

Application for Land Use Consent and Assessment of
Environmental Effects

30 Benmore Crescent, Manor Park, Lower Hutt 5019

Applicant: Waste Management (NZ) Ltd



Potentialis

PLANNING | RESOURCE MANAGEMENT

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26 January 2023

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1.0 Introduction

Waste Management (NZ) Ltd. seeks land use consent to establish and operate a resource recovery park at 30 Benmore Crescent, Manor Park. The resource recovery park will provide significant assets to minimise and manage waste within the Wellington Region. The park will include material recovery, second-hand goods retail, a repair café, construction and demolition waste management, and a general waste transfer station.

1.1 Purpose of Report

This report provides details of the proposal and an assessment of environmental effects, in accordance with s88, the Fourth Schedule of the Resource Management Act 1991 (RMA), and City of Lower Hutt District Plan. Information about the applicant and property that this report relates to is set out below. Appendix 1 sets out the information requirements stated in Schedule 4 and in the City of Lower Hutt District Plan with a link to where that information is provided within this report.

1.2 Applicant and Property Details

Applicant:	Waste Management (NZ) Ltd
Summary of Proposal:	Construction and operation of a resource recovery park, including the sale of second-hand goods, repair café, material recovery, construction and demolition waste sorting and general waste transfer.
Address for Service and Contact for Queries:	Potentialis Limited Mailing Address: 172 Sandwich Road, St. Andrews, Hamilton 3200 Physical Address: Level 3, Suite 7, 50 Seddon Road, Hamilton 3204 <u>Contact:</u> Angela Goodwin angela@potentialis.co.nz (021) 844 374
Name and Address for Fees:	Waste Management (NZ) Ltd <u>Contact:</u> Sarah Whiteman – Wellington Regional Manager Swhiteman@wastemanagement.co.nz 027 296 1067
Site Address:	30 Benmore Crescent, Manor Park, Hutt City 5019
Legal Description:	Section 1, 6 Survey Office Plan 493901
Owners and Occupiers of Site:	Te Runanga O Toa Rangatira Incorporated <u>Notes:</u> <i>The site is vacant.</i> <i>The record of title and registered instruments are attached in Appendix 2.</i>
Site Area:	13.5192ha
Hutt City District Plan Zone, Overlays, Designations	<u>Zone:</u> General Rural <u>Overlays:</u> - Wellington Faultline Study Zone - Secondary River Corridor - State Highway Corridor Buffer

and Controls:	Rail Corridor Buffer <u>Statutory Acknowledgements:</u> No statutory acknowledgements are shown in relevant documents. Schedule 2 Nga Taonga Nui a Kiwa of the Proposed Natural Resource Plan for the Wellington Region; however, includes Te Awa Kairangi. The Hutt River is of significance to Mana Whenua. The site is separated from the Hutt River only by an esplanade reserve.
Proposed Plan	<u>Proposed Plan Change 56 Enabling intensification in residential and commercial areas:</u> The site is outside of the area of the district subject to the Plan Change 56.
Existing Land Use Consents:	Consent RM220258 was granted on 21 st December 2022 for bulk earthworks, vegetation clearance and upgrade of culverts at 30 Benmore Crescent Manor Park.
Summary of Reasons for Consent	Definition of Activity: The City of Lower Hutt District Plan states transfer stations are a discretionary activity. ‘Transfer station’ is not defined. Resource recovery parks are the modern equivalent of a transfer station as they minimise waste, rather than only managing it. As the District Plan does not provide a definition of transfer station, the common meaning applies. The full range of activities proposed do not fall within the common meaning of transfer station and it is unlikely they would have been envisaged when the District Plan was drafted. For this reason, we have elected to take a conservative approach and separately define each activity proposed as part of the resource recovery park. RESTRICTED DISCRETIONARY ACTIVITIES  8B2.2(c) cafes and restaurants – a repair café forms part of the resource recovery park,  14A.5.1(c) Any activity that exceeds the high trip generator thresholds specified in Appendix 2 Transport. DISCRETIONARY ACTIVITIES  8B.2.3(a) Development exceeds the maximum height standard (8B2.1.1(c)) and maximum site coverage standard (8B2.1.1(e)),  8B.2.3(e) Transfer stations. NON-COMPLYING ACTIVITIES  8B.2.4(a) any other retailing activity – a second hand goods store forms part of the proposed resource recovery park.  8B.2.4(c) any industrial activity – resource recovery (recycling) is part of the proposed resource recovery park as does a mechanical workshop (for the use of Waste Management vehicles only) <u>Note:</u>  An assessment of the proposal against all relevant parts of the district plan is contained in Appendix 3.  Definitions are stated in Chapter 3 of the City of Hutt District Plan.
Overall Activity Status:	Non-Complying
Other Consents Required:	Consents are required under the Proposed Natural Resource Plan for the Wellington Region – Appeals Version. A separate application will be made for these consents.

	A land use consent is required for access and servicing. This application has been lodged with Hutt City Council on the 20 January 2023 on behalf of Rosco Ice Cream Ltd. Further details are provided in the background section of this report.
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Table 1: Applicant and property details for 30 Benmore Crescent, Manor Park, Hutt City.

1.3 Contents of Report

Sections 2, 3 and 4 of this report provide further details of the location of the site, surrounding environment, background, and proposal. This provides context to assess the environmental effects of the proposal that is set out in Section 5. Section 6 provides an assessment of affected persons. Section 7 provides a statutory assessment and Section 8 concludes the report.

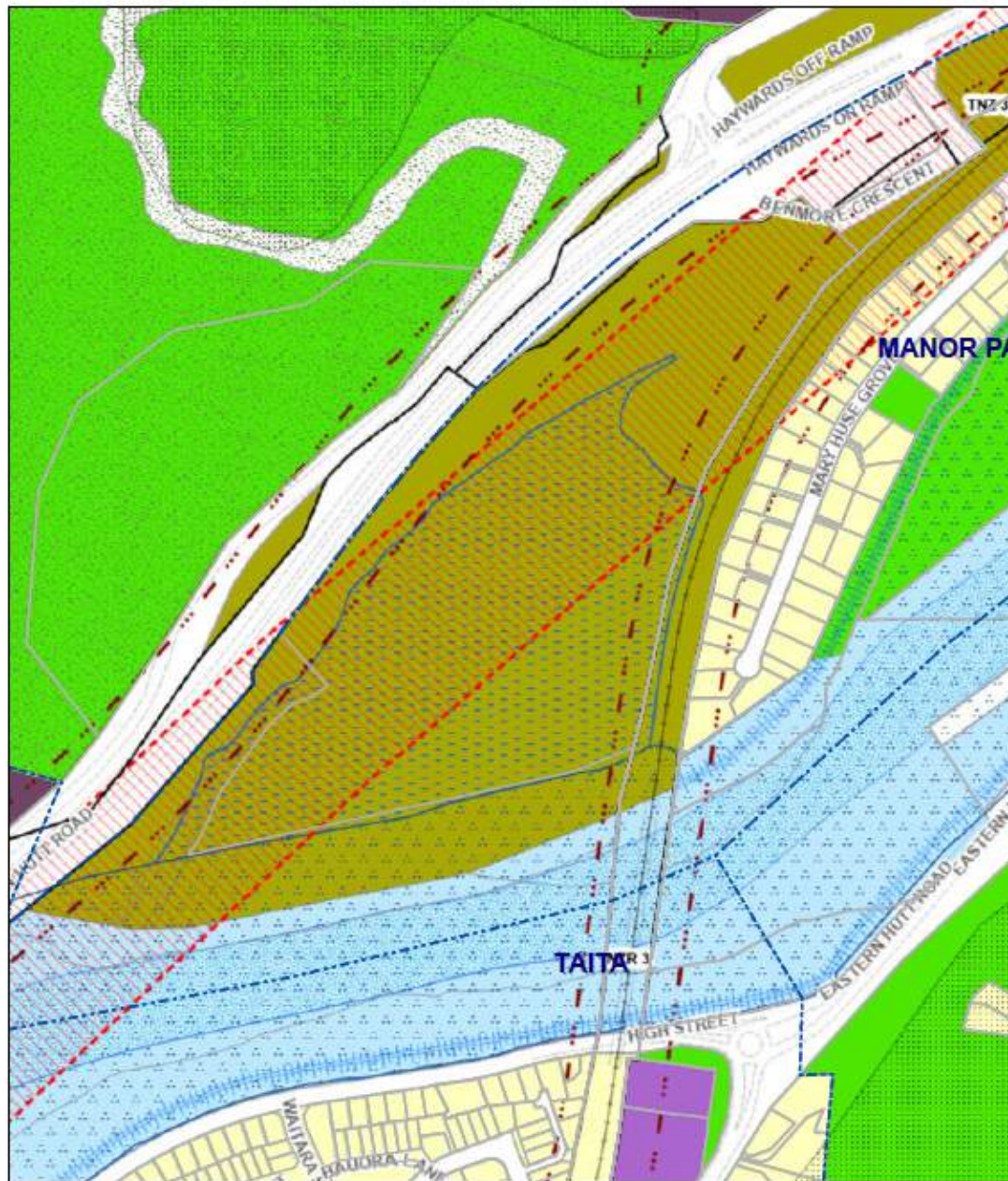
2.0 Site and Surrounding Environment

2.1 Site Location

The site, which is accessed off Benmore Crescent in Manor Park, sits at the base of a valley between Hutt River, the rail corridor, and State Highway 2.

The figures below show the location and zoning of the wider site. Photos of the site and surrounding environment are included in the landscape and visual assessment report, prepared by Boffa Miskell (Appendix 4).

Hutt City



12/6/2022, 10:48:03 AM

Activity Areas

- Avalon Business
- Central Commercial
- Community Health
- Community Iwi
- Extraction
- General Business
- General Recreation
- General Residential
- General Rural
- Hill Residential
- Historic Residential
- Landscape Protection
- Medium Density Residential
- Passive Recreation

1:4,514
0 0.04 0.07 0.15 mi
0 0.05 0.1 0.2 km

LIS HCC, The District Plan maps that are displayed are the official, legal versions of the maps (as updated 22/09/2022).

Web AppBuilder for ArcGIS

LIS HCC | AAM NZ, USGC | Wellington Water Ltd, Hutt City Council | Wellington Water Ltd, Greater Wellington Regional Council | The District Plan maps that are displayed are the official, legal

Figure 1: Hutt City Council District Plan Map for the site. Source: Hutt City Council



Figure 2: Site and wider environment. Source: Greater Wellington Regional Council Maps

2.2 Site Size, Zoning and Record of Title

The total size of the site is 135,192m² and Waste Management propose to use 57,800m² of this area. The part of the site Waste Management propose to use is shown as Area 1 in Figure 3 below.

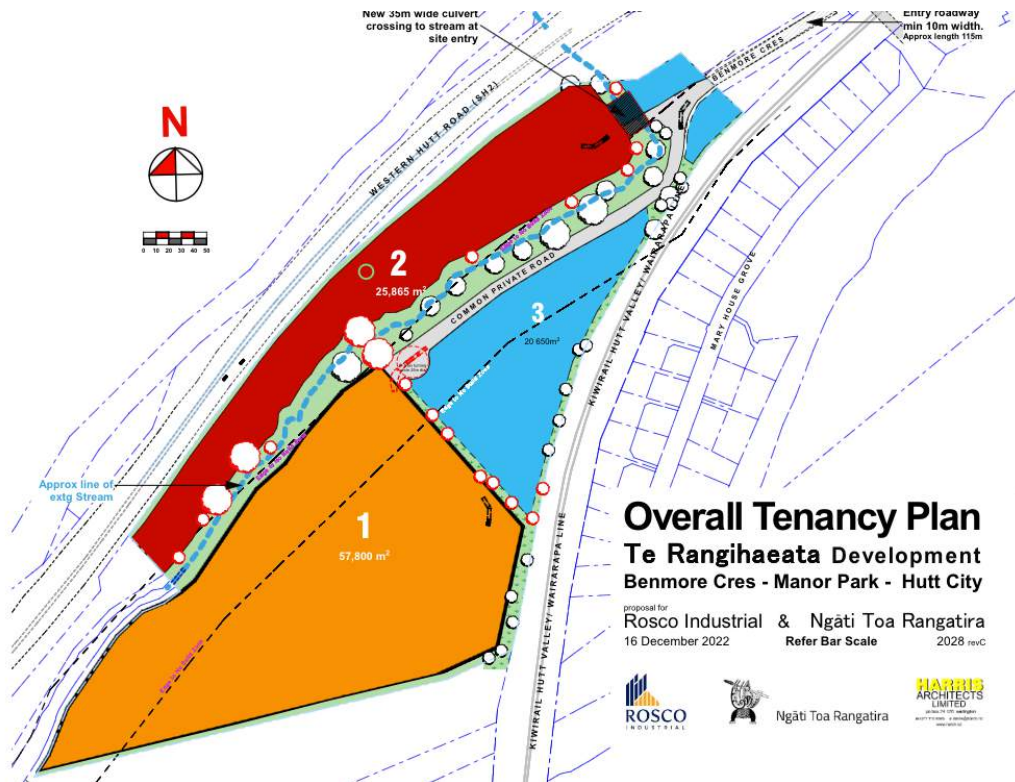


Figure 3: Part of the site Waste Management propose to use (Area 1)

The site is currently vacant and zoned General Rural. It is not connected to any other rural zoned land and the site itself has been modified over time. It does not have a rural character, as State Highway 2 serves as an effective demarcation of urban and rural character. The site is generally flat and will be contoured as a result of the bulk earthworks proposed for the site.

