

Appendix 9: Suggested Conditions and Advice Notes

| General | |
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| 1. | The activity must be carried out in general accordance with the information and plans submitted with the application and the conditions of this consent. Where there is inconsistency between the application and the conditions, the conditions must prevail. |
| Transportation | |
| 2. | <p>Prior to the commencement of construction, the consent holder must submit detailed engineering plans for the proposed site access onto Evenden Road for certification by the Hastings District Council Compliance Monitoring Officer. The plans must be prepared by a suitably qualified traffic or civil engineer and must demonstrate:</p> <ol style="list-style-type: none"> a. The location and design of the accessway; b. Compliance with the recommendations in the Transportation Assessment Report. |
| 3. | <p>Prior to commencement of the commercial activity, the consent holder must implement the proposed widening of the eastbound approach to the SH2/Evenden Road roundabout and lane modification on the westbound approach to the SH2/Evenden Road roundabout, as described in the Transportation Assessment Report.</p> <p>The works must:</p> <ol style="list-style-type: none"> a. Be undertaken in consultation with Hastings District Council and Waka Kotahi (NZTA) as the road controlling authorities; b. On the eastbound approach, accommodate a 3.5m wide painted flush median and a 3.5m wide eastbound traffic lane; c. On the westbound approach, involve reconfiguration of the left lane to "left turn only" and the right lane to "through/right turn"; d. Include updated line marking and signage to achieve the agreed lane arrangements; e. Be completed to the satisfaction of both Hastings District Council and Waka Kotahi (NZTA) prior to operation of the activity. |
| 4. | <p>A Temporary Traffic Management Plan (TTMP) must be prepared and implemented for all works within or affecting the road corridor of Evenden Road or SH2. The TTMP must be:</p> <ol style="list-style-type: none"> a. Prepared by a qualified Site Traffic Management Supervisor (STMS); |

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| | <ul style="list-style-type: none"> b. Approved by the relevant Road Controlling Authority (Hastings District Council or Waka Kotahi) prior to commencement of any such works; c. Implemented and maintained in accordance with NZTA's Code of Practice for Temporary Traffic Management. |
| 5. | The site access onto Evenden Road must be constructed in accordance with the certified engineering plans and completed prior to the operation of any commercial activities on the site. |
| 6. | The consent holder must ensure that sightlines at the site access onto Evenden Road are maintained free of visual obstructions, including vegetation, signage, or fencing, in perpetuity to ensure safe entry and exit movements. |
| | Landscape |
| 7. | <p>The consent holder must implement the landscape and visual mitigation measures in the detailed design of site development generally in accordance with the Landscape Effects Assessment included with the application, including but not limited to:</p> <ul style="list-style-type: none"> a. The use of dark, recessive colours and non-reflective materials for buildings and structures visible from SH2; b. Restraint in signage scale and placement to reflect a rural context; c. The spatial layout, planting areas, and open space outcomes shown in the application materials and visual simulations. <p>A design statement confirming these outcomes must be submitted by a suitable qualified and experience landscape architect prior to the commencement of any construction or earthworks.</p> |
| 8. | <p>Prior to the commencement of any building construction or earthworks, the consent holder must submit a Final Landscape and Wetland Planting Plan for certification by the Council's Compliance Monitoring Officer.</p> <p>The Plan must be prepared by a suitably qualified and experienced landscape architect in consultation with Te Matai Ao and include:</p> <ul style="list-style-type: none"> a. A planting schedule specifying endemic and culturally significant species; b. Location and extent of planting, including stormwater wetland edges and public-facing areas; c. Identification of educational and cultural design elements, including space for symbolic features such as a pou; d. Measures to support harvesting potential and cultural uses of the planting. e. A maintenance plan must be provided as part of the planting plan. |
| 9. | All landscape and wetland planting must be completed in the first planting season following completion of earthworks or building construction, whichever occurs first. |

