

Application for Resource Consent

NOTICE OF DECISION

<u>Site Address:</u>	28 Stewart Duff Drive and 7 Kauri Street, Miramar
<u>Legal Description:</u>	Part Lot 1 DP 78304 and Part Section 1 Survey Office Plan 37422, Section 2-3 Survey Office Plan 37422, Section 1 & 5 Survey Office Plan 342914 Lots 1-3 DP7159 Lot 1 DP33243 Lot 1 DP552983 Section 1 Survey Office Plan 543906 Lots 5-9 DP2385
<u>Applicant:</u>	Wellington International Airport Ltd C/- GHD Ltd
<u>Proposal:</u>	Undertake disturbance of contaminated land associated with the operation and maintenance of Wellington International Airport
<u>Owners:</u>	Wellington International Airport Ltd
<u>Service Request No:</u>	SR520690
<u>File Reference:</u>	1058174
<u>Operative District Plan Area:</u>	Airport Precinct Area, Golf Course Precinct Area, Outer Residential Area and Open Space B
<u>Notations in Operative District Plan:</u>	<ul style="list-style-type: none">• Site of Maori Significance – Rangitatau Reserve• Designations G3, G4, G5, G6, M5, and 58• Potentially contaminated sites within Airport Area• Hazard: Ground Shaking Area
<u>Other Notations:</u>	None
<u>Activity Status Operative District Plan:</u>	Discretionary (Restricted)
<u>Proposed District Plan Zone:</u>	Special Purpose Airport Zone
<u>Notations Proposed District Plan:</u>	<ul style="list-style-type: none">• Coastal Inundation Hazards: Medium Coastal Hazard & High Coastal Hazard• Flood Hazard Inundation Area• Liquefaction Hazard Overlay• Tsunami Hazard Overlays – Low, Medium, and

- High hazards
- Sites of significance to Maori, references 115 and 150
- Ridgelines and Hilltops – Orongo Ridge Point Dorset
- Significant Natural Area – Ref WC153
- Outstanding Natural Feature – Hue te Taka Peninsula/ Rangitatau Palmer Head
- Coastal Environment
- Air Noise Overlay
- Designations: MSNZ4, WCC6, WIAL1, WIAL3, WIAL4, and WIAL5

Qualifying Matters Proposed District Plan:

N/A

DECISION – Land Use Consent:

Officers, acting under delegated authority from the Wellington City Council (the Council) and pursuant to section 104B of the Resource Management Act 1991 (the Act), **grant resource consent** to the proposal to undertake disturbance of contaminated land associated with the operation and maintenance of Wellington International Airport at **28 Steward Duff Drive and 7 Kauri Street** (Wellington International Airport), Part Lot 1 DP 78304 and Part Section 1 Survey Office Plan 37422, Section 2-3 Survey Office Plan 37422, Section 1 & 5 Survey Office Plan 342914 Lots 1-3 DP7159 Lot 1 DP33243 Lot 1 DP552983 Section 1 Survey Office Plan 543906, and Lots 5-9 DP2385, subject to the conditions below.

Conditions of Consent:

General:

- (a) The proposal must be in accordance with the information provided with the application Service Request No. 520690.
- (b) Any soil disturbance works must be undertaken in accordance with the Contaminated Land Management Plan (CLMP) submitted with the application at all times. Should any works deviate from the CLMP, details must be provided to the Compliance Monitoring Officer (CMO) for certification. This certification must be obtained prior to works commencing.

Note: In certifying any works that deviate from the CLMP, the CMO may seek the advice or expertise of a Contaminated Land Management Specialist, or other Suitably Qualified and Experienced Practitioner (SQEP).
- (c) Prior to any soil disturbance works under this consent commencing, the consent holder must provide the following details to the CMO for information:
 - i. The scope (location and area) of the proposed works.
 - ii. Confirmation that any environmental management procedures are consistent with those in the CLMP.
 - iii. The disposal method and disposal location of any contaminated material.

- (d) Any material with contaminant concentrations above background levels that is removed from the site must be disposed of at a licensed facility.

Note: Licensed facility means a facility (place or structure) authorised to receive contaminants of that kind.