There are no outstanding natural features, landscapes, or special amenity landscapes on the site. The Hutt River and hills to the west of State Highway 2; however, are identified as special amenity landscapes in the Greater Wellington Regional Policy Statement.

The legal description of the site is Sec 1, 6 Survey Office Plan 493901. An encumbrance and fencing covenant are registered on the record of title. Neither of these instruments constrain Waste Management's proposal and are attached in Appendix 2.

2.3 Wellington Faultline 'No Build Zone'

A portion of the site is within the Wellington Faultline Study Zone, shown on Hutt City District Plan maps. A site specific Faultline Assessment has been undertaken and is attached in Appendix 5 and the likely Faultline location is shown in Figure 4, below. The assessment has determined a 'no build' zone 20m either side of the assessed position of the Faultline. This no build area is shown on the proposed development plans and all proposed buildings are clear of the no build area.

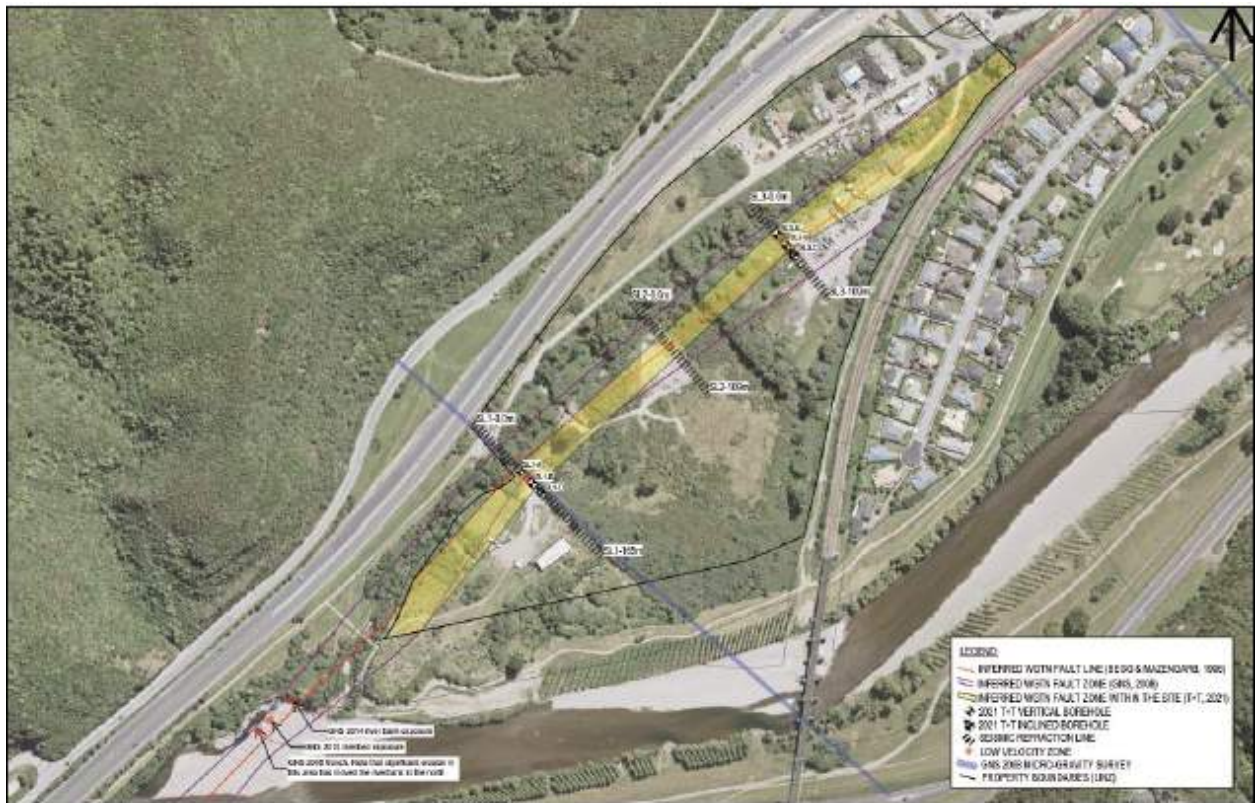


Figure 4: Likely location of the Wellington Faultline. Source: Tonkin and Taylor 2021

2.4 Transport Buffer Areas

The District Plan maps show that the site is within the State Highway and Rail Corridor Buffer areas. These overlays signify that these significant pieces of infrastructure can generate adverse amenity effects to sensitive land uses. As the activity proposed is complementary to the effects generated by both the Rail Line and State Highway, and not is sensitive to the effects of either, neither the State Highway or Rail Corridor Buffer areas have impact on the proposal; nor do either of these pose any restrictions.

2.5 Vegetation and Natural Character

The site is currently vegetated with primarily exotic vegetation with a scattering of natives. Most vegetation will be removed as authorized by the granted consent for bulk earthworks (RM220258); however, a 20m riparian buffer around Dry Creek will remain. As set out in the landscape and visual assessment, this maintains an element of natural character of the site. In addition, Consent RM220258 requires pest control.

2.6 Archaeological Considerations

The site is recognized to have a medium to high likelihood of uncovering an archaeological site, as identified on the Greater Wellington Regional Council (GWRC) GIS as outlined in Figure 4 below. There is a registered archaeological item on the site but away from the area of the site Waste management propose to use for the resource recovery park. Regarding the archaeological item Tonkin and Taylor in the AEE for the bulk earthworks application state:

“This assessment notes that there are no identified pre-1900 archaeological features within the development site apart from the former historical rail route. Filling is proposed along this area. As such, the assessment concludes that the works can be carried out safely under the provisions of an Accidental Discovery Protocol (ADP). Based on this conclusion and considering that the rail line has previously been removed and there is no visible evidence of the archaeological feature remaining, the adverse effects on historical features [are] less than minor.”¹

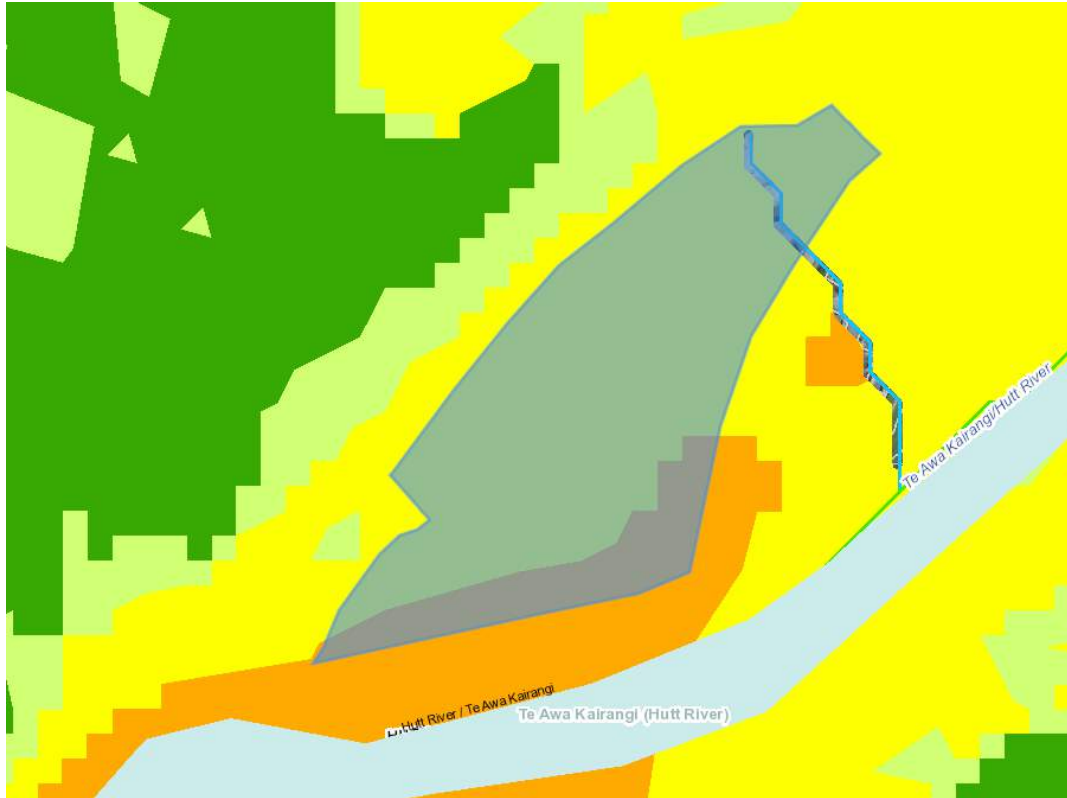


Figure 5: Archaeological Discovery Chance Map. Source: Greater Wellington Regional Council GIS

As bulk earthworks will have been undertaken on the site by the time Waste Management establish, the chance of finding archaeological items during construction of the resource recovery park is low

2.7 Land Contamination

Whilst the site did contain elevated levels of some contaminants, this has been assessed as part of the consent for bulk earthworks. It is therefore not a relevant consideration for the proposed establishment of the resource recovery park.

2.8 Flood Hazards

The site is within the secondary river corridor for the Hutt River. A flood assessment report has been prepared and concludes that after the earthworks to be undertaken under Consent RM220258 the site will be outside of the 1 in 440-year flood plain associated with the secondary river corridor. The site is subject to flooding from Dry Creek, as shown in the Figure 6 below. All proposed buildings and egress; however, are outside of any area that is susceptible to flooding. The flood assessment report is attached

¹ Resource consent application and assessment of effects on the environment, June 2022, Ref: 1015081.v1, Pg 37

in Appendix 6 for reference, noting effects of undertaking bulk earthworks were assessed as part of the bulk earthworks consent.

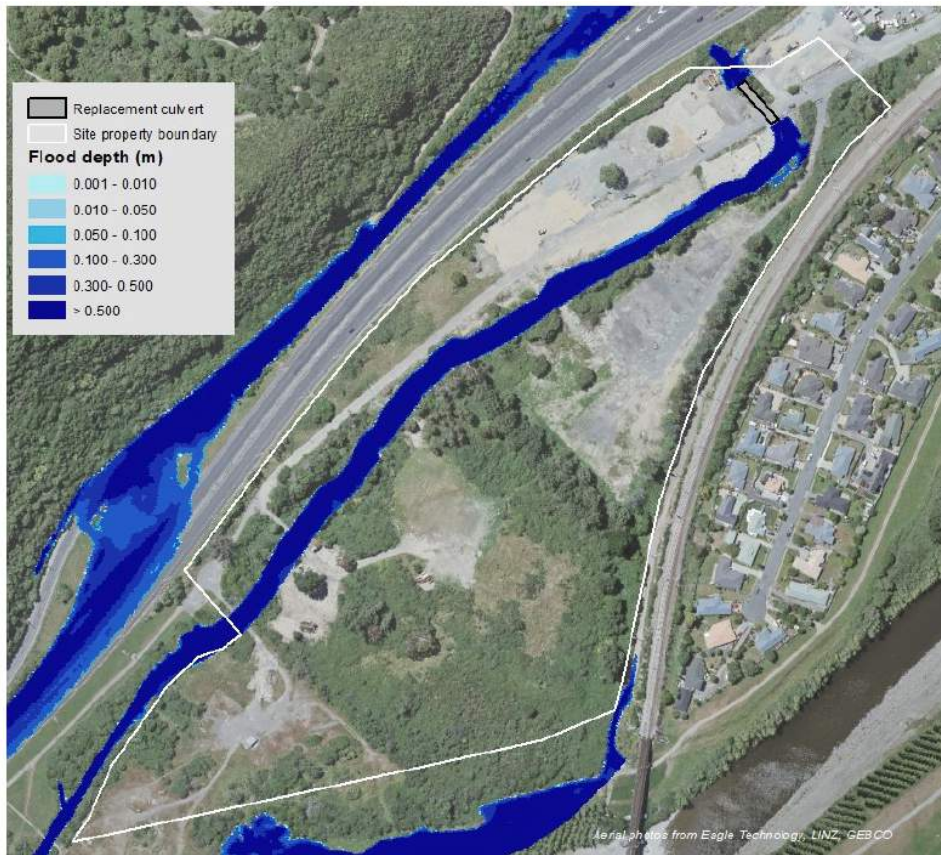


Figure 6: Flood Plain Map post bulk earthworks under Consent RM220258 Source: River Edge Consulting, 1 November 2022

2.9 Highly Productive Land

The National Policy Statement for Highly Productive Land (NPSHPL) requires Regional Councils to map Highly Productive Land within their regions. Prior to these maps being prepared, any land that is classified as Land Use Classification (LUC) 1 to 3 and within a Rural Production Zone is considered highly productive land.

In this case, the site is not considered to contain highly productive land, as it does not contain LUC 1 to 3 land. This is discussed in greater detail in Section 8.4.1 of this report.

