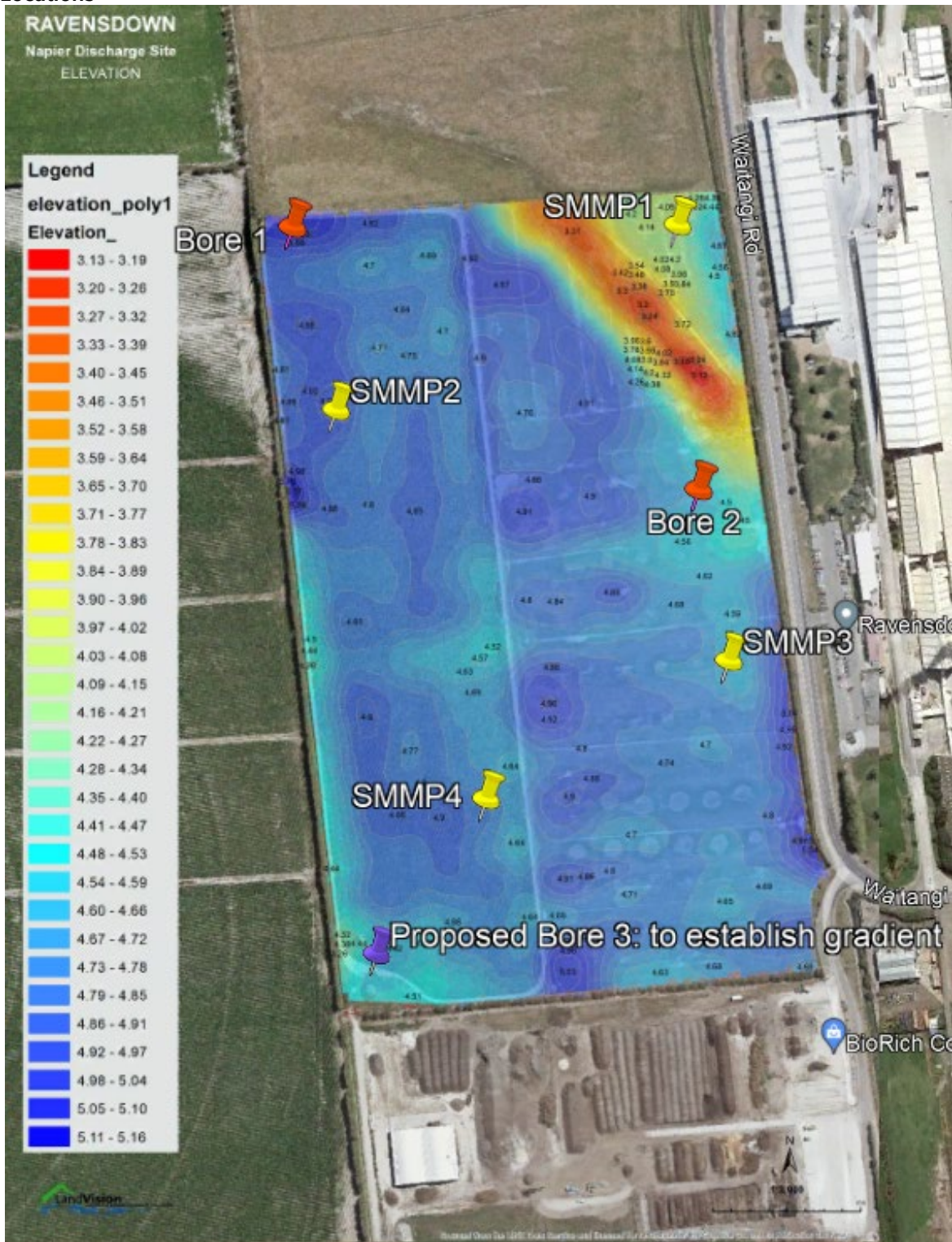
10. The ESCP may be amended at any time. Any amendments shall be:
 - a) Only for the purpose of improving the efficiency of the erosion and sediment control measures or the management of contaminated soil and shall not result in reduced efficacy of the management;
 - b) Consistent with the conditions of this resource consent; and
 - c) Submitted in writing to the Council, prior to any amendment being implemented.
11. The consent holder shall check, clean and dry machinery used in the bed of the waterbody or drain to limit the spread of aquatic and plant pests.
12. Where, for any cause (accidental or otherwise), contaminants associated with the consent holder's operations escape to water other than in conformity with the consent, the consent holder shall:
 - a) Immediately stop all works authorised by this resource consent; and,
 - b) Immediately take all practicable steps to contain and then remove the contamination from the environment,
 - c) Immediately notify the Council of the escape; and,
 - d) Report to the Council, in writing and within 7 days, describing the manner and cause of the escape and the steps taken to control it and prevent its reoccurrence.
13. In the event of any archaeological site or waahi tapu being uncovered during the exercise of this consent, activities in the vicinity of the discovery shall cease. The consent holder shall contact the Council (Manager Compliance) to obtain contact details of the relevant tangata whenua. The consent holder shall then consult with the relevant local hapū or marae and the Heritage New Zealand Pouhere Taonga, and shall not recommence works in the area of the discovery until the relevant Heritage New Zealand Pouhere Taonga and tangata whenua approvals to damage, destroy or modify such sites have been obtained.
14. The conditions of this consent may be reviewed by Council during the month of May of any year pursuant to sections 128 to 132 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 36 of the RMA. The conditions may be reviewed for any of the following purposes:
 - a) To deal with any adverse effect on the environment which may arise from the exercise of the consent, which it is appropriate to deal with at that time or which became evident after the date of issue;
 - b) To require that the discharge is consistent with requirements in a regional plan or a National Environmental Standard;
 - c) To modify any monitoring programme, or to require additional monitoring if there is evidence that current monitoring requirements are inappropriate, inaccurate or inadequate;
 - d) To modify and/or add conditions of consent in order to ensure that it is consistent with the operative provisions of a regional plan.

