

CONSENT HOLDER: Ariki Tahī Sugarloaf Wharf Limited

CONSENT TYPE: Land Use Consent

ACTIVITY AUTHORISED: The upgrade, operation and maintenance of a commercial and recreational marine facility (Ariki Tahī)

SITE LOCATION: Te Kouma Road, Waipapa Bay

CONSENT DURATION: Unlimited

GENERAL

1. The upgrade, operation and maintenance of Ariki Tahī shall be undertaken in general accordance with the information provided in the application titled “*Ariki Tahī Sugarloaf Wharf Upgrade – Resource Consent Applications and Assessment of Environmental Effects*” dated June 2022 and the further information submitted to the Environmental Protection Authority on [insert date]. In the event of any conflict of discrepancy between these documents and the conditions of this resource consent, the conditions shall be determinative.
2. Pursuant to Clause 37(8) of Schedule 6 of the COVID-19 Recovery (Fast-track Consenting) Act 2020, this resource consent shall lapse if not given effect to within two years of the commencement of this resource consent.
3. This resource consent may only be exercised by the consent holder, its successor, or any person acting with the prior written approval of the consent holder.
4. The consent holder shall ensure any existing resource consents, or any part of a resource consent, issued to the Thames-Coromandel District Council for the reclamation and construction of the existing wharf facility, and those for activities and operations at the wharf including such resource consents issued by the Council, and which are no longer required on the grant of this resource consent are surrendered, in whole or in part, at the commissioning of the upgraded marine facility at Ariki Tahī authorised as part of this resource consent.
5. The consent holder shall ensure that all works and activities authorised by this resource consent are also carried out in accordance with the conditions set out in Schedule One – General Conditions.

PRIOR TO CONSTRUCTION

Construction Traffic Management Plan

6. At least 20 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit a Construction Traffic Management Plan to the Thames-Coromandel District Council for certification that the plan meets the objectives in condition 6(a) to (f). The objectives of the Construction Traffic Management Plan shall be to:

- (a) Ensure all specific legislative requirements and consent conditions in relation to construction traffic are adhered to;
 - (b) Encourage a culture of road safety awareness and commitment;
 - (c) Ensure best practice in transport safety;
 - (d) Ensure emergency services travelling along Te Kouma Road are not obstructed;
 - (e) Minimise disruption to the surrounding community; and
 - (f) Keep the local community informed of construction operations and encourage participation in maximising safety and minimising disruption.
7. In order to achieve the objectives established in condition 6 above, the Construction Traffic Management Plan shall, as a minimum, address the following matters:
- (a) The construction programme and the associated traffic volumes estimated for each construction phase;
 - (b) Driver protocols aimed at ensuring safe driving practices and full compliance with the law, including speed limits, appropriate following distances, observing engine braking restrictions, and affording priority to other traffic;
 - (c) The traffic management measures to be implemented at intersections and access points to local properties (particularly the intersection of Te Kouma Road and State Highway 25, and the intersection of Te Kouma Road and Puriri Road);
 - (d) The traffic management and communication measures to be implemented to manage the travel of heavy or over-sized vehicles along Te Kouma Road;
 - (e) The nature and timing of any enabling / widening works to be implemented in the legal road reserve of Te Kouma Road;
 - (f) The coordination of travel movements by the construction workforce (e.g. the use of car-pooling);
 - (g) Requirements for the monitoring of construction traffic;
 - (h) Communication arrangements with residents along Te Kouma Road / Puriri Road, Thames-Coromandel District Council, Waka Kotahi, emergency services and other key stakeholders, including provision of prior notice of traffic arrangements; and
 - (i) The ongoing review and evaluation of the contents of the Construction Traffic Management Plan throughout the period of construction works.
8. The Construction Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic engineer and in consultation with Waka Kotahi and the Operations Group

Manager, Thames-Coromandel District Council.

9. Any changes proposed to the Construction Traffic Management Plan shall be confirmed in writing by the consent holder and the Thames-Coromandel District Council, acting in a technical certification capacity, shall confirm that the changes continue to meet the objectives of condition 6(a) to (f), prior to the implementation of any changes proposed.
10. The consent holder shall distribute copies of the Construction Traffic Management Plan to emergency services and landowners / occupiers with access to Te Kouma Road at least five working days prior to the commencement of construction works authorised by this resource consent.