2.10 Mana Whenua

The site is part of ancestral lands of Mana Whenua and forms part of the Ngati Toa Rangatira Claims Settlement Act 2014. Identification of the applicant land parcel within the Deed of Settlement is outlined in Figure 7 below:

Land Holding Agency	New Zealand Transport Agency	
Property Name	Address	Legal Description - All Wellington Land District
260039	25 Annabell Grove Lower Hutt	0.4546 hectares, more or less, being Section 1 SO 36382. All Transfer B804994.2
260051	Between Benmore Crescent and SH2 Lower Hutt	1.4160 hectares, approximately, being Part Lots 2 and 3 DP 5786 and Part Section 179 Hutt District. Part Gazette Notice B130217.1. Subject to survey.
260052	East of Benmore Crescent, Lower Hutt	17.1100 hectares, more or less, being Section 1 SO 36533. All Computer Freehold Register WN41D/467
260590	525 State Highway 1	0.7346 hectares, more or less, being Section 102 Block II Paekakariki SD. All Computer Freehold Register WN27D/932.

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Figure 7: Deed of Settlement Showing Applicant Site being returned to Te Runanga o Toa Rangatira²

No sites of significance or waahi tapu are shown on relevant documents or publicly available information. No sites have been identified to date through consultation with Taranaki Whānui or Te Rūnanga o Toa Rangatira. The Hutt River is listed in Appendix B of the Proposed Natural Resource Plan for the Wellington Region as an area of significance for Mana Whenua. It is understood from Hutt City Planning officers that land adjacent to the river has the same status as land subject to a statutory acknowledgement for the purpose of assessments under ss 95 and 104 of the RMA 1991.

2.11 Wider Environment

The site is positioned on the western bank of the Hutt River, near the territorial boundary between Hutt City and Upper Hutt City. To the west of the applicant site is State Highway 2, Belmont Regional Park, Allied Concrete, and Belmont Quarry. Access to these areas is over the State Highway 2 Interchange. Belmont Regional Park forms the western skyline to the west of site and topographically rises to 180m above sea level (asl) over 1km from site. To the east of the site is the suburb of Stokes Valley which forms the eastern side of the Hutt River Valley. The topography then steeply rises from approximately 17m asl at the site to 200m asl near Silverstream Landfill over 2km from site. Manor Park, Haywards Substation and Judgeford via State Highway 58 are to the north of the site, with the greater area of Hutt City to the south.

2.12 Receiving Environment

The receiving environment is comprised of existing activities that were lawfully established, permitted activities and those activities for which resource consent has been granted, and that consent is reasonably likely to be implemented. This is the environment that effects must be assessed against.

² Deed of Settlements: Attachments 2012, p.159.

Consent has been granted for bulk earthworks and vegetation removal. This consent is attached in Appendix 7 with approved plans. These works and the levels proposed under the consent form part of the receiving environment. There are no other known consents or consents in the wider environment that are unimplemented that we are aware of.

3.0 Background

3.1 Site Suitability

There are very few alternatives available to accommodate a fit-for-purpose waste management facility. Waste Management has been looking for a suitable site for over 15 years and none have been suitable. Within the existing urban area, sites are not large enough or are too close to sensitive receivers. Rural sites are constrained as they often contain wetlands or other environmental features or are not flat. To work efficiently, a location close to the market where waste is generated is required.

There is no way to avoid the activity. The waste management facility proposed is to implement all stages of the waste management hierarchy, as set out above. The only alternative to waste management facilities is transfer direct to landfill or other end facility. This does not encourage re-use or reduction of waste going to landfill. It is also not efficient and results in trucks travelling larger/longer distances.

3.2 Demand for Waste Management

The facility is designed to serve the greater Wellington Region. There is predicted demand for an additional 103,770 households in the greater Wellington Region by 2051 with current capacity for 78,318 dwellings.³ With an increase in households and businesses in the region, municipal waste and construction and demolition waste will increase. The proposed facility will help meet part of this demand.

The facility will incorporate measures that contribute to waste minimization. This is key to sustainable management of resources in the region and achieving waste minimization goals and obligations under the Waste Minimization Act 2008 (WMA)⁴

The Waste Minimization and Management Plan for the Wellington Region seeks to reduce the total quantity of waste sent to Class 1 landfills from 600kg to 400kg per person per annum by 2026. The plan, that is prepared to give effect to the WMA, considers the waste hierarchy, ensures waste does not become a nuisance, and partially fulfils statutory obligations of Councils in the Region to manage waste.⁵

³ Wellington Regional Housing and Business Development Capacity Assessment – Housing Update May 2022, Page 6

⁴

https://legislation.govt.nz/act/public/2008/0089/latest/DLM999802.html?search=ts_act%40bill%40regulation%40deemedreg_waste+minimisation+resel_25_a&p=1 As accessed on 20 January 2023.

⁵ Wellington Region Waste Management and Minimisation Plan 2017 - 2023

The waste management facility proposed helps achieve waste minimization and management of waste by including, in one place, a range of facilities that implement the waste management hierarchy. This is in addition to meeting demand for increased waste that will result from the growth of households and businesses in the Wellington Region.

3.3 Urban Growth Strategy

The proposal will contribute to giving effect to the Urban Growth Strategy. The Urban Growth Strategy 2012 – 2022 published by Hutt City Council in 2014 sets out challenges with providing further business land in Hutt City as follows:

The city's commercial and industrial land supply is largely fixed by the extent of the existing development along with our topography and territorial authority boundaries, with only a few opportunities for expanding either.

The strategy identifies the wider parcel of land subject to this proposal and states:

The land in Manor Park is currently owned by the New Zealand Transport Agency and is zoned rural, limiting its uses to farming purposes. Much of the land is uncompacted fill and is subject to two hazards – the fault line and flooding from the Hutt River.

Consequently, it is not suitable for any intensive uses such as general business or residential. However, Council is interested in exploring the possibility of using this land for limited, light industrial purposes that are less at risk from these hazards, such as truck depots. Given the site is at the centre of the region and is at the junction of State Highway 2 and State Highway 58, the site could lend itself very well to such uses, especially once the Transmission Gully Motorway is built.⁶

Transmission Gully is now complete and operational. The proposal efficiently uses land identified by the growth strategy in Manor Park for business purposes. Waste management facilities require large parcels of land to operate and provide services that minimize waste, including material recovery, and the facilitation of recycling and re-use. The proposal has addressed the constraints identified in the Growth Strategy and risk in relation to natural hazards is minimized by the mitigation measures proposed.

In addition to utilizing the site in a way that is consistent with the Growth Management Strategy, locating the proposal on the subject site avoids the need to occupy a large amount of Business Zoned land that could be better used to meet a number of activities that do not require a large land area. In this way, the proposal indirectly contributes to the supply of business land. This is a benefit of the proposal, considering that business land in Hutt City is identified as a constrained resource in the Growth Strategy.

⁶ Hutt City Council. 2014: Urban Growth Strategy 2012 – 2032 (p.37)

3.4 Meetings with Hutt City Council

A pre-application was held with Hutt City Council on 10 November 2021. The outcomes of the meeting were:

-  Regional Consent may be required for industrial and trade activity discharges and discharges to air,
-  That flood mitigation would be required, and suitable mitigation provided to support the proposed activity, and
-  Expert input into water management, civil engineering, flood, geotechnical, contaminated land, traffic, and full development plans would be required to support the activity at resource consent submission.

A pre-application meeting was held with Hutt City Council on 28 July 2022. The outcomes of the meeting relevant to this application were:

-  The upgrading of the roading that supports this development was supportable.
-  Highlighting noise as an issue that will require specialist analysis and mitigation if required.
-  The need to outline traffic generation caused by the activity, and
-  If any signs were proposed as part of the development and how the stormwater is to be managed onsite.

A further meeting was held in the latter part of December 2022 to provide an update on the progress of the application, summarise the draft application and outline the intended approach to consent being lodged concurrently with the land use consent application for access and servicing.

Waste Management Managers has also met with the Hutt City Council, to inform them of the proposal.

3.5 Consent RM2220258 for Bulk Earthworks and Vegetation Removal

Consent RM2220258 was granted on 21 December 2022 to remove vegetation and undertake bulk earthworks on the wider site, maintaining a riparian corridor adjacent to Dry Creek. These works are to commence as soon as possible, once pre commencement conditions have been met.

The works subject to this consent will not be given affect to until the bulk earthworks are largely complete, as the proposed site development is reliant on the site levels created through the bulk earthworks. Copies of consents to fill the site from both Hutt City and Greater Wellington Regional Council are attached in Appendix 7, with approved plans that show final levels.

3.6 Concurrent Land Use Application

A consent application has been lodged with Hutt City Council for servicing and roads within the lot, including transport network upgrades. This covers the wider site and the part of the subject to this proposal. As Waste Management is dependent on these works; however, it is requested that the two applications be processed concurrently. The AEE report for the concurrent land use application is attached in Appendix 11, noting that it does not form part of this application and is attached for reference only.

4.0 Proposal

A Resource Recovery Park is proposed on the southwestern part of the site. The resource recovery park will include the following activities that are shown in **Figure 7**:

-  Secondhand goods store: A retail store selling secondhand goods, unwanted by the person that dropped them off. This allows for re-use and upcycling. The secondhand goods area has a large functional area for the public to drop off goods that will be under cover.
-  Repair cafe to allow damaged goods to be repaired and sold in the secondhand goods store or kept by the owner. The café will also serve as a café to visitors and personnel working at the Park.
-  Material recovery facility. Recycling is sorted and may be put into bales for further processing off site.
-  Transfer station: This is where waste from municipal collections and private households is stored and compacted for transfer to landfill.

To support these facilities, the following is proposed:

-  Weighbridge.
-  Comprehensive water management and treatment.
-  Associated parking, EV charging, and maneuvering.
-  Offices that support the operation of the facility.
-  A workshop for mechanical repairs and servicing of trucks and waste management vehicles and equipment.
-  Bin storage and bin wash facility.
-  Truck wash facility.
-  Associated landscaping and planting.
-  Sign at the entry stating the name of the park and directional signs within the park.
-  Gates and security fencing; and
-  Landscaping and planting.

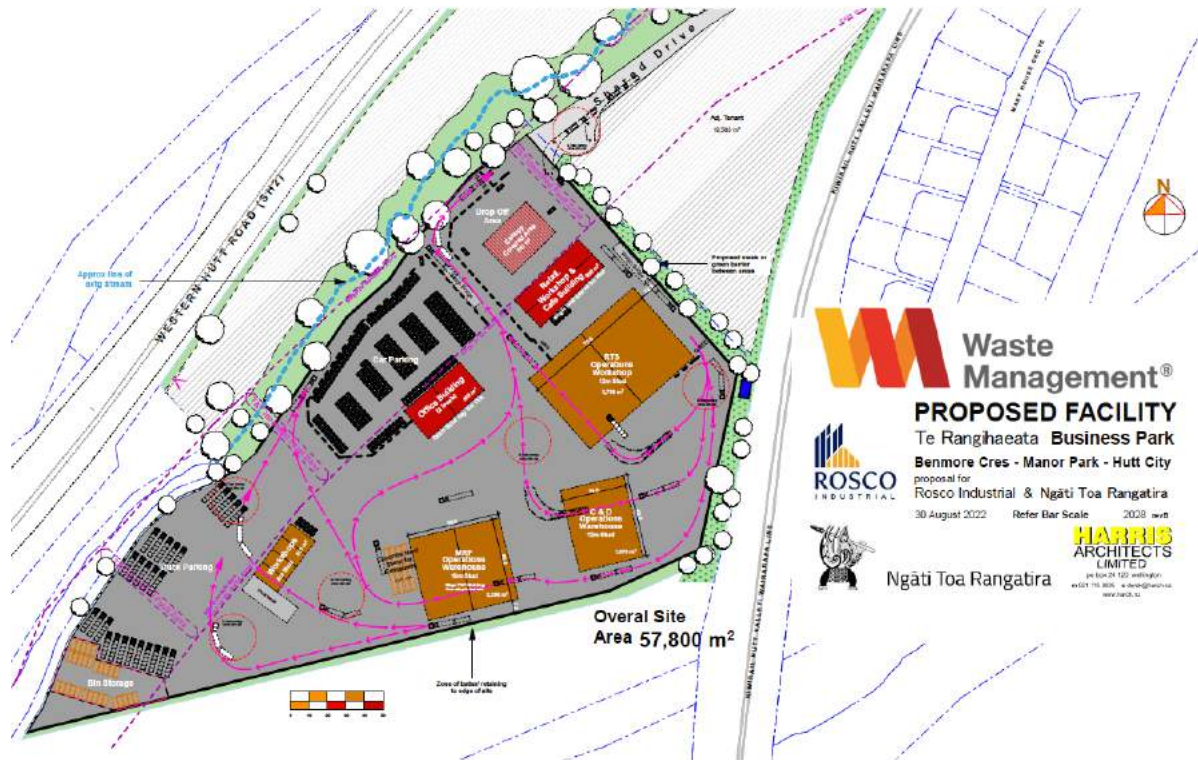


Figure 8: Proposed Site Plan. Source: Harris Architects Limited

A key part of the proposal is that all high-risk or industrial and trade activities will be undertaken indoors to reduce environmental risk. All contaminants from these activities will be removed off-site for treatment.