Hawke's Bay Regional Council Resource Consent Plans

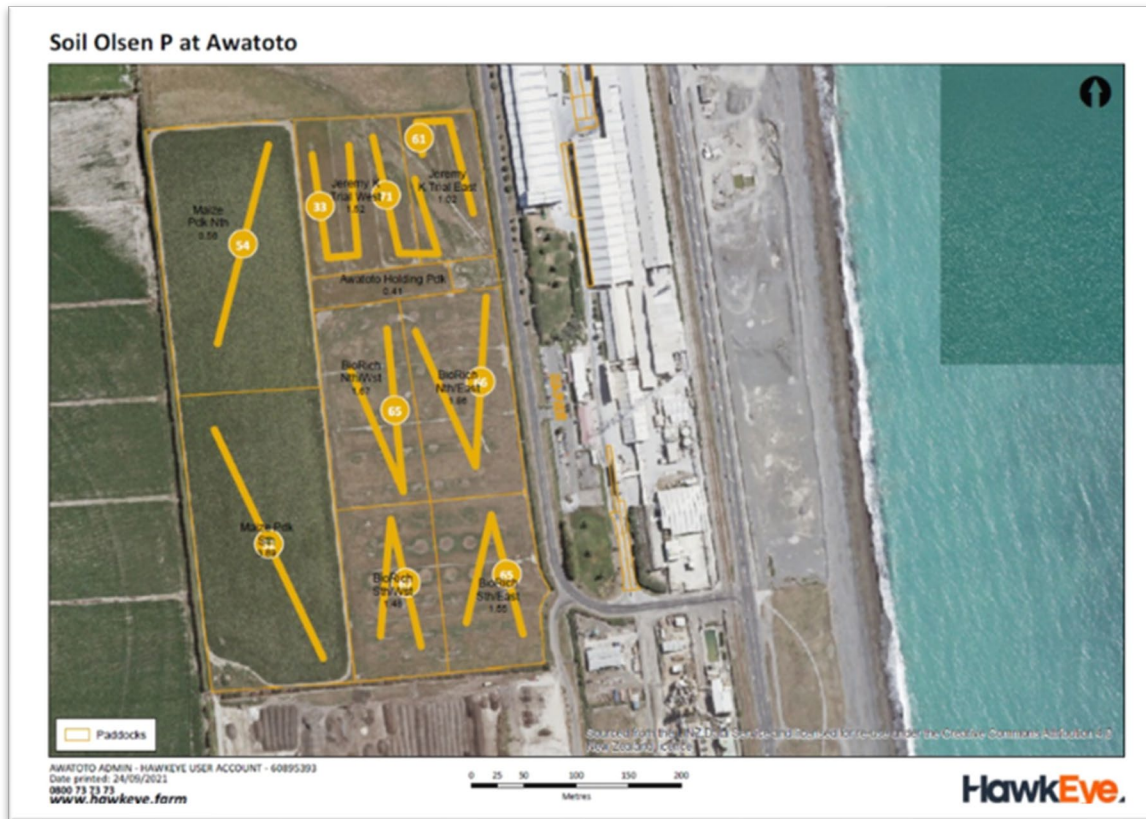
Plan A – Ambient air monitoring locations