- (e) An annual report prepared by a SQEP must be provided to the CMO for information by 20 December of any calendar year once this resource consent is given effect to. This report shall include details of the following matters:

- i. Works undertaken on-site in the previous year, including a map of the location of these works.
- ii. Volume of soil reused during on-site works in the previous year (if any), and map showing the locations of excavation and re-use.
- iii. Volume of soil and water disposed of off-site in the previous year (if any), and map showing the location of the soil which has been disposed of off-site.
- iv. An explanation of why certain soils have been reused on site, and some disposed of off-site.
- v. Acceptance documentation from disposal facilities for soil and water disposed of off-site in the previous year.
- vi. Soil validation sampling undertaken, and records of this validation sampling.
- vii. Specific Contaminated Land Investigation reports and findings, including locations of additional sampling undertaken and reports produced, and an update to the risk classification of areas based on the results of testing completed.
- viii. How the CLMP has been modified (if any changes have been made), why these changes were made, and a new copy of the CLMP (where a new copy has been produced as part of yearly reporting).
- ix. Project Reports and any conclusions therein required under section 7.2 of the CLMP.
- x. Comments on whether there have been any changes in how hazardous substances are managed, and on any changes to how contaminants should be managed or if any emerging contaminants relevant to soil disturbance on the site have been identified in regulation or guidance from the Ministry for the Environment or guidance from Industry.

- (f) Within six months of any annual report required by condition (e) being provided to the CMO where the annual report identifies that there has been a change in regulations that govern how hazardous substances are managed, and/or identification of changes to how contaminants should be managed and/or identification of emerging contaminants relevant to soil disturbance on the site, the Consent Holder shall engage a SQEP to complete a review of the CLMP.

The purpose of this review is to ensure the CLMP is still fit for the purpose of mitigating the potential adverse effects associated with the disturbance of contaminated land. The SQEP shall then provide a report documenting the results of this review to the Council's CMO with any recommendations by the SQEP that the CLMP be updated.

Note: The purpose of the review is to ensure that the CLMP is aligned with any relevant changes to the legislative requirements associated with the management of hazardous substances, or to government or industry guidance relating to any changes to the management of existing known contaminants or any emerging contaminants in soil, and to include any management changes or newly identified contaminants within the CLMP.

- (g) If as a result of the review specified in condition (f) it is recommended by the SQEP that the CLMP be updated, the CLMP shall be updated by a SQEP and must be submitted to the Council's CMO for certification prior to any further disturbance of contaminated land taking place in the area of land affected by the changes identified in the review. Any future soil disturbance works affected by the changes identified in the review must be undertaken in accordance with the modified CLMP.

Monitoring and Review:

- (h) Prior to starting work the consent holder must advise the Council's Compliance Monitoring Officer of the date when work will begin. This advice must include the address of the property and the Service Request number and be provided at least 48 hours before work starts, either by telephone on 04 801 4017 or email to remonitoring@wcc.govt.nz.
- (i) The conditions of this resource consent must be met to the satisfaction of the Council's Compliance Monitoring Officer. The Compliance Monitoring Officer will visit the site to monitor the conditions, with more than one site visit where necessary. The consent holder must pay to the Council the actual and reasonable costs associated with the monitoring of conditions (or review of consent conditions), or supervision of the resource consent as set in accordance with section 36 of the Act. These costs* may include site visits, correspondence and other activities, the actual costs of materials or services, including the costs of consultants or other reports or investigations which may have to be obtained. More information on the monitoring process is available at the following link:
<http://wellington.govt.nz/services/consents-and-licences/resource-consents/resource-consent-monitoring>.

* Please refer to the current schedule of Resource Management Fees for guidance on the current administration charge and hourly rate chargeable for Council officers.

Advice Notes:

1. The land use consent must be given effect to within 5 years of the granting of this consent, or within such extended period of time as granted by the Council pursuant to section 125 of the Act.
2. Section 36 of the Act allows the Council to charge for all fair and reasonable costs associated with the assessment of your application. We will confirm in due course whether the time spent on the assessment of this application is covered by the initial fee paid. If the time exceeds the hours covered by the initial fee you will be sent an invoice for additional fees. If the application was assessed in less time you will be sent a refund. For more information on your fees contact planning.admin@wcc.govt.nz.
3. Out of courtesy, it is suggested that you advise your nearest neighbours of your intention to proceed with this land use consent, your proposed construction timetable and contact details should any issues arise during construction.
4. This resource consent does not authorise any works that also require consent from the Greater Wellington Regional Council. If necessary, separate resource consent(s) will need to be obtained prior to commencing work.
5. The methods set out in the Greater Wellington Regional Council guideline for erosion and sediment control for the Wellington Region should be followed when undertaking earthworks on the site:

<https://www.gw.govt.nz/assets/Documents/2022/03/Erosion-and-Sediment-Control-Guide-for-Land-Disturbing-Activities-in-the-Wellington-Region.pdf>

6. The consent holder must ensure that construction, earthworks and any demolition activities are managed and controlled so that the noise received at any residential or commercial site does not exceed the limits set out in Table 2 and Table 3 of 'NZS6803:1999 Acoustics – Construction' noise when measured and assessed in accordance with that standard. Where a specific construction activity cannot comply with the limits set out in 'NZS6803:1999 Acoustics – Construction' the consent holder must provide the Council's Compliance Monitoring Officer an assessment of physical and managerial noise control methods that must be adopted. The assessment must be in line with section 16 of the Act (Best Practical Option (BPO)).

The BPO is defined as the best method for preventing or minimising the adverse noise or vibration effects on the environment having regard to (1) the sensitivity of the receiving environment to adverse noise or vibration effects, (2) the financial implications and (3) the current state of technical knowledge and the likelihood that the option can be successfully applied.

7. Work affecting archaeological sites is subject to a consent process under the Heritage New Zealand Pouhere Tāonga Act 2014. An archaeological site is defined as physical evidence of pre-1900 human activity. This can include above ground structures as well as below ground features. Below ground features can include burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and European origin or human burials.

It is the responsibility of the property owner and/or person undertaking the work to obtain an archaeological authority (consent) from Heritage New Zealand Pouhere Tāonga (HNZPT) for all work that modifies or destroys an archaeological site. The applicant is advised to contact HNZPT prior to works commencing if the presence of an archaeological site is suspected in the area of works. If archaeological features are encountered during works, the applicant is advised to stop and contact HNZPT.

8. Rights of objection to the conditions specified above may be exercised by the consent holder pursuant to section 357A of the Act. Any objection shall be made in writing, setting out the reasons for the objection within 15 working days of this notification or within such extended period as the Council may in its discretion allow.

Reasons for Decision:

1. Pursuant to section 95A and 95B of the Act, there are no mandatory requirements to notify the application, the effects of the proposal on the environment will be less than minor and there are no affected persons. There are no special circumstances.
2. Pursuant to section 104 of the Act, the effects of the proposal on the environment will be acceptable.
3. The proposal is in accordance with the relevant objectives and policies of the Operative District Plan and the Proposed District Plan and Part 2 of the Act. Furthermore, the proposal is consistent with the outcomes sought by the relevant NES.

DECISION REPORT

NATIONAL ENVIRONMENTAL STANDARD

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS) enabled the establishment of the Hazardous Activities and Industries List (HAIL). HAIL is a list of activities and industries that are likely to cause land contamination resulting from hazardous substance use, storage or disposal. It has been identified that HAIL activities have (or are likely to have) occurred on the site.

In particular, if a person wishes to change the use of land that is, has been, or is more likely than not to have been subject to an activity or industry described in the HAIL and is reasonably likely to harm human health, that activity must be assessed for compliance in accordance with the NES-CS.

PROPOSED DISTRICT PLAN

On 18 July 2022 the Council notified the Wellington City Proposed District Plan (PDP).

The PDP gives effect to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (the Amendment Act), enacted in December 2021, as well as the NPS-UD policies 3 and 4 (intensification and qualifying matters).

The following provisions in the PDP have immediate legal effect:

1. Historic Heritage
2. Significant Natural Areas
3. Medium Density Residential Standards (MDRS) – being intensification provisions within the Medium Density Residential Zone (MRZ) and High Density Residential Zone (HRZ) that give effect to the Amendment Act.

Decision making processes for the PDP will follow both the Resource Management Act 1991 (RMA) Intensification Streamlined Planning Process (ISPP) and the Part One, Schedule One process. This means that the notification of the PDP will be split into two separate processes:

- The ISPP process uses an independent hearings panel, has no merit appeals to the Environment Court and must be completed in around one year.
- The First Schedule process follows the normal Plan Change process and can be subject to appeals to the Environment Court.

Provisions relevant to the Resource Management (Enabling Housing supply and other matters) Amendment Act 2021 and NPS-UD will be determined through the ISPP. The remaining provisions will be determined through the Schedule 1 process.

SITE DESCRIPTION

The applicant's Assessment of Environmental Effects (AEE) includes a description of the site and its immediate surroundings. I consider that this description is accurate, and it should be read in conjunction with this report. In short, the subject site consists of Wellington International Airport, including land used for airport ancillary operations. This also includes the recently designated land at 7 Kauri Street.