The following sections of the report set out details of the proposal.

4.1 Development Stages

The proposed development will be constructed in two stages. The first stage covers the construction of the overall resource recovery park and Stage 2 covers additional add-on requirements to aid in the operation of the facility. The site features included in each stage are outlined in the following subsections.

4.1.1 Stage 1

Stage 1 consists of the establishment of the following activities:

-  Weighbridge.
-  Transfer station.
-  Construction and demolition building.
-  Public drop-off area associated with second-hand goods store.
-  Bin storage area.
-  Office and administration block with staff amenities.
-  Car parking.
-  Truck parking.

-  Pavements and roads.
-  EV charging.
-  Truck wash bay.
-  Bin wash bay.
-  Service connections.
-  Water treatment.
-  Planting.
-  Dangerous goods store.
-  Fencing.
-  Material recovery facility.
-  Workshop, and
-  Signage.

4.1.2 Stage 2

-  Waste compactors.
-  Further EV charging, and
-  Any additional requirements to comply with conditions of consent or enhance site operation.

4.2 Hours of Operation

Mobile machinery on the site will operate Monday to Sunday 0700 – 1700 and these will only operate within the proposed buildings. The resource recovery park will be open to the public Monday to Sunday, 0600 – 1800. There will be some truck movements during the night and between 0600 – 0700 to aid the efficient operation of the Park.

4.3 Site Layout and Characteristics

Full plans of the proposed development are attached in Appendix 8. The layout has been designed to facilitate the practical operation of the site and circulation of heavy vehicles. The layout also seeks to segment those areas of the site open to the public from those areas that members of public will not be permitted to enter. Clear directional signs and arrows will be installed on-site. The site layout also responds to constraints, specifically the location of the Faultline and associated no build area and location of Dry Creek.

Due to the activity proposed involving waste transport, high numbers of pedestrians and cyclists are not anticipated. Pedestrian and cycling facilities are incorporated into the development's design.

Tables 2 and 3, below, sets out key characteristics of the development.

Proposed Activity	Stud Height
Retail and Café Building	3m High Stud
RTS Operations Workshop	12m High Stud
C&D Operations Warehouse	
MRF Operations Warehouse	10m High Stud
Office Building	8m High Stud
Workshops	

Table 2: Proposed Activity v HCC Maximum Height Standard.

It is noted that the yard setbacks exceed 12m and are unlikely to trigger consent for recession plane requirements.

Proposed Activity	Site Coverage
Retail and Café Building	950m ²
RTS Operations Warehouse	3,750m ²
C&D Operations Warehouse	1,575m ²
MRF Operations Warehouse	2,250m ²
Office Building	800m ²
Workshops	550m ²
Total Coverage	9,875m ²

Table 3: Proposed Activity v HCC Site Coverage Standard

4.4 Electric Vehicle Chargers

Electrification of both the light and heavy vehicle fleet is a key goal for Waste Management and several electric vehicles form part of the fleet. To facilitate the operation of these vehicles, the resource recovery park will include several electric vehicle chargers. These will be within the truck and light vehicle parking areas.

4.5 Water Management

Note: Water management is set out in detail in the water management report, attached in Appendix 9.

To conserve water, water re-use is proposed for truck washing and will be implemented for any other activities where practical. All re-used water will be treated and recirculated. Water that is retained in tanks from the roofs of buildings will be used for non-potable purposes within all buildings, including dust/odour suppression, wash down of the transfer station floor, and bin wash. Should the tanks contain insufficient water, they will be topped up from the reticulated network. The reticulated network will be used for potable water. Both tank and reticulated water will be used for fire safety purposes.

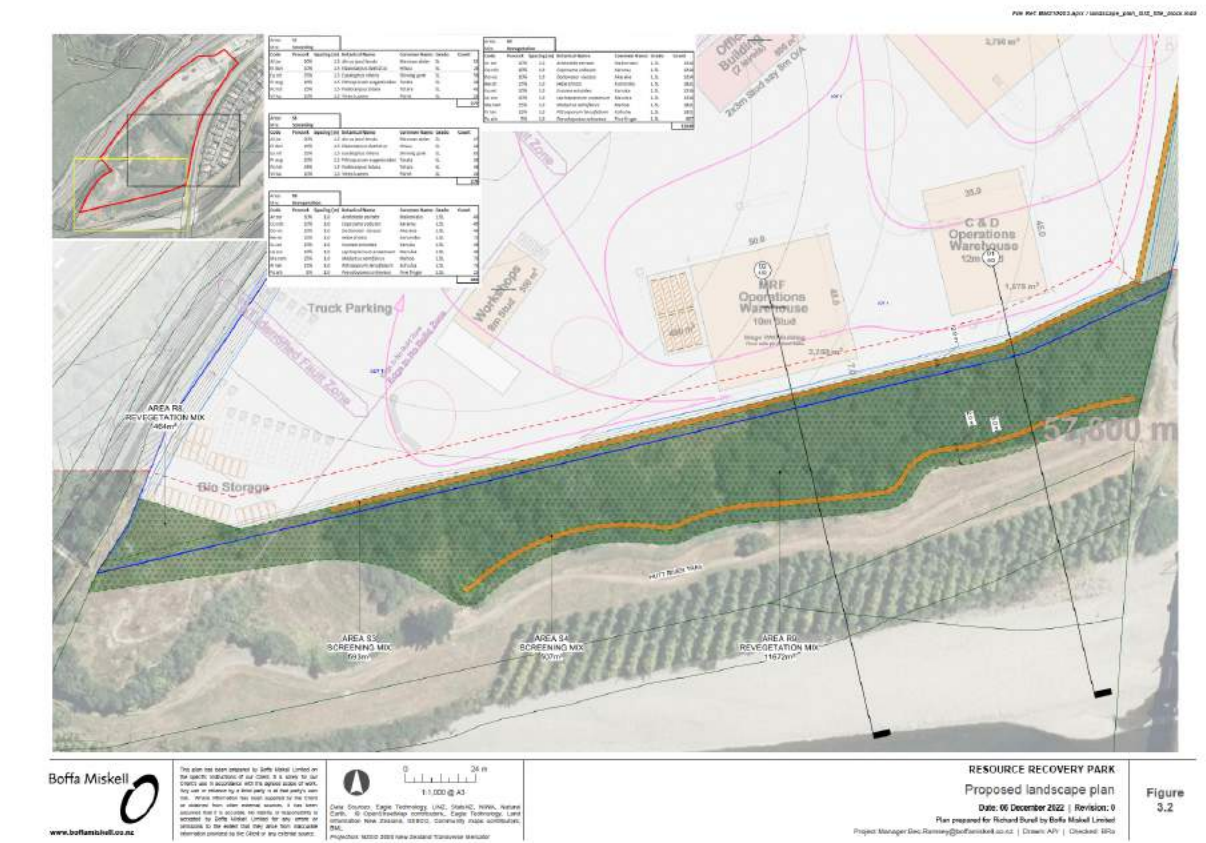
Contaminants from the bin and truck wash, and from the floor of process buildings (including the waste transfer building) will be collected by an underground storage tank. The contaminants will then be removed and treated off-site. If this is not possible during detailed design, process wastewater will be discharged to wastewater, controlled by a trade waste consent. The proposed workshop will be a dry workshop, with no discharge of contaminants. The storage and removal of industrial and trade waste avoids environmental risk and the possibility of entrainment in the stormwater network.

All proposed tanks are underground and will have an overflow to the stormwater management system, that discharges to Dry Creek. Stormwater from the car park and impervious areas of the site will be treated prior to discharge using a proprietary stormwater treatment device.

4.6 Landscaping

On-site mitigation to minimize visual amenity and character effects includes on-site planting, ensuring a recessive building colour, and dispersing buildings on the site. In turn, a continuous building mass is

Offsite mitigation is also proposed and is the contouring and planting of land owned by Greater Wellington Regional Council adjacent to the site, that is part of the Hutt River Trail. The location of the proposed off-site planting is shown in Figure 9 below. Access for Greater Wellington Regional Council to maintain the Hutt River, particularly after flood events, is provided through the site and planning area.



Management Report in Appendix 9. The proposed stormwater management will be private and will operate as set out in the Water Management Report.

4.9 Signs

There will be a sign at the entry of the site to state the name of the facility, hours of operation, and any health and safety matters persons entering the site should be aware of. Within the site, there will be directional and health and safety signage. The design of signs may be approved as a condition of consent and all signs will comply with permitted activity criteria (set out in Appendix 3). No signs will be placed on the façade of any building where they will be visible from the Hutt River Trail or Mary Huse Grove.

4.10 Land Disturbance

Minor land disturbance is required for some leveling and building foundations. This work will be undertaken with erosion and sediment controls in place until the site is stabilized. An accidental discovery protocol will also be in place for the duration of the works.

4.11 Management Plans

The site will operate in accordance with several management plans that may be consolidated into one environmental management plan, including the following:

-  Hazards Management Plan
-  Traffic Management Plan
-  Noise Management Plan
-  Water Management Plan
-  Spill Response and Emergency Management Plan
-  Health and Safety Plan
-  Sustainability Plan (including complaints management).

4.12 Hazardous Substances

Some hazardous substances will be stored and used on-site. The quantity and types of substances are not finalized. Should consent be required for a hazardous facility, this will be sought separately once quantities are confirmed.

5.0 Consent Requirements

Note: Our assessment of consent requirements is based on the plans and information provided to us. In the event of inconsistency between the plans and information provided below, the plans take precedence, including in infringements identified, noting Council can amend or add reasons for consent and infringements should consent be granted.

We have taken care to identify all reasons for consent. However, our assessment relates to the proposal in its entirety (as shown on the plans and appended information) and is therefore considered wide enough to cover any additional reasons for consent that Council may identify.

5.1 City of Lower Hutt District Plan 1995

RESTRICTED DISCRETIONARY ACTIVITIES

-  8B2.2(c) Cafes and restaurants: A repair café forms part of the resource recovery park.
-  14A.5.1(c) Any activity that exceeds the high trip generator thresholds specified in Appendix Transport 2.
-  14H2.1(a) All structures and buildings on any site where the whole site or a portion of the site falls within the Wellington Fault Special Study Area.
-  14I 2.2(a) Earthworks that do not comply with permitted activity conditions (over 50m³ of earthworks are necessary).

DISCRETIONARY ACTIVITIES

-  8B.2.3(a) Buildings that do not comply with the permitted standards (8B.2.1.1(c) Maximum Height and 8B.2.1.1(e) Site Coverage)
-  8B.2.3(e) Transfer stations.

NON-COMPLYING ACTIVITIES

-  8B.2.4(a) Any other retailing activity: second-hand goods store forms part of the proposed resource recovery park.
-  8B.2.4(c) Any industrial activity: Resource recovery (recycling) is part of the proposed resource recovery park as does a mechanical workshop (for the use of Waste Management vehicles only).

A full assessment of compliance with plan provisions is contained in **Appendix 1**.

6.0 Assessment of Environmental Effects

6.1 Receiving Environment

The receiving environment is as set out in Section 2.12 of this report and as described in section 2. As set out in that section, the bulk earthworks consent (Appendix 7) is unimplemented, but is likely to be implemented, as it is a pre cursor to development. The bulk earthworks consent forms part of the receiving environment.

6.2 Permitted Baseline

In the General Rural Zone, activities that are not restricted discretionary, discretionary, or non-complying and comply with stated conditions, are permitted. There is potential for activities that do not have a rural character or relate to rural production to establish in the Rural Zone as a permitted activity. The zone rules do not anticipate solely rural production activities.

The building standards allow a building height of up to 8m with site coverage of 1,000m². A 10m yard setback is required by the conditions and various height in relation to boundary rules apply, depending on the orientation of the boundary the recession plane is measured from (permitted activity criteria are set out in full in Appendix 3 of this report).

As a permitted activity, a 1,000m² building could establish that is 8m high. Such a building could be any colour and would not require any screen planting. The outline of such a building is shown in Figure 10 below, as could be seen from Mary Huse Grove.



Figure 10: Potential Permitted Building from Mary Huse Grove (Boffa Miskell)

Traffic movements from activities with a floor area less than 5,000m² do not require consent as a high trip generating activity. A truck depot or similar activity could establish on site with a relatively high number of traffic movements.

The nature of activities that could establish in the zone, permitted activity conditions and the threshold for high trip generating activities may form part of the permitted baseline to assess effects of the proposed resource recovery park.

6.3 Positive Effects

The resource recovery park will assist to minimise waste and to manage waste in a fit for purpose for facility that incorporates sustainable features. This provides a significant asset to Hutt City and the wider Wellington Region. The resource recovery park will continue to provide employment and associated economic benefits. The site is larger than the current site from which Waste Management currently operates. The larger site allows for expansion when compared to the current operation and may result in further employment.

As set out in the background section of this report (Section 3), business land in Hutt City is in short supply. Locating the resource recovery park at Manor Park does not consume what limited supply of business land exists. It also effectively increases the supply of business land as postured by the Hutt City Growth Strategy.

6.4 Traffic Effects

An assessment of traffic effects has been undertaken by Stantec and a Traffic Assessment Report is attached in Appendix 10. The adjacent road environment is shown below duplicated from the report to provide context for the assessment that is summarised below.