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| 10. | The consent holder must ensure that all landscape and wetland planting is maintained in good condition following planting. Any dead, diseased, or damaged plants must be replaced in the following planting season. |
| Infrastructure and Servicing | |
| 11. | <p>Prior to construction, the consent holder must submit detailed engineering plans of the stormwater detention and treatment system to Council for certification. These plans must be prepared by a suitably qualified and experienced civil engineer and must demonstrate:</p> <ul style="list-style-type: none"> a. Provision of a 13,600m³ detention basin accommodating both site runoff and overland flow from the wider catchment; b. Inflow via a 600mm diameter pipe fitted with a flap gate allowing one-way entry from the upstream floodplain; c. Outflow restriction to pre-development discharge rates for a 1% AEP 24-hour storm event via a DN150 outlet pipe; d. Provision of scour protection at the discharge point; Stormwater quality treatment via extended detention and wetland vegetation, with indicative plant species identified in consultation with Te Matai Ao; e. Space and design allowance for source control measures including forecourt treatment devices; f. Compliance with any resource consent or other compliance requirements of the Hawkes Bay Regional Council. |
| 12. | <p>As an alternative to providing the full volume within the stormwater detention basin, the consent holder may reduce the basin size and site area if it can be demonstrated, to the satisfaction of the Hastings District Council, that:</p> <ul style="list-style-type: none"> a. An equivalent or greater volume of stormwater detention can be achieved through the use of engineered underground storage cells located beneath hardstand or paved areas; b. The combined total detention volume (above and below ground) is no less than 13,600 m³, including at least 1,000 m³ below RL16.15 for flood storage purposes; c. The underground system is designed to safely manage inflow and outflow during a 1% AEP storm event and does not adversely affect floodplain function or increase downstream flood risk; d. The design, construction, and long-term maintenance of the underground system is certified by a Chartered Professional Engineer (CPEng) with experience in stormwater design and approved by Council prior to installation. e. Compliance will be achieved with any resource consent or other compliance requirements of the Hawkes Bay Regional Council <p>Any reduction in site area arising from reducing the basin size shall not compromise vehicle safety or result in increased off-site effects. The final plan shall be certified by the Council prior to construction commencing.</p> |

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| 13. | <p>Prior to construction, the consent holder must submit engineering plans for the wastewater reticulation system to the Council for certification. These plans must include:</p> <ol style="list-style-type: none"> a. A 500m DN50 rising main from the site to the approved Council connection point at Evenden Road and Percival Road; b. A pumping station with duty/standby pumps and 12m³ emergency storage (or 18m³ if stock effluent is included); c. Provision to accommodate up to 18,000L/day of wastewater (including 6,000L/day stock effluent); d. Confirmation of the receiving network's capacity from Council's asset team. |
| 14. | <p>Prior to connecting to Council's wastewater network, the consent holder shall obtain written approval from Hastings District Council confirming the approved point of connection.</p> <p>If, at the time of seeking this approval, Hastings District Council confirms that an alternative wastewater connection point is available and suitable to service the development, including any upgraded or new public infrastructure in the local catchment, the consent holder shall connect to that alternative point instead of the rising main at Evenden Road/Percival Road.</p> |
| 15. | <p>Prior to construction, the consent holder must provide confirmation from a suitably qualified professional confirming:</p> <ol style="list-style-type: none"> a. The on-site bore and associated storage infrastructure is capable of supplying the estimated 17,285L/day of water demand (plus up to 5,000L/day for hydrogen generation if applicable), prior to construction; b. Compliance with the Drinking-water Standards for New Zealand (2022) or other relevant standards depending on the intended water use; c. Compliance with any resource consent or other compliance requirements of the Hawkes Bay Regional Council. <p>The results must be provided to the Hastings District Council Compliance Monitoring Officer for review prior to commissioning of bore water supply for operational use</p> |
| 16. | <p>The consent holder must liaise with relevant service providers to confirm that electricity and telecommunications connections are available and established prior to operation.</p> |
| 17. | <p>All infrastructure works, including stormwater, wastewater, and water supply systems, must be constructed in accordance with the certified plans and to the satisfaction of the Council's Compliance Monitoring Officer. The works must be completed prior to occupation or operation of the development.</p> |
| 18. | <p>The consent holder must maintain the stormwater detention and treatment system in good operating condition. This includes:</p> |

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| | <ul style="list-style-type: none"> a. Regular inspection of the basin, inlets, and outlets for blockages or erosion; b. Annual reporting to Council for the first three years post-construction on system performance and any maintenance actions undertaken; c. Replacement of planting as required to maintain treatment function and landscape amenity. |
| 19. | <p>Where underground stormwater detention storage is used, the consent holder must:</p> <ul style="list-style-type: none"> a. Maintain the system in accordance with the manufacturer's specifications and any maintenance schedule provided by the design engineer; b. Ensure that access for inspection, cleaning, and maintenance is available at all times; c. Undertake inspections at least once every 6 months and following any major storm event (defined as greater than 50mm in 24 hours); d. Keep a log of all inspections and maintenance actions undertaken, and make this log available to the Council on request; e. Repair or replace any elements of the system that are found to be blocked, damaged, or functioning below design performance. |
| 20. | <p>The consent holder must monitor wastewater volumes for the first year of operation and provide a summary report to Council demonstrating compliance with the design capacity. Any exceedance of design flow or system malfunction must be reported immediately, and remedial action undertaken.</p> |
| Natural Hazards | |
| 21. | <p>Prior to the commencement of construction, the consent holder must submit to the Hastings District Council a set of final site and building platform levels prepared by a Licensed Cadastral Surveyor. These must confirm that:</p> <ul style="list-style-type: none"> a. All buildings and critical infrastructure will be constructed with finished floor levels at or above RL16.15 (HB Local Authority Datum 1972), equivalent to RL5.95 in NZVD2016; b. The platform levels provide at least 150 mm freeboard above the 1% AEP climate change-adjusted flood level. |
| 22. | <p>Prior to the commencement of any foundation works, the consent holder must submit a Geotechnical Design Report and Construction Specification prepared by a Chartered Professional Engineer (CPEng) with geotechnical expertise. This must confirm:</p> <ul style="list-style-type: none"> a. The location and design of a suitable inground palisade wall to mitigate lateral spreading and liquefaction; b. The specification of a 0.8 m thick reinforced gravel raft foundation with Specific Engineered Design (SED) to support all buildings and essential infrastructure c. Any proposed exceptions for pavement and hardstand areas beyond the 15 m deformation zone, with justification of tolerable ground movement. |