Plan B – Land Discharge area, Soil Moisture Monitoring and Groundwater Monitoring Bore Locations



Plan C – Land Discharge Soil Sampling Locations



Plan D – Plan Showing Water Discharge point, Ravensdown Drain and HARP Area



NAPIER CITY COUNCIL RESOURCE CONSENTS

PROPOSED CONDITIONS

NCC CONSENT – LANDUSE- CONSTRUCTION, EARTHWORKS AND DISTURBANCE OF CONTAMINATED SOIL DURING CONSTRUCTION

Activity Description To undertake earthworks in the Main Industrial Zone and for the disturbance of soils in HAIL areas associated with the erection, reconstruction, placement, alteration, extension, removal, or demolition of stormwater and process water treatment and discharge structures; and

Consent Duration 35 years from the date of commencement of this consent.

CONDITIONS

1. The activities authorised by this consent shall be undertaken generally in accordance with the Assessment of Environmental Effects and associated management plans dated 30 November 2021. If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail. Where a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.
2. The earthworks shall not cause instability of any land, or damage to structures, on adjacent properties.
3. Prior to any physical works commencing, the consent holder shall commission the preparation of a Contaminated Site Management Plan (CSMP) with the objective of effectively managing and minimising the effects to the environment of the activity. The CSMP shall:
 - a) Be prepared by a suitably qualified and experienced contaminated land practitioner (SQEP);
 - b) Describe the measures to be used to control exposure pathways during earthworks covered by this consent. The measures proposed shall be appropriate for the level of contamination identified by the *Beca Detailed Site Investigation Report, November 2021* for each area;
 - c) Set out measures for the management of contaminated soil if re-use on site is intended;
 - d) Set out procedures for further sampling and analysis, if necessary, during the works to characterise potentially contaminated soils, groundwater or surface water;
 - e) Requirements for observation and monitoring of earthworks for soil contaminants;
 - f) Details of actions that will be undertaken in the event that there is accidental discovery of contaminated or potentially contaminated materials identified during the earthworks;
 - g) Details of reporting that will be undertaken in accordance with this consent.
4. The CSMP shall be provided to the Napier City Council at least 20 working days prior to the earthworks commencing, for certification that it meets the objective and addresses the matters set out in Condition 3 above. Earthworks shall not commence until certification of the CSMP has been received from Napier City Council. Notwithstanding this, if 20 working days have passed and no correspondence has been received from the Napier City Council regarding the adequacy of the CSMP, the earthworks may commence.
5. The CSMP may be amended at any time. Any amendments:
 - a) Shall not result in reduced efficacy of the management;
 - b) Shall be consistent with the conditions of this resource consent; and
 - c) Shall be submitted in writing to the Napier City Council, prior to any amendment being implemented.
6. All works shall be undertaken in accordance with the most recent version of the certified CSMP.

7. All contaminated soil that is not re-used on site shall be disposed of off-site to a facility authorised to accept such materials.
8. Within three months of the completion of the earthworks authorised by this consent, the SQEP shall prepare a site completion report, which shall include as a minimum:
 - a) A summary of the volumes of soil disposed of onsite and/or offsite, including evidence of off-site disposal locations such as weighbridge records;
 - b) Details of the locations of contaminated material re-used on site;
 - c) Details of the location and type of any contaminated materials that were identified during the works that were accidentally discovered during the works.
9. If contaminated soil is re-used on site, a long term Site Management Plan that describes the ongoing management and maintenance of the soil shall be prepared by the SQEP and provided to Napier City Council within three months of the completion of the earthworks.
10. Prior to the commencement of any physical works the consent holder shall commission a suitably qualified and experienced archaeologist and liaise with mana whenua hapū to seek advice whether, given the history of use and storage of material in this area it is necessary to undertake an archaeological site investigation and an associated archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 is required. Any archaeology authority that is required shall be obtained and a copy provided to the Council prior to commencement of any works.
11. The conditions of this consent may be reviewed by Napier City Council during the month of May of any year pursuant to sections 128 to 132 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 36 of the RMA. The conditions may be reviewed to deal with any adverse effect on the environment which may arise from the exercise of the consent, which it is appropriate to deal with at that time or which became evident after the date of issue.