Figure 9: The adjacent road network environment in context of the site. Source: Prover

Upgrades are proposed to the intersection of Benmore Crescent with Manor Park Road and to the rail level crossing. Full details of these upgrades are discussed in the servicing land use consent, to be processed concurrently with this application. Plans are attached in Appendix 10 for reference. One vehicle accident has been identified in vicinity of the site; however, the traffic assessment notes that the crash record does not indicate any safety issues and notes the upgrades that are proposed.

The proposal infringes the high trip generation threshold due to the gross floor area proposed being over 5,000m². The traffic assessment report concludes that traffic generated from the proposal can be accommodated by the road network, with the upgrades proposed. Sustainable transport will be promoted by the pedestrian connection between the site and Manor Park Rail Station as well as access to the Hutt River Trail.

Within the site, parking and manoeuvring has been designed to be sufficient for the size and number of vehicles. Traffic routes are shown within the plan set attached in Appendix 8. The layout of the site has been designed to separate out public and restricted areas of the site and ensure efficient traffic flow. The assessment concludes that the site will fully accommodate parking demand.

With reference to the traffic assessment, traffic effects of the proposal are less than minor, subject to conditions including the following:

-  *The facility must not operate until road upgrades have been completed.*

-  *A traffic management plan must be prepared to guide construction and operation of the resource recovery park.*
-  *Directional signage or on-ground signage must be implemented prior to operation of the facility.*

6.5 Acoustic Effects

Tonkin & Taylor has undertaken an assessment of acoustic effects and a report that sets out this assessment is attached in Appendix 11. In summary:

-  The level of noise generated will comply with permitted activity criteria at the nearest sensitive receivers (these are 27 Mary Huse Grove, 29 Mary Huse Grove, 31 Mary Huse Grove, 1397 High Street, and 1404 High Street). Noise levels will be similar to the existing noise environment during the day and is considered reasonable.
-  There are no vibration limits in the District Plan and standard practice is to use the vibration guideline levels in the German Vibration Standard DIN 4150-3:1999. Vibration is a concern only during construction. It is unlikely that vibration will be perceptible during construction.

With reference to the appended acoustic assessment, the effects of noise and vibration from both construction and operation of the resource recovery park are anticipated to be less than minor. A condition of consent that states required noise limits is suggested.

6.6 Landscape, Character, and Visual Effects

Boffa Miskell has undertaken an assessment of landscape effects and a report setting out this assessment is attached in Appendix 4. On-site mitigation to minimize visual amenity and character effects includes planting on the site, ensuring a recessive building colour, and dispersing buildings on the site. This, in turn, avoids a continuous building mass.

Offsite mitigation is also proposed and is the planting of land owned by Greater Wellington Regional Council adjacent to the site, that is part of the River Walkway. The location of the proposed off-site planting is shown in Figure 9. This offsite mitigation benefits the adjacent land, used as part of the river walkway, increases biodiversity, and will offer amenity to users of the recreation land.

Regarding landscape, character and visual effects, the visual assessment concludes:

-  The site may be visible from Mary Huse Grove, Silverstream and the Hutt River Trail. A small portion of the site may also be visible from State Highway 2. From all points but the State Highway, the site will be seen against a backdrop of the wider area and hills behind.
-  The natural character of Dry Creek, which is currently assessed as low to moderate, will not change because of the proposal, as a 10m riparian margin will be maintained.
-  The proposed development is a small part of a wider landscape and effects at the wider landscape scale are low. Local landscape effects may be low to moderate due to the scale of the buildings proposed.
-  Visual effects are mixed from low to moderate. From the Hutt River Trail, the site will be intermittently visible for approximately 500m of the trail, on either side of the river. Planting and building colour have been designed to minimise effects for users of the Trail. The appended landscape assessment notes that the planting is in keeping with the Hutt City Council River

Environment Strategy and will reduce effects as experienced from the Trail. From the residential area at Mary Huse Grove, visual effects range from low to moderate.

-  From public places views are mixed, but planting has been designed to integrate the facility into the wider landscape.
-  Effects decrease after the five-year period for plant growth.

Plan context is important when considering landscape, character, and visual effects because the site and zoning is unique. The subject site is not a typical rural site, as discussed in Section 2.2 of this report. It does not have the character or amenity that a General Rural Zoned site would have, as it is isolated from other rural land and its use for rural production is limited by its size and location. This is the context that it is viewed within, as would be the case for any small pocket of land zoned Rural, surrounded by Urban Zones on one side and separated from other Rural Zones by a major piece of infrastructure. The zoning pattern means that the site cannot have a character typically associated with rural areas. Those viewing the site as part of a wider landscape are unlikely to expect either the character or amenity one may anticipate of other rurally zoned sites.

The amenity of the wider, surrounding area including the residential area at Mary Huse Grove has been modified by the Rail Line Buffer Area. The rail line appears to sit approximately 2m higher than land it adjoins. The rail corridor is a significant piece of infrastructure and Issue 13A 2.2 of the District Plan acknowledges effects that such infrastructure can have. It states, *'the construction, operation, and maintenance of the transport network can have adverse effects on the surrounding environment, including noise, vibration and visual effects.'*

The District Plan defines a State Highway and Railway Corridor Buffer of 40m wide. Activities in the corridor sensitive to noise, such as residential activities, must incorporate additional noise mitigation. The presence of the corridor overlay and accompanying standard indicates an acknowledgement that effects cannot be internalized within the site occupied by the rail line and State highway. As a result, the potential amenity of these areas is lower than sites not within the corridor.

The context of the Plan and site is also important to assess effects on the Hutt River Trail and persons using that trail. The Hutt River Trail is within the esplanade reserve for the river. There are no specific restrictions on land uses that can be established on land that is next to esplanade reserves or the trail, or requirements for mitigation or any screening of activities, over and above zone provisions. Indeed, the trail passes a mix of activities, including those on General Business Zoned land. Parts of the trail are next to the State Highway. The Plan does not seek to specifically manage visual effects of activities next to the Hutt River Trail and land adjacent to the trail does not have any one zone, indicating that there is no specific planned character for sites that are next to the trail.

Five hundred metres of the trail extends past the site (approximately). It is highly unlikely that users of the trail will experience just this portion of the trail in isolation unless they were purposefully wanting to do so. This is due to the location of exit and entrance points to the Trail. There is an entrance from Mary Huse Grove. For those walking from this point passed the site; however, the next entrance point is at Owen Street which is approximately 3.4km away (that is on the same side of the river). Even those users that walk a portion of the path and then turn around and come back are unlikely to experience just the portion of the path that goes passed the site in isolation. It is understood that currently some

users of the pathway may walk in a loop, from Mary Huse Grove and then through the wider site and back to Mary Huse Grove. Access through the site will not be available during works or once the site is operational, noting it is private property and no easements for pedestrian access exist. A portion of the trail is next to the State Highway, shown below.

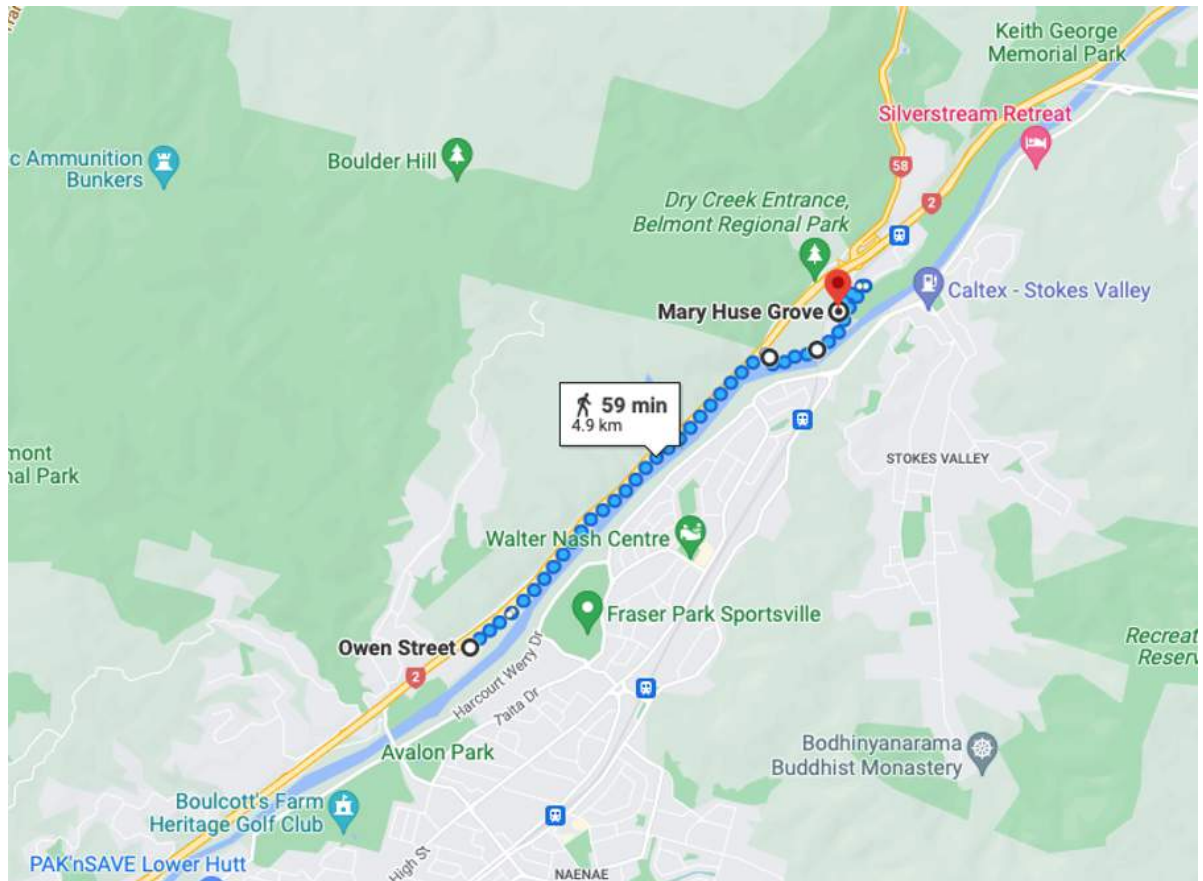


Figure 10: The portion of the Hutt Valley River Trail and distance between the two available exit points. Source: Google Maps 2022

Planting is proposed and is consistent with the vision for planting along the Trail. The buildings proposed are also recessive in colour.

The permitted baseline should also be considered when considering landscape, character, and visual effects. The zone does allow for a range of activities that meet permitted activity criteria. Activities could be established as of right that do not have a typical rural character or relate to rural production. As set out in **Section 5** of this report, as a permitted activity, a building of 1,000m², of any colour and with no screening could be established on the site, with a height of up to 8m. Some trail users or persons viewing the site from other viewpoints could find this to be dominant.

Whilst visual effects and local landscape effects from some isolated viewpoints are assessed as moderate for a temporary period until plants are well established, for the reasons set out above and in the context of the planning framework, we consider landscape, character, and visual effects from the proposal are minor. This is subject to fair and reasonable conditions to control these effects.

Suggested conditions are:

-  All buildings must have a recessive colour palette (reflectivity value of 20% or less)
-  Before construction, a final planting and maintenance plan, in general accordance with the Boffa Miskell planting plan, must be approved.
-  Planting identified on the landscape plan must be planted within the first planting season following construction of the proposed buildings and maintained thereafter.

6.7 Amenity Effects

As set out above, amenity values of the receiving environment are not high, due to the extent of modification that has taken place due to the State Highway and Rail Line. The proposal has been designed to reduce adverse amenity effects generated from the proposed buildings and activity. This is achieved by having most of the activities indoors, lighting being directed away from the site boundaries, the proposed planting and pest management, and controls of hours of operation for all but low-impact activities. The effects of the resource recovery park are consistent with immediately adjacent uses and will not affect the amenity of the State Highway or Rail Lane, noting the conclusions of the traffic assessment that the effect on the infrastructure network will be less than minor. Effects on amenity of the river pathway are set out in Section 7 of this report.

From other surrounding areas amenity effects, will be less than minor, for the following reasons:

-  Nuisance effects are internalised within the site, including dust and odour.
-  Vibration is not expected to be perceptible.
-  Light will be directed within the site.
-  Signs will comply with the permitted activity criteria, and
-  Noise will comply with permitted activity criteria at residential areas at High Street and Mary Huse Grove.

Hours of operation, control of light, odour, dust, pest control, noise levels, and implementation of proposed planting are suggested conditions of consent.

6.8 Natural Hazard Risk and Effects

6.8.1 Flooding

The site is subject to two potential flood hazards: flooding from the Hutt River and from Dry Creek.

Hutt River

The site is within the secondary river corridor, as shown in Figure 1 of this report. Permitted activity standard (q) that regulates development within the Secondary River requires buildings to be above 28.0 msl. The standard is based on an older flood model published by Greater Wellington Regional Council. During previous conversations about planning for the subject site, Greater Wellington Regional Council confirmed the modelling is outdated⁷. A site-specific flood assessment has been undertaken for the site by River Edge Consulting (Appendix 6) and confirms the extent of inundation differs from that shown

⁷ Flood Assessment Report prepared by River Edge Consulting, Appendix 15 (p.1)

on Greater Wellington Regional Council maps. The site is not impacted by flooding from the Hutt River to the extent shown on the Greater Wellington Regional Council model.