Construction Noise and Vibration Management Plan

11. At least 20 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit a Construction Noise and Vibration Management Plan to the Thames-Coromandel District Council for certification that the plan meets the objectives in condition 11(a) to (c). The objectives of the Construction Noise and Vibration Management Plan shall be to:
 - (a) Ensure that all construction works are designed and managed to comply with the limits set out in *NZS6803:1999 Acoustics – Construction Noise*, as measured and assessed in accordance with the long term noise limits set out in the standard;
 - (b) Ensure that all construction works are designed and managed to comply with the limits set out in *DIN4150 3:1999 Structural Vibration - Effects of Vibration on Structures*; and
 - (c) Ensure that all construction works are undertaken in accordance with the requirements of section 16 of the Resource Management Act 1991, so as to adopt the best practicable option to ensure the emission of noise from construction works associated with the upgrade of Ariki Tahī does not exceed a reasonable level.
12. In order to achieve the objectives established in condition 11 above, the Construction Noise and Vibration Management Plan shall, as a minimum, address the following matters:
 - (a) The operating hours for the construction works and any time restrictions on the operation of particular machinery and equipment;
 - (b) Details on the machinery and equipment to be utilised during the construction works, and any required mitigation measures associated with the operation of the machinery and equipment;
 - (c) Predictions of sound levels from the machinery and equipment to be utilised during the construction works;
 - (d) Details on the noise monitoring programme to be undertaken during the construction works;

- (e) The procedure for the reporting of any exceedances of *NZS6803:1999 Acoustics – Construction Noise* or *DIN4150 3:1999 Structural Vibration - Effects of Vibration on Structures* to the Thames-Coromandel District Council; and
 - (f) The procedures for the reporting and logging of noise or vibration related complaints, including the need for additional monitoring following the receipt of noise or vibration complaints.
13. The Construction Noise and Vibration Management Plan shall be prepared by a suitably qualified and experienced acoustical consultant.
14. Any changes proposed to the Construction Noise and Vibration Management Plan shall be confirmed in writing by the consent holder and the Thames-Coromandel District Council, acting in a technical certification capacity, shall confirm that the changes continue to meet the objectives of condition 11(a) to (c), prior to the implementation of any changes proposed.

Carparking Plan

15. At least 20 days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall provide a plan of the proposed carparking layout at Ariki Tahī to the Thames-Coromandel District Council for certification. The carparking plan shall:
- (a) Demonstrate that sufficient manoeuvring for a vehicle and trailer is available within the recreational area of Ariki Tahī;
 - (b) Demonstrate that sufficient manoeuvring is available for commercial and heavy vehicles within the commercial area at Ariki Tahī; and
 - (c) Provide details of how carparks within the recreational area of Ariki Tahī will be demarcated.

DURING CONSTRUCTION

Construction Hours of Operation

16. The construction works authorised by this resource consent shall be restricted to Monday to Saturday, and between the hours of 0730 – 1800.

No construction works shall be undertaken on Public Holidays or Sundays.

Construction Noise and Vibration Limits

17. Noise from all construction works authorised by this resource consent shall not exceed the long term noise limits in, and shall be measured and assessed in accordance with, *NZS6803:1999 Acoustics – Construction Noise*.
18. Vibration from all construction works authorised by this resource consent shall not exceed the limits set out in *DIN 4150 3:1999 Structural Vibration - Effects of Vibration on Structures*.

OPERATIONS

Operations Management Plan

19. At least 20 working days prior to the commissioning of the upgraded facilities at Ariki Tahī authorised as part of this resource consent, the consent holder shall submit an Operations Management Plan to the Thames-Coromandel District Council for certification that the plan meets the objectives in condition 19(a). The objective of the Operations Management Plan is to:
 - (a) Identify the operational and management measures that will be implemented at Ariki Tahī to assist the consent holder with the management of its resource consent conditions and to generally avoid or minimise potential adverse effects on the amenity of the surrounding environment.