PROPOSAL

Further details of the proposal are provided in the AEE and application plans. I adopt the applicant's proposal description which should be read in conjunction with this report. In

short, resource consent is sought for a blanket consent for the disturbance of contaminated land within Wellington International Airport land, including that used for ancillary purposes. For the purposes of clarity, it is noted that this consent only covers ground disturbance for works associated with the development, operation and maintenance of the airport, and ancillary activities. It does not cover any other works not associated with the operation and maintenance of the airport, or remedial works should airport operations cease.

ACTIVITY STATUS

National Environmental Standard:

Resource consent is required under the following regulation:

<p>Regulation 11</p> <p>Whilst the proposal does include a Detailed Site Investigation (DSI), it does not include or cover all potential works across the site. Therefore, consent is required for a Discretionary (Unrestricted) Activity under Regulation 11 of the NES-CS.</p>	<p>Discretionary (U)</p>
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The proposal is assessed as a **Discretionary (Unrestricted) Activity** under the NES-CS.

Operative District Plan (ODP):

<p>Contaminated Land Disturbance – Airport Area</p> <p>Resource consent is required under Rule 11.2.4 for the disturbance of any land identified as contaminated under Appendix 5 of the Airport Area Rules.</p>	<p>Controlled Activity</p>
<p>Contaminated Land Disturbance</p> <p>Resource consent is required under Rule 32.2.1 for the remediation, use and development of any contaminated land, or potentially contaminated land.</p>	<p>Discretionary (Restricted) Activity</p>

The proposal is assessed as a **Discretionary (Restricted) Activity** under the Operative District Plan.

Overall, the proposal is considered a **Discretionary (Unrestricted) Activity**.

WRITTEN APPROVALS

No written approvals were provided with the application.

SECTION 95 ASSESSMENT AND DECISION

Public Notification - Section 95A:

Mandatory Public Notification:

Mandatory public notification is not required as the applicant has not requested public notification [s95A(3)(a)], there are no outstanding section 92 matters [s95A(3)(b)], and the application has not been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act [s95A(3)(c)].

Preclusion to Public Notification:

There is no preclusion to public notification as the relevant regulation in the NES does not preclude notification of the application [s95A(5)(a)] and the application is not for one of the activities listed at section 95A(5)(b)(i) or 95A(5)(b)(iii) of the Act.

Public Notification – Rule/Adverse Effects:

Public notification is not required as the application does not include an activity that is subject to any rule in the ODP or relevant NES that requires public notification and it has been determined in accordance with section 95D that adverse effects on the environment will not be more than minor [s95A(8)(a) and (b)]. The reasons why the effects on the environment have been deemed to not be more than minor are detailed in the Assessment of Adverse Effects and conclusions set out in this report.

Special Circumstances:

None of the circumstances of the application are exceptional or unusual. Therefore, there are no special circumstances that warrant public notification under section 95A(9).

Limited Notification - Section 95B:

Customary Rights and Marine Title Groups, and Statutory Acknowledgements:

There are no protected customary rights groups or customary marine title groups that will be affected by the proposal and the proposal is not on, adjacent to, or likely to affect land subject to a statutory acknowledgement [s95B(2)(a) and (b) and s95B(3)].

Preclusions to Limited Notification:

There is no preclusion to limited notification as there is no regulation in the relevant NES that precludes limited notification of the application [s95B(6)(a)] and the application is not for a district land use consent with Controlled activity status [s95B(6)(b)].

Limited Notification - Affected Persons:

Limited notification is not required as the effects on any person will be less than minor [s95B(8)]. The reasons why the effects have been deemed to be less than minor are detailed in the Assessment of Adverse Effects and conclusions set out in this report.

Special Circumstances:

I have considered whether there are special (ie exceptional or unusual) circumstances that exist relating to the application that warrant limited notification to any persons who have not been excluded as affected persons by the assessment above [s95B(10)]. There are no special circumstances that warrant limited notification of any additional party under section 95B(10).

Public and Limited Notification Decision:

For the reasons set out above, the application does not require either public or limited notification.

ASSESSMENT OF ADVERSE EFFECTS

Permitted Baseline:

Given the scale of works proposed by this consent, it is not considered that there is any relevant permitted baseline for this consent.

Potential Adverse Effects:

The applicant has provided a comprehensive assessment of environmental effects (AEE), which I consider to be accurate, and form the basis of this assessment.