The bulk earthworks authorized by consent RM220258 result in a finished level for the portion of the site Waste Management will occupy ranging from RL25⁸. The flood assessment concludes that following these works the site will not be subject to inundation from the Hutt River during a 1 in 440-year event. The assessment recommends freeboard of 0.9m for all buildings within the Hutt River Corridor and all buildings within this part of the site have been designed to achieve this floor level.

Given the floor level design, and the location of buildings outside the area of inundation from the Hutt River during a 1 in 440-year event, risk from flooding is low.

Dry Creek

Flooding from Dry Creek that flows through the site has also been modelled and is shown in Figure 6, of this report. The figure shows that all proposed buildings are clear of the flood hazard and egress from the site is not impacted.

Suggested conditions of consent are the following:

-  All buildings must be above 28 asl, and
-  Activity to proceed in accordance with the plans.

6.8.2 Stability and Geotechnical Effects

A portion of the site is within the Wellington Faultline Study Zone, shown on Hutt City District Plan maps (Figure 1). Any building on a site where a portion of that site is within the Wellington Fault Special Study Area is a restricted discretionary activity under Rule 14H.2.1. The single matter of discretion relevant to Rule 14H.2.1 is:

Safe Separation Distance of Structures and Buildings from the Wellington Fault:

For all structures and buildings, an engineering report will be required to confirm that the Wellington Fault is not within 20.0m of any proposed structure or building, or that the necessary engineering precautions have been taken.

A site specific Faultline Assessment has been undertaken and is attached in Appendix 5. The assessment has determined a 'no build' zone 20m either side of the assessed position of the Faultline. This no build area is shown on the proposed plans and all buildings in this case are clear of this zone. Activities within the no build area are limited to the following that are not sensitive to seismic risk:

-  Vehicle parking.
-  Drop off area for the secondhand goods store, and
-  Bin storage.

⁸ Approved plans showing finished ground levels authorized by consent RM220258 attached in Appendix 6.

It is noted that a canopy is proposed over the drop-off area and defined as a building. It is not; however, a structure that will be occupied and is open. It is noted that accessory buildings, not for working purposes, do not require consent in the Wellington Faultline study area.⁹

Conditions of consent are suggested to limit activities within the fault zone to those shown on Site Plans and engineering plans and to require specific geotechnical design and supervision of future buildings on the site.

6.8.3 Stability

The stability of the site has been considered as part of the assessment for the bulk earthworks consent at conceptual level and all earthworks to implement that consent will be supervised by a suitably qualified person. As set out above, detailed geotechnical design will be undertaken to support the building consent applications for the buildings proposed as part of this application. Building construction will be supervised as appropriate to ensure land stability, a suggested condition of consent.

6.8.4 Hazard Management Policy

The site will operate in accordance with a hazard management policy. This policy will set out steps to be taken to minimize the impact of natural hazards and immediate steps to be following in the event of a natural hazard event, including:

-  Floods.
-  Tsunamis.
-  Earthquakes, and
-  Extreme weather events.

The preparation of a hazard management policy is a suggested condition of consent.

6.8.5 Environmental Risk

A dangerous goods store is required to support activities on site (e.g., workshop). All hazardous substances will be stored and managed as per relevant regulations. Based on initial information, consent is not expected to be required under the hazardous facility rules. If required, consents will be sought once details of the goods required on-site have been determined. As set out below, the environmental risks from trade waste generated from operation of the resource recovery park will be largely avoided by this waste being transported off site for treatment or via trade waste.

6.9 Effects on the Natural Environment

A small amount of land disturbance is proposed to form building platforms and the internal parking area and access roads. During earthworks, erosion and sediment controls will be in place, as will an accidental discovery protocol. The provision of an erosion and sediment control plan and the protocol are suggested conditions of consent. All controls will be in place for the duration of works and monitored as appropriate.

⁹ Rule 14H2.1(a) Hutt City District Plan.

Following construction, effects on the natural environment will be no more than minor, for the following reasons:

-  All activities, apart from parking and bin storage, are undertaken within buildings or covered. This minimises dust and ensures that risk to the stormwater network is largely avoided.
-  Trade activity areas are separated and contaminants from draining and washdown of these areas, including the truck wash and bin wash, will be stored in underground tanks, and removed off-site for treatment or discharged to trade waste (sanitary sewer).
-  Devices will be in place to treat stormwater generated for site.
-  The workshop will operate as a dry workshop avoiding discharges.
-  Hazardous goods will be stored appropriately and banded as required.
-  The site will be operated in accordance with an environmental management plan.
-  EV chargers are incorporated into the development.
-  Sustainable transport modes are provided for within the development.
-  The site is on a platform created largely from filling the site. Aside from some strengthening works for building foundations and pavement, no cuts are proposed. Given this, groundwater is not anticipated to be encountered during site works or adversely affected by the proposal.

6.10 Cultural Effects

It is appropriate only for Mana Whenua to determine effects on cultural values. Taranaki Whanui and Ngati Toa have both been consulted. As set out further in Section 7.1, consultation with both is ongoing. Taranaki Whanui have provided verbal approval in principle and have not identified any concerns. Waste Management offers the opportunity for Mana Whenua to conduct a karakia or cultural blessing, should they wish to do so. It is noted that the Hutt River is significant to Mana Whenua as set out in Section 2.10 of this report. Effects on the Hutt River relevant to this application are discussed in the natural environment effects section, above. Waste Management further anticipates Hutt City Council will contact Iwi during processing of this consent.

6.11 Reverse Sensitivity

The site is not sensitive to any adjacent land uses that are established. It is compatible with effects generated from both the State Highway and railway line. Reverse sensitivity effects are therefore less than minor.

6.12 Cumulative Effects

The site is currently vacant. There are no existing activities on-site that would generate cumulative effects in combination with the effects of the proposed resource recovery park within the wider environment, including the Hutt River Trail, State Highway 2, or Rail Line Buffer Area. Cumulative effects to those properties at Mary Huse Grove closest to the site are set out in Section 7.3 of this report. From Mary Huse Grove itself, the street is sufficiently separated from the proposed site and the effects of the resource recovery park will result in cumulative effects that are less than minor, at most.

6.13 Precedent Effects

As a non-complying activity, it is appropriate to consider precedent effects. The subject site has unique characteristics. It is surrounded by urban uses but zoned Rural, in between two major pieces of infrastructure and subject to natural hazards. The proposal can utilise a site with these constraints. As set out in Section 3.1 of this report, the Hutt City Growth Strategy does outline a requirement for better waste management for the future. No other site with of a comparable size with the characteristics of the site could be found reviewing cadastral maps. Other Rural Zoned land parcels do not have the distinct characteristics that distinguish the site. For these reasons, the application is not likely to set a precedent for the operation of industrial activities in the Rural Zone. A resource recovery park is also distinct from other industrial activities, as it does not involve the manufacturing or processing of goods but rather the management of waste. Indeed, the activity is unique, and this is reflected by the fact that Waste Management has been looking for a suitable site for over 15 years.

6.14 Summary: Adverse Effects

Overall, effects of the proposal are no more than minor.

7.0 Consultation and Notification

7.1 Consultation

Consultation has been undertaken with Ngati Toa and Taranaki Whanui. This included a meeting on site. Consultation has also been undertaken with Kiwi Rail and background to this is set out in the attached traffic assessment reports. Consultation is ongoing with all groups.

7.2 Public Notification

Section 95A of the RMA sets out steps to decide if an application must be publicly notified.

Step 1 – Mandatory Public Notification

-  Under Section 95A(3)(a), the application has not requested public notification of the application.
-  Under Section 95A(3)(b), public notification is not required under Section 95C; and
-  Under Section 95A(3)(c), the application is not made jointly with an application to exchange recreation reserve land.

The application is therefore not subject to mandatory public notification under Section 95A(2).

Step 2 – Public Notification Precluded in Certain Circumstances

-  Under Section 95A(5)(a), the application is not subject to a rule or national environmental standard that precludes public notification; and
-  The application is not for an activity listed in Section 95A(5)(b).

The application is therefore not precluded from public notification under Section 95A(4).

Step 3 – Public Notification Required in Certain Circumstances

-  Under Section 95A(8)(a), the application is not subject to a rule or national environmental standard that requires public notification; and

- Under Section 95A(8)(b), as summarized in Section 5 of this report, the activity will not have adverse effects on the environment that are more than minor.

Public notification of the application is therefore not required under Section 95A(7).

Step 4 – Special Circumstances

No special circumstances have been identified to require public notification of the application pursuant to Section 95A(9). The activity proposed is not unusual. It is a common activity to service urban areas. Notification is not anticipated to lead to information, above that provided that would benefit the decision maker.

Public Notification: Summary

Public notification is therefore not required under Section 95A.

7.3 Limited Notification

Section 95B of the RMA is limited notification of consent applications. As with s95A, s95B prescribes steps to be followed to determine if limited notification is required.

Step 1 – Certain Affected Groups and Persons

- Under Section 95B(2)(a), there are no protected customary rights groups (Section 95F) relevant to the area.
- Under Section 95B(2)(b), there are no protected customary marine title groups (Section 95G) relevant to the area.
- Under Section 95B(3)(a), the proposed activity is not located on land that is the subject of a statutory acknowledgement as it is owned by Ngati Toa. It is noted that land adjacent to the Hutt River is treated in the same manner as land that is subject to a statutory acknowledgement. In this regard, approval in principle has been provided by Taranaki Whanui verbally. Consultation is ongoing with Ngati Toa. It is noted that the land is owned by Ngati Toa.
- Under Section 95B(3)(b), there are no identified affected persons under Section 95E.

The application is therefore not subject to limited notification under Section 95B(4).

Step 2 – Limited Notification Precluded

- Under Section 95B(6)(a), the application is not subject to a rule or national environmental standard that precludes limited notification; and
- The application is not for an activity listed in Section 95B(6)(b).

The application is therefore not precluded from limited notification under Section 95B(5).

Step 3 – Certain Other Affected Persons

- The application is not for an activity listed in Section 95B(7); and
- Under Section 95B(8), no persons are affected for the following reasons:
 - The rail line is not a sensitive activity. The proposed use will not give rise to reverse sensitivity effects. All buildings are well set back from the rail corridor and maintenance of those buildings will not result in a safety risk to the tracks. It is noted that Kiwi Rail has been consulted about the rail-level crossing and this is as outlined in the land use consent for servicing (the application to be considered concurrently with this application).

- The State Highway is not a sensitive activity, and the effects of the proposal are compatible with those of the State Highway. This will not give rise to reverse sensitivity. Regarding traffic effects, the impact of these on the State Highway is considered acceptable. It is noted that a fencing agreement is registered on the Record of Title. This agreement does not impact on the area of the site Waste Management proposes to use.
- Effects on users of the Hutt River Trail are considered in the public notification section above, as the Trail is a public space area.

Overall, no person is adversely affected. Limited notification of the application is therefore not required under Section 95B(9).

Step 4 – Special Circumstances

No special circumstances have been identified to require limited notification of the application pursuant to Section 95B(10). As set out above, whilst the site has unique characteristics the activity is not particularly unusual. Limited notification to any person is not likely to provide additional information that would be of benefit to the decision maker.

Limited Notification: Summary

Limited notification is not required under Section 95B.

7.4 Summary: Notification

Based on the assessment above, there is no reason as to why this application should be subject to public or limited notification. As such, it is considered that this application can be processed without notification.