20. In order to achieve the objective established in condition 19 above, the Operations Management Plan shall, as a minimum, address the following matters:
 - (a) The responsibilities of the consent holder, the Maritime Facilities Manager and authorised aquaculture operators at Ariki Tahī;
 - (b) The layout and parking procedures for the commercial and recreational area of Ariki Tahī;
 - (c) Induction and training requirements;
 - (d) Procedures to ensure that any vessel maintenance complies with the conditions of this resource consent;
 - (e) Refuelling procedures;
 - (f) The noise management measures to be implemented, in particular:
 - i. How operations at Ariki Tahī will be managed to comply with the requirements of condition 36 of this resource consent (particularly between 2200 - 0700); and
 - ii. Procedures for ensuring that the best practicable option is adopted to ensure the emission of noise from operations at Ariki Tahī does not exceed a reasonable level; and
 - iii. Procedures for ensuring compliance with the noise conditions of this resource consent, including noise monitoring, methods for addressing non-compliances, designated contact persons, and complaints procedures;
 - (g) Waste management procedures;
 - (h) Vessel lighting management;
 - (i) The management of the Community Engagement Committee (as required by condition 17 of Schedule One);

- (j) Procedure for the enforcement of the Operations Management Plan; and
 - (k) Complaints response procedure;
21. Any changes proposed to the Operations Management Plan shall be subject to consultation with the Community Engagement Committee. The outcome of the consultation with the Community Engagement Committee, along with the proposed changes to the Operations Management Plan shall be confirmed in writing by the consent holder.

The proposed changes to the Operations Management Plan shall be reviewed by the Thames Coromandel District Council, acting in a technical certification capacity, and shall confirm that the changes continue to meet the objective of condition 19(a) prior to the implementation of any changes proposed.

Traffic Management Plan

22. At least 20 working days prior to the commissioning of the upgraded facilities at Ariki Tahī authorised as part of this resource consent, the consent holder shall submit a Traffic Management Plan to the Thames-Coromandel District Council for certification that the plan meets the objectives in condition 22(a) to (c). The objectives of the Traffic Management Plan shall be to:
- (a) Manage the coordinated movement of vehicles to, and from, Ariki Tahī;
 - (b) Minimise the potential for long vehicles servicing the unloading of aquaculture vessels at Ariki Tahī to pass each other on Te Kouma Road; and
 - (c) Manage parking demand at the commercial area of Ariki Tahī and to minimise additional parking demands on the adjacent road network.
23. In order to achieve the objectives established in condition 22 above, the Traffic Management Plan shall, as a minimum, address the following matters:
- (a) An assessment of the length of long vehicles that should be subject to the driver protocols required by this Traffic Management Plan;
 - (b) The driver protocols to be utilised to minimise the potential for long vehicles servicing the unloading of aquaculture vessels to pass each other on Te Kouma Road, which should include:
 - i. The establishment of radio contact with the vessel arriving at Ariki Tahī in order to coordinate arrival times;
 - ii. The establishment of radio contact with other long vehicles at the wharf and on Te Kouma Road in order to determine whether it is possible to travelling along the road without passing other long vehicles;
 - iii. The utilisation of the layby areas on Te Kouma Road where necessary;

- iv. Travel speeds.
 - (c) The proposed phasing and timing of the traffic control device to be installed at Windy Point so that it operates during periods when there are long vehicle movements and also minimises disruption to other road users;
 - (d) Measures to encourage ride sharing and minimisation of single occupancy vehicle trips / parking;
 - (e) Responsibilities for the implementation of the Traffic Management Plan;
 - (f) Details on the monitoring of the performance of the Traffic Management Plan.
24. The Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic engineer, and in consultation with the Operations Group Manager, Thames-Coromandel District Council.
25. Any changes proposed to the Traffic Management Plan shall be confirmed in writing by the consent holder and the Thames-Coromandel District Council, acting in a technical certification capacity, shall confirm that the changes continue to meet the objectives of condition 22(a) to (c), prior to the implementation of any changes proposed.

Te Kouma Road – Traffic Control and Signage

26. The consent holder shall engage a suitably qualified and experienced traffic engineer to identify:
- (a) The sections of Te Kouma Road, between Ariki Tahī and State Highway 25, where active warning signage should be installed in relation to tight curves and to provide a warning of opposing traffic; and
 - (b) The location of traffic control devices to be installed at Windy Point in order to minimise the potential for opposing traffic in this location.

The results of the assessment by the suitably qualified and experienced traffic engineer of Te Kouma Road shall be reported to the Thames-Coromandel District Council.

27. The design of the active warning signage to be installed on Te Kouma Road and the traffic control devices to be installed at Windy Point shall be approved by the Operations Group Manager, Thames-Coromandel District Council prior to the implementation of such measures. The active warning signage and the traffic control devices at Windy Point shall be installed prior to the commissioning of the upgraded facilities at Ariki Tahī.