Contamination Effects:

The proposal is subject to the NES-CS and contaminated land rules in the Operative District Plan. Given this application only seeks consent for the disturbance of contaminated land, the effects of this proposal are considered to be primarily related to such effects.

In this regard, the applicant has provided a Contaminated Land Management Plan (CLMP) as part of the application, which sets parameters around the works provided for as part of this consent, and the measures that will be undertaken to mitigate the associated effects. This CLMP has been prepared by GHD Consultants, who are well versed in the topic of contaminated land management.

As part of this assessment, I have sought the advice of Kasey Pitt of Tonkin and Taylor, one of Council's consultant contaminated land specialists. Ms Pitt originally raised concerns that the proposal does not provide adequate scope for Council to require changes of the CLMP.

In addition to this matter raised by Ms Pitt, I also advised the applicant that I did have some concerns in approving contaminated site works in perpetuity where management practices around contaminated land could change notably. The applicant has responded to these concerns, offering a review condition that will provide for Council review of the information relating to contaminated land, and for review of the CLMP to address changes in the way that contaminated land is managed should this be necessary. These changes have satisfied the above concerns.

In considering the effects associated with disturbing contaminated land on operational airport land, I am mindful that the majority of the site is operating as an international airport, and the level of risk is largely managed by virtue of the site's use. Human contact with exposed earth will be extremely rare, and the airport has operational requirements that mean that dust has to be carefully managed to avoid risk to aircraft movements. The main exception to this is the Airport land bordered by Miro, Kendah and Kauri Streets, known as the Miramar South Area (Designation G4) which is to be used for uses ancillary to airport operations. Whilst this area is surrounded by residential properties, I am satisfied that the methods proposed in the CLMP will appropriately mitigate the effects of contaminated land disturbance on such properties.

Based on the above, I am satisfied that the associated risks of the proposed activity will be appropriately managed. Accordingly, the adverse effects are considered to be less than minor, and no parties are considered to be adversely affected.

SECTION 104 ASSESSMENT - SUBSTANTIVE DECISION

Section 104(1)(a) – Effects Assessment:

Adverse Effects:

An assessment of the effects on the environment has been made above. The matters discussed and the conclusions reached are also applicable with regard to the adverse effects assessment under section 104(1)(a) of the Act and no further assessment is required.

Positive Effects:

The meaning of 'effect', as set out in section 3 of the Act, includes positive effects. Positive effects are an important consideration in the overall balancing exercise involved in assessing resource consent applications. In this instance, the proposal is considered to have the positive effect of ensuring that any contaminated land is appropriately remediated, whilst providing the consent holder with sufficient flexibility over how and when the works are undertaken.

Conclusion:

Overall, I consider that the effects of the proposal on the environment will be acceptable.

Section 104(1)(ab) – Measures to ensure positive effects to offset or compensate for any adverse effects on the environment:

The applicant has not proposed or agreed to any measures to ensure positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity. In this case I consider that no measures are necessary as the effects on the environment will be acceptable.

Section 104(1)(b) - Relevant Planning Provisions:

I have had regard to provisions of the following planning documents as specified at section 104(1)(b)(i) – (vi) of the Act:

- National Environmental Standards
- Other regulations
- National Policy Statement
- The New Zealand Coastal Policy Statement
- The Wellington Regional Policy Statement
- The Operative District Plan
- The Proposed District Plan

Higher Order Planning Documents:

Other than the NES discussed below, there are no National Environmental Standards, other regulations or National Policy Statements that are directly relevant to the consideration of this proposal. Similarly, the New Zealand Coastal Policy Statement is not relevant.

National Environmental Standard:

An assessment of the proposal in relation to the relevant NES-CS provisions is included above. The proposal is considered to be acceptable in terms of the NES-CS.

Regional Policy Statement:

The policies of the Wellington Regional Policy Statement (RPS) have been taken into consideration. In particular I have had specific regard to the following policies:

- **Policy 35:** Preserving the natural character of the coastal environment.
- **Policy 36:** Managing effects on natural character in the coastal environment.
- **Policy 37:** Safeguarding life-supporting capacity of coastal ecosystems.
- **Policy 41:** Minimising the effects of earthworks and vegetation disturbance.
- **Policy 42:** Minimising contamination in stormwater from development.

I note that the purpose of this consent is to manage the effects associated with the excavation of contaminated land, which in turn, will mitigate the adverse effects on the coastal environment and any nearby water-courses. Accordingly, the proposal is considered to accord with the general strategic direction of the RPS and is not contrary to any of the relevant objectives or policies, noting that these are generally reflected in the objectives and policies of the District Plan.