8.0 Statutory Assessment

8.1 Assessment Required

Section 104 of the RMA states the matters to be assessed:

s104 Consideration of applications

(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—

(a) any actual and potential effects on the environment of allowing the activity; and

(b) any relevant provisions of—

(i) a national environmental standard:

(ii) other regulations:

(iii) a national policy statement:

(iv) a New Zealand coastal policy statement:

(v) a regional policy statement or proposed regional policy statement:

(vi) a plan or proposed plan; and

(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

This section considers each of these matters where relevant. The status of the activity is non-complying. As such the test set out in s104D applies:

s104D Particular restrictions for non-complying activities

(1) Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—

(a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or

(b) the application is for an activity that will not be contrary to the objectives and policies of—

(i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or

(ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or

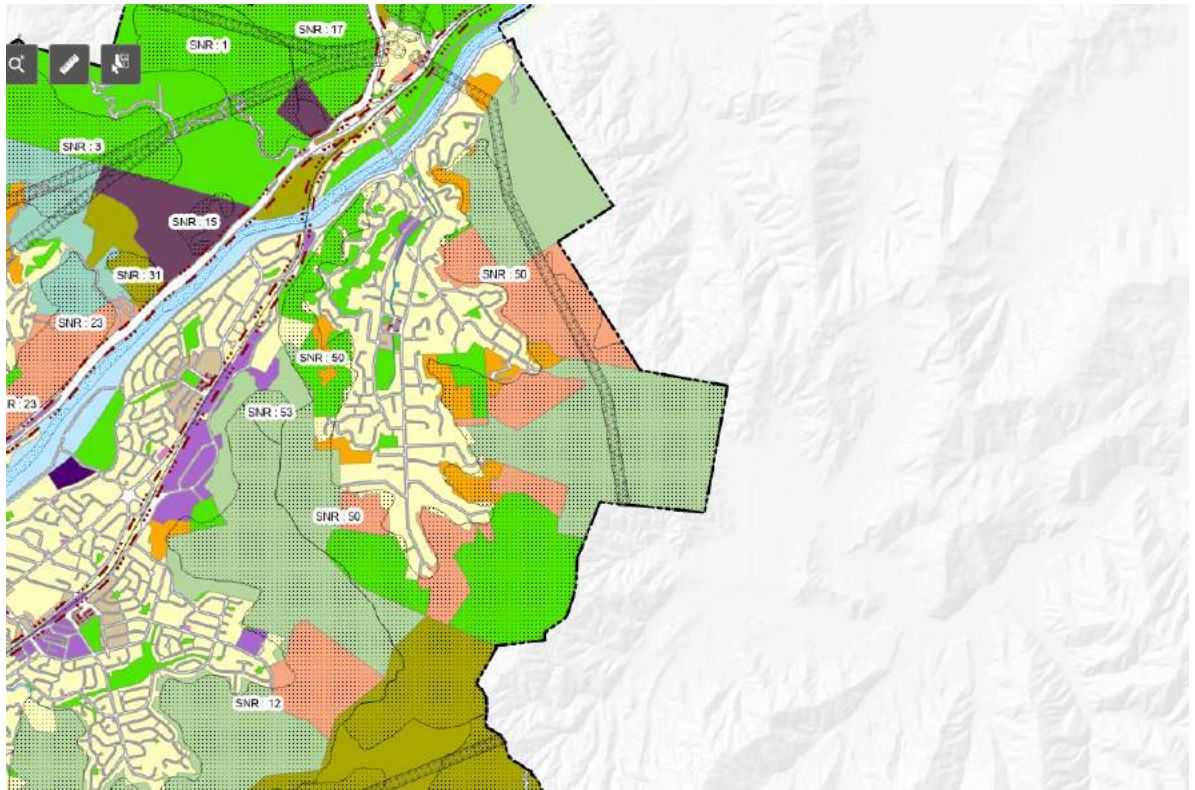
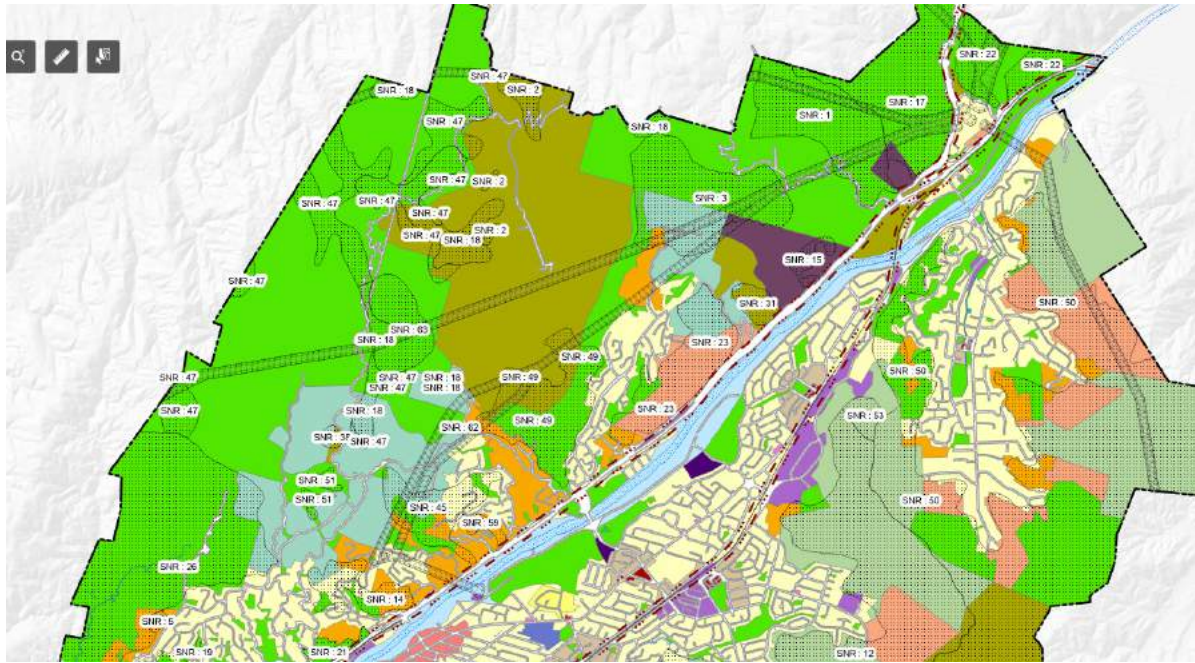
(iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.

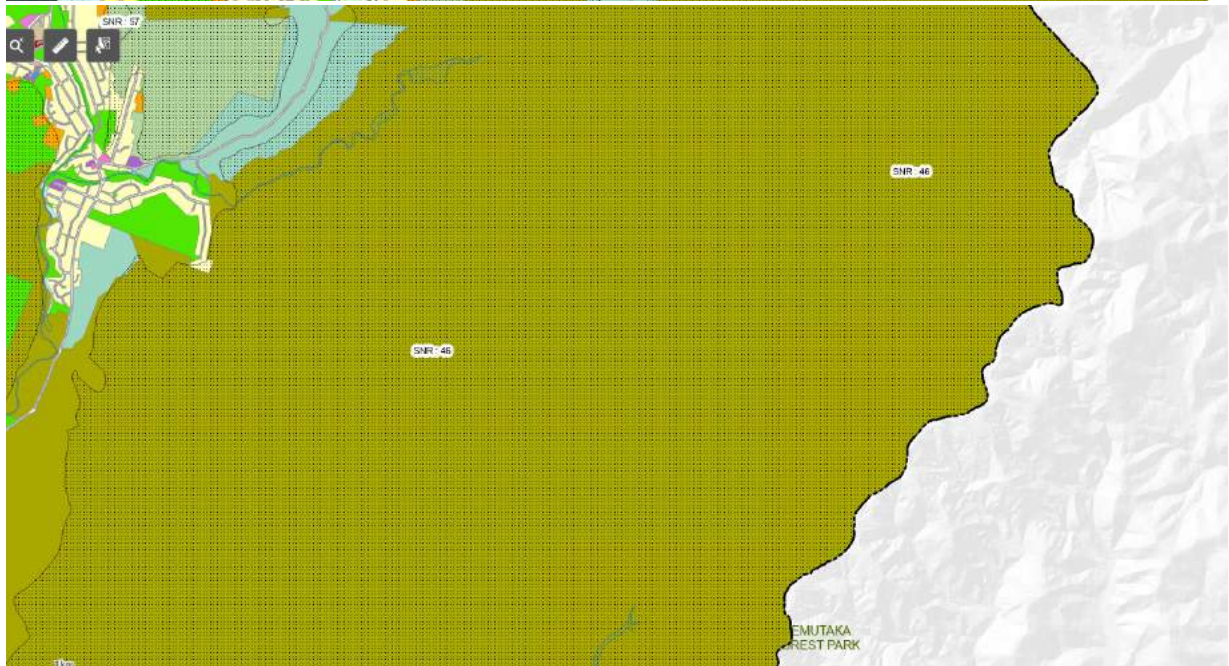
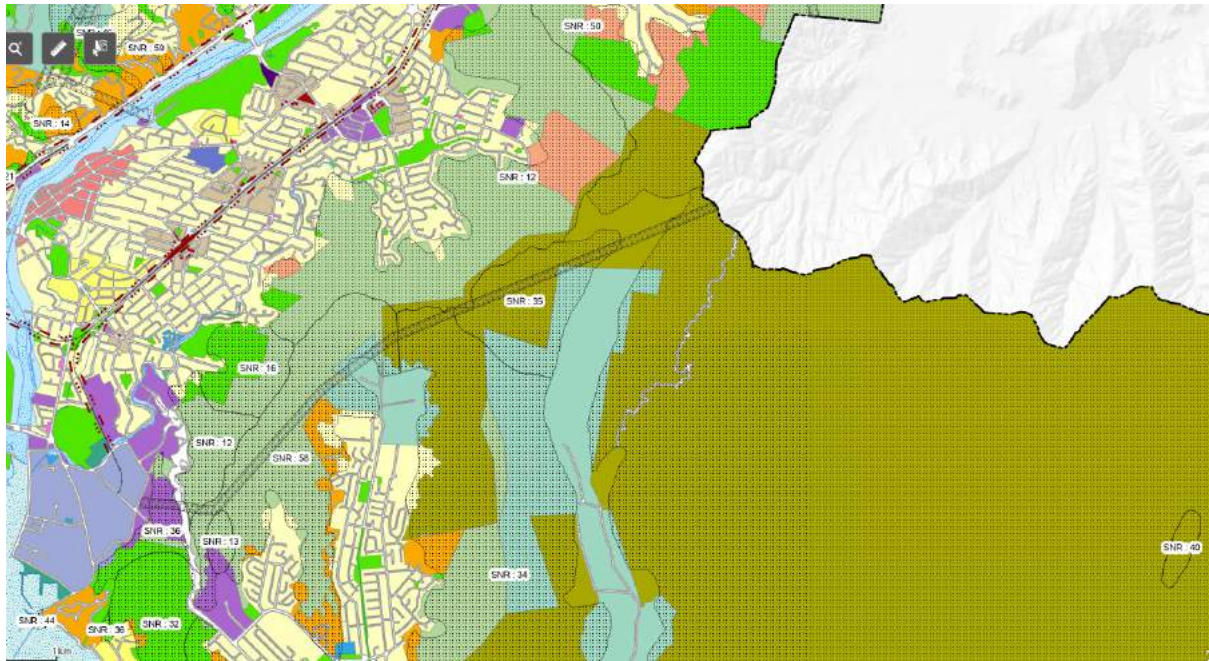
8.2 Plan Context

The site is zoned Rural. The closest activity to what is proposed is a waste transfer station. A waste transfer station is not permitted within any zone, as it is either discretionary or non-complying. This means that in a policy context the plan does not prefer any one zone over another for this type of activity.

The site is well suited to a resource recovery park because it is large, well separated from neighbours, and bound by land uses that are not sensitive (the rail line, river, and motorway). As set out in Section 3 of this report, the zoning of the site and surrounding land is at odds with the objectives and policies for the General Rural Zone. A review of zoning maps shows that no other Rural Zoned sites in the district are isolated in the manner of this site. All other Rural Zoned sites adjoin Rural-Residential Zoned sites or other General Rural Zone parcels or Conservation Zones.

The isolation of the site means that in the context of the plan it does not, and cannot, function as part of the wider Rural Zone or area. Due to this, development of the site does not impact on the wider Rural area and the character that it has. This is further set out below with reference to relevant objectives and policies. Maps showing the zoning pattern are included below, for reference.





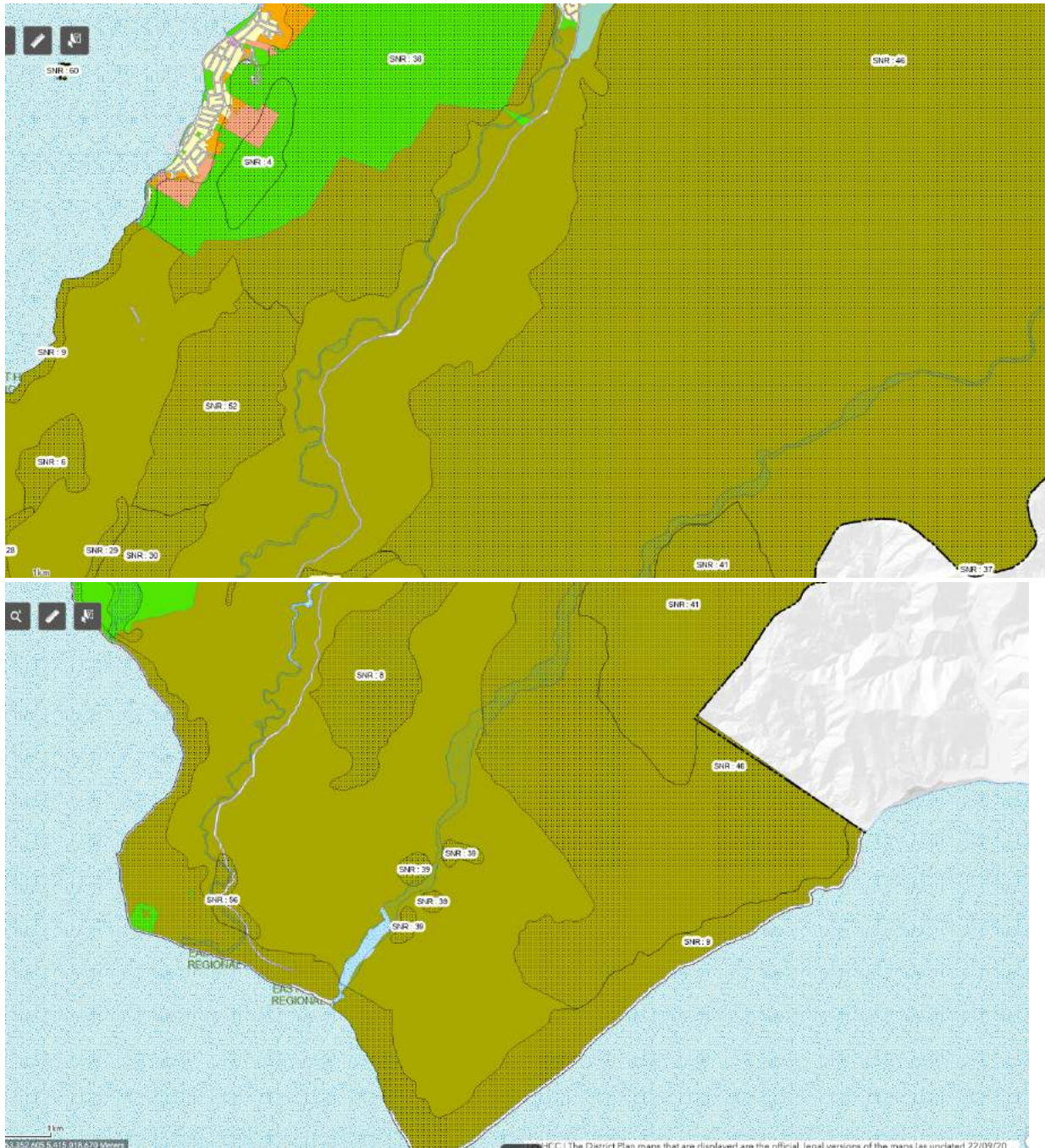


Figure 12 to 16: Location of Rural Zoned Areas within the Hutt City Territorial Area. Rural Zoned area shown in dark green.
Source: HCC GIS Maps

The Growth Strategy gives some clues as to why the zone is zoned Rural, referencing the natural hazard constraints that the site has that at a high level without mitigation could make it less suitable for urban uses. The proposal has addressed these constraints and the use proposed is considered appropriate. Notwithstanding the above, the site is zoned Rural, and the assessment below includes a full assessment against objectives and policies for the General Rural Zone.