23. The consent holder must engage a suitably qualified geotechnical professional to monitor the installation of the palisade wall and foundation systems. Upon completion, the engineer must provide a Construction Verification Report certifying that the works have been completed in accordance with the approved geotechnical design and specifications.

| Soil Contamination and Management | |
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| 24. | <p>Prior to the commencement of earthworks, the consent holder must submit a Site Contamination Management Plan (SCMP) to the Hastings District Council for certification. The SCMP must be prepared by a suitably qualified and experienced contaminated land specialist and must:</p> <ol style="list-style-type: none"> a. Incorporate the findings and recommendations of the DSIs for 160 and 176 Evenden Road (Appendix 8); b. Identify all areas requiring targeted soil management, including the pump shed area at 160 Evenden Road (locations SS26 and SS27); c. Detail procedures for the safe excavation, segregation, stockpiling, and removal of contaminated or potentially contaminated soils; d. Specify any health and safety requirements for personnel; e. Include contingency protocols for unexpected contamination discovery; f. Be implemented for the duration of all earthworks. |
| 25. | <p>The consent holder must ensure that soils with copper concentrations exceeding 420 mg/kg (notably in the vicinity of the pump shed at 160 Evenden Road) are not reused on-site or in any stormwater or ecological features.</p> <p>These soils must be:</p> <ol style="list-style-type: none"> a. Excavated and disposed of at a consented special waste facility; b. Transported and tracked in accordance with relevant waste handling and disposal regulations; c. Documented in a Disposal Statement submitted to Council within one month of removal. |
| 26. 1` | <p>Within 3 months of the completion of earthworks, the consent holder must submit a report by a suitably qualified contaminated land specialist confirming compliance with the Site Contamination Management Plan, including volume, disposal location, and any validation sampling undertaken.</p> |
| Noise - Operational | |
| 27. | <p>All site operations must be carried out so that noise does not exceed the limits specified in the Hastings District Plan at any point within the notional boundary of any existing rural dwelling:</p> <ul style="list-style-type: none"> • Day (0700–2200 hours): ≤55 dB LAeq • Evening (1800–2200 hours): ≤50 dB LAeq • Night (2200–0700 hours): ≤45 dB LAeq and ≤75 dB LAFmax |
| Noise - Construction | |
| 28. | <p>Construction activities must be undertaken in accordance with the following standards and timeframes:</p> |

- a. Comply with NZS 6803:1999 noise limits for long-term construction (more than 20 weeks);
- b. Be limited to standard construction hours of 7:30 am to 6:00 pm Monday to Saturday;
- c. No construction works generating noise audible beyond the site boundary must occur on Sundays or public holidays.

Hazardous Substances

29. Prior to the installation of any hydrogen production, storage or dispensing infrastructure on the site, the consent holder must prepare and submit a Quantitative Risk Assessment (QRA) to the Hastings District Council.
- The QRA must:
- a. Be prepared by a qualified risk and safety engineer experienced in hazardous facility assessment;
 - b. Assess the risk to people, property, and the environment associated with the proposed hydrogen facility;
 - c. Evaluate cumulative risks associated with the co-location of hydrogen, petrol, and diesel (including escalation and interaction risks);
 - d. Confirm whether all residual risks can be managed to an acceptable level under the HSNO and Health and Safety regulations;
 - e. Identify any additional measures or setbacks required to mitigate risks not otherwise addressed through existing regulatory controls.