Vehicle Layby Area – Te Kouma Road

28. In the event that the upgrade to the intersection of Te Kouma Road and State Highway 25 proposed by the Thames-Coromandel District Plan, and generally defined by the layout plan attached as Figure 12 to “*Ariki Tahī Sugarloaf Wharf Upgrade – Resource Consent Applications and Assessment of Environmental Effects*” dated June 2022, is not going to be in operation at the

time of commissioning of the upgraded facilities at Ariki Tahī, the consent holder shall establish a long vehicle layby in the southern road reserve of Te Kouma Road.

The long vehicle layby shall be established within 750 m of the intersection of Te Kouma Road and State Highway 25 and designed in accordance with the Regional Infrastructure Technical Specifications (RITS) for the Waikato Region.

29. The design of the long vehicle layby shall be approved by the Operations Group Manager, Thames-Coromandel District Council prior to the commencement of construction. The long vehicle layby shall be installed prior to the commissioning of the upgraded facilities at Ariki Tahī.

Radio or Cellular Communication

30. The consent holder shall undertake all reasonable endeavours, including through the use of contracts with trucking companies if necessary, to ensure that all truck and trailer units (i.e. B- Train Units) servicing the commercial area at Ariki Tahī have two-way radio or cellular communication systems so that they can communication with:
 - (a) Aquaculture vessels arriving at the wharf; and
 - (b) Other truck and trailer units servicing the wharf.

Operational Noise Monitoring Plan

31. At least 20 working days prior to the commissioning of the upgraded facilities at Ariki Tahī authorised as part of this resource consent, the consent holder shall submit an Operational Noise Monitoring Plan to the Thames-Coromandel District Council for certification that the plan meets the objectives in condition 31. The objective of the Operational Noise Monitoring Plan shall be to ensure:
 - (a) Operations at Ariki Tahī comply with the operational noise limits set out in condition 36 of this resource consent.
32. In order to achieve the objective established in condition 31 above, the Operational Noise Monitoring Plan shall, as a minimum, address the following matters:
 - (a) Frequency of noise monitoring;
 - (b) Details of attended noise monitoring for the pre-dawn operational period;
 - (c) Details when the noise monitoring is to take place;
 - (d) Details if any unattended monitoring is required; and
 - (e) Reporting procedures.
33. The Operational Noise Monitoring Plan shall be prepared by a suitably qualified and experienced acoustical consultant.

34. Any changes proposed to the Operational Noise Monitoring Plan shall be confirmed in writing by the consent holder and the Thames-Coromandel District Council, acting in a technical certification capacity, shall confirm that the changes continue to meet the objectives of condition 31(a), prior to the implementation of any changes proposed.
35. A compliance assessment report shall be prepared by a suitably qualified and experienced acoustical consultant and shall be submitted to the Thames-Coromandel District Council within 20 working days of the monitoring required by the Operational Noise Monitoring Plan being completed.

The compliance assessment report shall present, summarises and analyses the data collected during the noise monitoring and consider whether any changes to operations at Ariki Tahī are required in the event that the operational noise limits set out in condition 36 of this resource consent are not being complied with.

Noise Management

36. Noise generated from activities at Ariki Tahī shall not exceed the following limits when measured at, or within, the notional boundary of any dwelling in existence or consented at the date of notice of the decision on the resource consent applications for the upgrade of Ariki Tahī:

0700 - 2200 on Monday to Sunday and 0700 – 1800 on Sunday	55 dB L _{Aeq} (15min)
2200 - 0700 Monday to Sunday and from 1800 on Sunday	45 dB L _{Aeq} (15min)
	65 dB L _{AFMax}

Noise shall be measured in accordance with the requirements of “NZS6801:2008 *Measurement of Sound*” and assessed in accordance with the requirements of “NZS6802:2008 *Assessment of Environmental Sound*”.

Refuelling

37. Only diesel fuel is to be available at Ariki Tahī, and such fuel shall only be available to marine farming vessels. All refuelling shall be undertaken alongside the area marked for refuelling on the attached site plan named “General Layout SHT-CI-0111” and dated 14 April 2022.
38. All diesel fuel brought to Ariki Tahī shall be transported in commercially certified containers or tankers only (i.e. truck tanker, mini tanker or trailer tanker) that are constructed to a nationally accepted standard for the safe transportation of fuel.
39. All refuelling activity shall be carried out under the supervision and direction of a person appropriately trained in:
 - (a) The handling of flammable and ecotoxic substances;
 - (b) The prevention of any fuel entering the Coastal Marine Area; and

- (c) The procedures to adopt in case of equipment failure or spillage.