NCC CONSENT – LANDUSE - WETLAND RESTORATION ACTIVITIES

Activity Description To undertake wetland restoration activities, including associated earthworks and structures, within a Natural Hazard Area (River Hazard).

Consent Duration 35 years from the commencement date of this consent.

CONDITIONS

1. The activities authorised by this consent shall be undertaken generally in accordance with the Assessment of Environmental Effects and associated management plans dated 30 November 2021. If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail. Where a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.
2. The planting and associated works authorised by this consent shall be undertaken in the area and for the purposes described in *Ravensdown Napier Works, Habitat Abundance and Restoration Plan, November 2021*.
3. Within six months from the commencement date of this consent, the consent holder shall reconvene the HARP Advisory Group made up of Mana Whenua, HBRC (landowner) representatives and other interest stakeholders.
4. The consent holder shall ensure that any contractors engaged to undertake work authorised by this consent abide by the conditions of this consent. The person responsible for the work on site shall be familiar with the consent conditions and a copy of this consent shall be present on site at all times while the work is being undertaken.
5. All practicable measures shall be implemented to minimise sediment discharges into waterbodies.
6. All disturbed areas shall be stabilised as soon as practicable following completion of the works.
7. The earthworks and vegetation clearance shall occur in accordance with an Erosion and Sediment Control Plan (ESCP). The objective of the ESCP shall be to detail the best practicable erosion and sediment control measures that will be taken to ensure compliance with this resource consent. The Plan shall be prepared as far as practicable to be in accordance with the Hawke's Bay Water Guidelines: Erosion and Sediment Control (2009).

Advice Note:

The requirement for a ESCP for these works is also contained in the associated Hawke's Bay Regional Council resource consent and only one Plan is required for certification by both Councils).

8. The ESCP shall be provided to the Council at least 20 working days prior to the earthworks and/or vegetation removal commencing, for certification that it meets the objective set out in Condition 7 and is prepared as far as practicable to be in accordance with the Hawke's Bay Water Guidelines: Erosion and Sediment Control (2009).
9. Earthworks and vegetation clearance shall not commence until certification of the ESCP has been received from Council. Notwithstanding this, if 10 working days have passed and no correspondence has been received from the Council regarding the adequacy of the ESCP, the works may commence.
10. The ESCP may be amended at any time. Any amendments shall be:
 - d) Only for the purpose of improving the efficiency of the erosion and sediment control measures or the management of contaminated soil and shall not result in reduced efficacy of the management;
 - e) Consistent with the conditions of this resource consent; and
 - f) Submitted in writing to the Council, prior to any amendment being implemented.

11. The consent holder shall check, clean and dry machinery used in the bed of the waterbody or drain to limit the spread of aquatic and plant pests.
12. Where, for any cause (accidental or otherwise), contaminants associated with the consent holder's operations escape to water other than in conformity with the consent, the consent holder shall:
 - e) Immediately stop all works authorised by this resource consent; and,
 - f) Immediately take all practicable steps to contain and then remove the contamination from the environment,
 - g) Immediately notify the Council of the escape; and,
 - h) Report to the Council, in writing and within 7 days, describing the manner and cause of the escape and the steps taken to control it and prevent its reoccurrence.
13. In the event of any archaeological site or waahi tapu being uncovered during the exercise of this consent, activities in the vicinity of the discovery shall cease. The consent holder shall contact the Council (Manager Compliance) to obtain contact details of the relevant tangata whenua. The consent holder shall then consult with the relevant local hapū or marae and the Heritage New Zealand Pouhere Taonga, and shall not recommence works in the area of the discovery until the relevant Heritage New Zealand Pouhere Taonga and tangata whenua approvals to damage, destroy or modify such sites have been obtained.
14. The conditions of this consent may be reviewed by Napier City Council during the month of May of any year pursuant to sections 128 to 132 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 36 of the RMA. The conditions may be reviewed to deal with any adverse effect on the environment which may arise from the exercise of the consent, which it is appropriate to deal with at that time or which became evident after the date of issue.