Engagement with Te Matai Ao

30. The consent holder must engage with Te Matai Ao through the detailed design and implementation phases of the development.
- This engagement must include:
- a. Co-design of the landscape and stormwater wetland features, including:
 - i. Selection of culturally significant and endemic planting;
 - ii. Inclusion of symbolic or cultural design elements (such as a pou);
 - iii. Identification of educational and harvesting opportunities related to the wetland;
 - b. Input into the preparation of the Wetland Planting Plan and Wetland Management Plan required by conditions of this consent;
 - c. Investigation of the feasibility of an eel refuge to support aquatic biodiversity;
- Engagement shall also occur during the preparation of applications to Hawke’s Bay Regional Council for stormwater discharge and earthworks consents, including input into water quality assessments and management strategies.
- A report summarising the outcomes of engagement, including responses to any issues raised, must be provided to Council’s Compliance Monitoring Officer prior to operation of the activity .

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| | Review |
| 31. | <p>In accordance with section 128 of the Resource Management Act 1991, the Hastings District Council may review the conditions of this consent by serving notice on the consent holder within 3 months of receiving any of:</p> <ul style="list-style-type: none"> a. Summary report on wastewater volumes under Condition 19; b. Quantitative Risk Assessment of hydrogen production, storage or dispensing infrastructure on the site under Condition 28. <p>The purpose of the review must be to review the adequacy of and, if necessary, amend the applicable consent conditions.</p> |
| | Cost Recovery |
| 32. | <p>The consent holder shall be responsible for the payment of all actual and reasonable costs incurred by the Hastings District Council in relation to the administration, monitoring, and implementation of the conditions of this consent, in accordance with Section 36 of the RMA.</p> <p>This includes, but is not limited to:</p> <ul style="list-style-type: none"> a. Certification and review of management plans; b. Site inspections; c. Review of monitoring reports; d. Review of any reports required under conditions of this consent; e. Any technical review commissioned by Council to assess compliance; f. Costs associated with any review undertaken under Section 128 of the Act. |
| | Other |
| 33. | Spare |
| | Advice Notes |
| 1. | <p>This land use consent does not authorise any activities that require consent under the Hawke's Bay Regional Resource Management Plan. The consent holder is advised that separate resource consents from the Hawke's Bay Regional Council (HBRC) may be required for:</p> <ul style="list-style-type: none"> a. Earthworks, if the conditions of Permitted Activity Rule 7 (Vegetation Clearance and Soil Disturbance Activities) are not met. An Erosion and Sediment Control Plan should be prepared in accordance with recognised industry best practice to demonstrate compliance; b. Disposal of surplus soil off site; c. Discharge and diversion of stormwater; d. Take and use of groundwater. |

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| | <p>The consent holder should engage early with HBRC to confirm consent requirements and ensure that all regional matters are addressed before construction commences.</p> |
| 2. | <p>Any use of water for drinking or process purposes must comply with the Water Services Act 2021 and the Drinking-water Standards for New Zealand (2022), administered by Taumata Arowai.</p> <p>The consent holder is advised to consult HBRC and Taumata Arowai to confirm any additional authorisations prior to construction or commissioning.</p> |
| 3. | <p>The storage, use, and management of hazardous substances associated with this development — including petrol, diesel, and any future green hydrogen production — are primarily regulated under the Hazardous Substances and New Organisms Act 1996 and the Health and Safety at Work (Hazardous Substances) Regulations 2017, administered by WorkSafe New Zealand.</p> <p>This consent does not duplicate those controls. However, the consent holder is advised that compliance with these statutory requirements is mandatory and includes (but is not limited to) the following:</p> <ol style="list-style-type: none"> a. Certification of fuel and hydrogen storage systems; b. Emergency response and spill containment systems; c. Separation distances and location compliance; d. Risk management plans and WorkSafe notifications where required. |
| 4. | <p>The applicant may explore the option of using the existing private rising main in Evenden Road (servicing Delegat) to convey wastewater from the site to the Hastings District Council system. Use of this infrastructure is subject to the agreement of the asset owner and confirmation from Hastings District Council that the shared use arrangement is acceptable in terms of network capacity, operational management, and compliance with relevant bylaws.</p> |
| 5. | <p>Discharge of stock effluent to the Hastings District Council wastewater system will require trade waste consent under the Hastings District Consolidated Bylaw 2021. The applicant is advised to engage with the Council during detailed design to determine the appropriate combination of on-site pre-treatment and trade waste charges. No discharge of stock effluent to the municipal system shall occur without written approval from Council's Trade Waste Officer.</p> |
| 6. | <p>The consent holder is advised that disposal to a site that does not hold a current discharge consent or does not meet the permitted activity conditions may require a separate resource consent. The consent holder should consult with the Hawke's Bay Regional Council and the receiving landfill operator before transport.</p> |