For the purposes of this condition, an 'appropriately trained' person means one who holds a current Hazardous Substances and New Organisms Approved Handler Certificate (or equivalent).

- 40. There is to be no storage of diesel fuel at Ariki Tahī, nor the establish of any permanent structure associated with refuelling, except that the storage container for the Oil Spill Response Kit.
- 41. Before refuelling activities authorised by this resource consent commence, the consent holder shall submit a signage plan to the Thames-Coromandel District Council. The signage plan shall detail the location of the proposed signage, signage dimensions and signage text. The signage text shall also include the following information:
 - (a) Where refuelling is able to be undertaken;
 - (b) The persons authorised to supervised refuelling;
 - (c) The safety precautions required;
 - (d) The actions required in the event of an emergency, including emergency contact numbers.
- 42. The consent holder shall ensure that all refuelling activities authorised by this resource consent only occur on Monday to Saturday, and between the hours of 0700 – 2000.

No refuelling activities shall occur on Public Holidays or Sundays.

- 43. All stormwater grates at Ariki Tahī are to be clearly labelled "stormwater".
- 44. Before refuelling activities authorised by this resource consent commence, the consent holder shall provide a Marine Oil Spill Contingency Plan for refuelling at Ariki Tahī for approval by Director – Maritime New Zealand (or delegated nominee). A copy of the approved Marine Oil Spill Contingency Plan shall also be provided to the Thames-Coromandel District Council.
- 45. The consent holder shall ensure that an Oil Spill Response Kit, of an appropriate size to respond to any potential fuel spillage, is immediately available and accessible at Ariki Tahī for the duration of any refuelling activity authorised by this resource consent.

Advice Note: *The specific components of the Oil Spill Response Kit will be considered and approved under the provisions of the Maritime Transport Act 1994.*

Interpretative Signage

- 46. Following the commissioning of facilities at Ariki Tahī authorised as part of this resource consent, the consent holder shall invite all mana whenua groups who have a particular interest in Ariki Taki to develop an interpretative sign / panel at Ariki Tahī that documents the historic and cultural significance of the area to mana whenua.

The consent holder shall install the interpretative sign / panel that is developed with all mana

whenua groups who have a particular interest in Ariki Taki at the consent holder's expense.

Lighting

47. No more than six light towers may be installed and operated within the commercial area at Ariki Tahi.
48. The location of the lighting poles shall be in accordance with the attached site plan named "Commercial Wharf Topside Details Plan SHT-CI-0122" and dated [insert final plan date].
49. Each light pole shall not exceed a height of 10 m, and the lighting shall not exceed 5 lux as measured vertically and horizontal at a distance of 10 m from the site boundary.

REVIEW

50. Pursuant to sections 128 to 131 of the RMA, the Thames-Coromandel District Council may serve notice on the consent holder of its intention to review any, or all, of the conditions of this resource consent within one year of any other entity being granted customary marine title and/or protected customary rights by the Crown over any part of the foreshore or seabed encompassing the site of Ariki Tahi.
51. Pursuant to sections 128 to 131 of the Resource Management Act 1991, the Thames-Coromandel District Council may one year after the commencement of this resource consent, and at five yearly intervals thereafter, serve notice on the consent holder of its intention to review any or all of the conditions of this resource consent for any of the following purposes:
 - (a) To review the effectiveness of the conditions of this resource consent in avoiding, remedying or mitigating any adverse effects on the environment that may arise from the exercise of this resource consent;
 - (b) To address any adverse effects on the environment which have arisen as a result of the exercise of this resource consent that were not anticipated at the time of commencement of this resource consent, including addressing any issues arising out of complaints;
 - (c) To review the adequacy of, and necessity for, any of the monitoring programmes or management plans that are part of the conditions of this resource consent; and
 - (d) To deal with any adverse effects on the environment that may arise from the exercise of this resource consent and which it is appropriate to deal with at a later stage.

ADMINISTRATIVE CHARGES

52. The consent holder shall pay to the Thames-Coromandel District Council:
 - (a) All required administration charge fixed by the Thames-Coromandel District Council pursuant to section 36 of the Resource Management Act 1991 in relation to the administration, monitoring and inspection of this resource consent; and

(b) All other charges authorised by regulations.