Operative District Plan Objectives and Policies:

I have had regard to the objectives and policies of the Operative District Plan. The following objectives and policies and assessment criteria are considered relevant to the proposal:

- Objective 10.2.7, and associated policy 10.2.7.6
- Assessment Criteria 11.2.4.5 to 11.2.4.9
- Objective 31.2.1 and associated policies 31.2.1.2, 31.2.1.3, 31.2.1.4

Overall, for the reasons discussed in this Decision Report, I consider that the proposal is acceptable in terms of the assessment criteria and is consistent with the objectives and policies as set out above.

Proposed District Plan Objectives and Policies:

The following PDP objectives and policies are considered relevant to the proposal:

Objectives CL-O1 and CL-O2, and associated policies CL-P1 to CL-P3, relating to the management of effects associated with contaminated land, and the benefits of remediating contaminated land.

Objectives AIRPZ-O2 and AIRPZ-O4, and associated policies AIRPZ-P1 to AIRPZ-P5, relating development of the Airport Zone while managing the effects associated with the development and use of the airport.

Overall, for the reasons discussed in this Decision Report, I consider that the proposal is consistent with the objectives and policies as set out above.

Section 104(1)(c) - Other Matters:

There are no other matters that the Council needs to consider when assessing the application.

PART 2 – PURPOSE AND PRINCIPLES OF THE ACT

Part 2 of the Act sets out the purpose and principles of the legislation, which as stated in section 5, is “to promote the sustainable management of natural and physical resources”. Section 5 goes on to state that sustainable management should enable “people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while (amongst other things) avoiding, remedying or mitigating any adverse effects of activities on the environment”.

In addition, Part 2 of the Act requires the Council to recognise and provide for matters of national importance (section 6); have particular regard to other matters (section 7); and to take into account the principles of the Treaty of Waitangi (section 8).

For the reasons outlined in this report, I consider that consent should be granted when the proposal is assessed against the matters in section 104(1)(a) to 104(1)(c) of the Act. The planning and regulatory framework clearly indicates the outcome for this application. I have considered the purpose and principles in Part 2 of the Act, and I do not consider that detailed evaluation of Part 2 matters is necessary and would add anything to my evaluative exercise.

SECTION 108 CONDITIONS

In accordance with section 108 of the Act, I have included the following conditions on the decision:

- A requirement to undertake any contaminated land works in accordance with the information provided within the application.
- Conditions relating to the management of contaminated land, and the provision of information
- A condition requiring an annual review of works completed under this consent.
- Conditions relating to the monitoring of the resource consent.

The Council must not impose conditions under section 108 unless:

1. Section 108AA(1)(a) – The applicant agrees to the condition
2. Section 108AA(1)(b) – The condition is directly connected to:
 - An adverse effect of the activity on the environment (s108AA(1)(b)(i)) and/or
 - An applicable district or regional rule, or NES (s108AA(1)(b)(ii))
3. Section 108AA(1)(c) – The condition relates to administrative matters that are essential for the efficient implementation of the relevant resource consent.

The conditions satisfy section 108AA(1)(b) of the Act for the reasons discussed in this report, and the applicant has agreed to the conditions, therefore, section 108AA(1)(a) is satisfied.

The Council's standard monitoring conditions are applied in accordance with s108AA(1)(c).

CONCLUSION

The effects of this proposal are acceptable, and the proposal is consistent with the objectives and policies of the Operative District Plan and the Proposed District Plan, and outcomes sought by the relevant NES. Having applied section 104 of the Act resource consent can be granted subject to appropriate conditions.

REASONS FOR DECISION

The reasons for the decision are informed by the analysis above. The principal reasons for the decision are summarised as follows:

1. Pursuant to section 95A and 95B of the Act, there are no mandatory requirements to notify the application, the effects of the proposal on the environment will be less than minor and there are no affected persons. There are no special circumstances.
2. Pursuant to section 104 of the Act, the effects of the proposal on the environment will be acceptable minor.

3. The proposal is in accordance with the relevant objectives and policies of the Operative District Plan and the Proposed District Plan and Part 2 of the Act. Furthermore, the proposal is consistent with the outcomes sought by the relevant NES.
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Report prepared by Peter Daly



Peter Daly
Delegated Officer

21 December 2022



Bill Stevens
Delegated Officer

21 December 2022