8.3 Actual and Potential Effects on the Environment

Actual and potential effects on the environment are assessed in the Assessment of Environmental Effects in Section 6 of this report. These are no more than minor.

8.4 National Instruments

8.4.1 National Policy Statement for Highly Productive Land 2022 (NPSHPL)

The NPSHPL requires regional councils to map areas of highly productive land. Whilst there are exemptions and qualifying matters in a basic sense highly productive land is any land that is zoned for rural production and has LUC Class 1 – 3 soils and that is not shown as land indicated to be urban in the future. Prior to the maps being completed and for the purpose of s104 assessments, any land that is zoned Rural and has high-class soils is considered highly productive land.¹⁰ The NPS directs Council to avoid the establishment of activities that compromise the use of highly productive land.

In this case, the site is zoned Rural; however, consent has been granted to fill the site and soils on the site are already understood to be modified. Therefore, it does not meet the high-class soil test to be considered highly productive land. In addition, it is discussed in the Hutt City Growth Management Plan as being likely to be used for urban use in the future. The activity is therefore not contrary to the NPSHPL.

8.4.2 National Policy Statement for Freshwater Management 2020 (NPSFM)

The site is in proximity to two freshwater bodies: Dry Creek and the Hutt River. Dry Creek is currently partly invaded by weeds and pests and has been partly modified by historic activities.¹¹ However, as part of the granted application to undertake bulk earthworks; however, weed and pest control is to be undertaken, along with planting.

The proposal to establish a resource recovery park includes the following measures to reduce and mitigate effects on freshwater quality:

-  Undertaking all activities except for parking and bin storage indoors.
-  Water re-use.
-  Removal of contaminants off-site or via discharge to trade waste if this is not possible.
-  Stormwater treatment.
-  Stormwater detention, and
-  Planting.

This is a land use application and, as such, assessment of the proposal against the NPSFM should concentrate of the appropriateness of the effects the land use may have on freshwater bodies. The fundamental concept of the NPSFM is Te Mana o te Wai – refers to the fundamental importance of water and recognises the interrelationship between protecting the health of freshwater and health and well-being of the wider environment. The NPS states ‘Te Mana o te Wai is about restoring the balance between the water, the wider environment and the community’¹².

The proposal, considering the measures set out above, is not inconsistent with the objectives and policies for the National Policy Statement for Freshwater 2022 including the fundamental concept of Te Mana o te Wai for the following reasons:

¹⁰ MfE guidance – NPS Highly Productive Land 2022

¹¹ Tonkin and Taylor Land Use Consent Application for Fill

¹² NPSFM Section 1.3

-  It is understood that Taranaki Whanui and Ngati Toa are Mana Whenua. Ngati Toa and Taranaki Whanui have both been consulted during development of the project and their input sought. They will be provided with a copy of the application upon lodgement, and it is expected that Council will consult with them in the processing of this application. Ngati Toa are also the registered landowner.
-  The site is at the lower end of the catchment, bordering the Hutt River, and Dry Creek. Stormwater retention and treatment has been designed in an integrated manner.
-  The proposal does not threaten any significant habitats or the extent of wetlands or rivers, nor does it have any impact on water allocation.
-  The treatment of stormwater and management proposed, as well as separation of contaminated water from site and removal of contaminants off-site, is consistent with maintaining and improving water quality.

8.4.3 National Policy Statement for Urban Development 2020 (NPSUD)

The land is rural and the NPSUD is not directly applicable. The proposal, however, does contribute to meeting the purpose of the NPSUD. The Ministry for the Environment (MfE) states that the NPS-UD 2020 'recognises the national significance of:

-  having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural well-being, and for their health and safety, now and into the future
-  providing sufficient development capacity to meet the different needs of people and communities¹³.

The proposal contributes to the well-functioning urban environments by providing a facility that is essential to reducing and managing waste generation from the Wellington urban area. The activity requires a large area of land to function adequately. The subject site avoids consuming large amounts of industrial land and means this capacity is available to other industrial activities that support the growth and operation of Wellington's urban areas.

8.5 Wellington Regional Policy Statement 2013

The proposal will not be inconsistent with the Wellington Regional Policy Statement for the following reasons:

-  The proposal assists in business land capacity through its location and supports the sustainable growth of residential areas by providing a necessary service.
-  Air quality is maintained by the activities being conducted within buildings.
-  The resource recovery park will minimise waste in the region.
-  The quality of freshwater is maintained by the stormwater management proposed as well as stormwater quality treatment. Risk to freshwater is minimised, as all trade waste will be removed from site for treatment.
-  Vegetation that can be retained on-site has been incorporated into screening of the proposed activity.

¹³ <https://environment.govt.nz/acts-and-regulations/national-policy-statements/national-policy-statement-urban-development/>

-  No historic heritage will be impacted by the proposal and measures are in place to address any accidental find.
-  The site does not contain any significant indigenous biodiversity.
-  The site is not within any outstanding natural landscape and does not contain any outstanding natural features. It is not within a special amenity landscape.
-  Natural hazard risk has been reduced through the design of the proposal, including layout and site levels.
-  The site is not highly productive, and
-  The applicant has engaged with Tangata Whenua, as set out throughout this document.

8.6 Operative District Plan

8.6.1 Consideration of Objectives and Policies

General Rural Zone

Objective 1.1.1 To maintain and enhance the open character and amenity values that are prevalent in rural areas.

Policy:

- (a) To allow for those activities which are appropriate in rural areas, and which maintain and enhance the open character and amenity values of rural areas together with the intrinsic values of ecosystems.*
- (b) To ensure that sites are of a size that the open space character and amenity values of rural areas are maintained and enhanced.*
- (c) The preservation of the natural character of wetlands, lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development.*

The explanation statement for Objective 1.1.1 and the policies that seek to achieve it states:

The rural areas have qualities that are different from urban and rural residential areas. There are a range of factors which contribute to the open space character and amenity values of the rural area. This includes the nature of the activities, the large sites on which they take place and the very low intensity of buildings.

As set out in Section 2 of this report, the site's character has been modified by surrounding urban activities. The site is bound by the railway, and State Highway 2. The site does not have a typical rural character. The zoning of the site is unique in that no other isolated parcels of land are zoned Rural. As shown below, the surrounding area is zoned Residential, Avalon Business, or Recreation. It is therefore an isolated piece of land surrounded by areas that have a different planned character.

Whilst the activity proposes more built development than would be expected in the Rural Zone, as the site is isolated and not part of a wider rural environment, it does not conflict with maintaining and enhancing the open character and amenity values of rural areas. The site is not part of a rural area, so the amenity of rural areas of the city are not impacted by the proposal.

The site does not have a high degree of natural character due to past land modification and filling and as set out in the Landscape Assessment Report. The proposed planting on the Greater Wellington Regional Council land that forms part of this proposal will contribute to natural character. Planting along

Dry Creek due to the bulk earthworks consent will continue to contribute to the natural character of the site, and this planting will not be impacted by the proposal.

1.1.3 Slope Stability and Soil Conservation

Objective: To ensure that adverse effects arising from activities are appropriately managed to ensure slope stability and soil conservation.

Policy:

- (a) To manage the use and land characterized by steep topography and poor soils so to ensure slope stability and soil conservation.*

The site is not steep. It is to be subject to bulk earthworks and the use is suitable for the underlying soils. Geotechnical input during construction and detailed design will ensure the stability of the site.

1.2.1 Minimum Requirements for Sites and Buildings

Objective: To recognize those elements within the site that determine the character, amenity values and adverse effects of flood hazards of rural areas and manage them appropriately.

Policy:

- (a) To ensure the character and amenity values of rural areas are maintained and enhanced through minimum site area conditions for dwellings.*
- (b) To require minimum set back requirements and maximum site coverage for all buildings.*
- (c) To establish appropriate minimum conditions for the size and shape of sites.*
- (d) To manage the siting of all buildings and structures to mitigate the effects of a flood hazard on development.*
- (e) To discourage siting of buildings in the primary and secondary river corridors.*
- (f) To ensure that buildings and structures in the Primary or Secondary River Corridor of the Hutt River have no more than minor adverse effects on flood protection structures.*
- (g) To mitigate the effects of flood hazards on buildings and structures in the primary and secondary river corridors by managing their location, size, and scale.*

The proposal utilizes a portion of the overall site. Whilst the site coverage for the zone is not met, the ratio of buildings to open space is appropriate for the character of the area the site is a part of; noting that the objective refers specifically to the character of the site itself.

A portion of the site where buildings are proposed is within the secondary river corridor. As discussed in Section 6 of this report the site will not be subject to inundation in a 1 in 440-year event. With reference to the appended flood assessment report, no proposed buildings are in an area that is subject to flooding. The proposal does not impact on any flood protection structure.

Transport

Objective 14A.3.1

A safe, efficient, resilient, and well-connected transport network that is integrated with land use patterns, meets local, regional, and national transport needs, facilitates, and enables urban growth and economic development, and provides for all modes of transport.

Objective 14A.3.4

Adverse effects on the safety and efficiency of the transport network from land use and development that generate high volumes of traffic are managed

Objective 14A.3.5

Adverse effects on the safety and efficiency of the transport network from on-site transport facilities (vehicle access, parking, manoeuvring, and loading facilities) are managed.

Policy 14A 4.5

Any activity that is a High Trip Generator must be assessed on a case-by-case basis. Adverse effects of High Trip Generators on the safety and efficiency of the transport network should be managed through the design and location of the land use, subdivision, or development.

Policy 14A 4.6

Vehicle access, parking, manoeuvring, and loading facilities should be designed to standards that ensure they do not compromise the safety and efficiency of the transport network.

Policy 14A.4.7

The transport network, land use, subdivision and development should provide for all transport modes.

Policy 14A 4.2

Land use, subdivision and development should not cause significant adverse effects on the connectivity, accessibility, and safety of the transport network, and, where appropriate, should:

-  *seek to improve connectivity within and between communities; and*
-  *enable walking, cycling and access to public transport.*

Comment:

The proposal is consistent with these objectives and policies for the following reasons:

-  All modes are provided for, including walking and cycling. Electric vehicle charging is provided.
-  With reference to the traffic assessment, the road network will be able to cater for the number of vehicles proposed, subject to the upgrades proposed.
-  No issues have been identified regarding traffic safety which are not addressed by the proposed upgrades.
-  Internal circulation and parking provision is sufficient.

Natural Hazards

14H 1.1.1 Objective:

To avoid or reduce the risk to people and their property from natural hazards associated with seismic action, landslides, flooding, and coastal hazards.

Policy:

- (a) That the area at risk from fault rupture causing permanent ground deformation along the Wellington Fault be managed by the Wellington Fault Special Study Area to address the effects of subdivision and development on the safety of people and their property.*
- (b) That suitable engineering and emergency management measures be adopted to safeguard people and their property from liquefaction, ground shaking and tsunami hazards.*

- (c) That where areas susceptible to landslide have been identified, appropriate conditions of compliance will be provided to mitigate the adverse effects of subdivision and development on the vulnerability of people and their property.*
- (d) That suitable engineering, emergency management and land use control measures be adopted to reduce the vulnerability of people and their property to flood hazards.*
- (e) That suitable engineering, emergency management and land use control measures be adopted to reduce vulnerability of development along the coast.*

Comment:

As set out in Section 6.8.1 of this report, the layout of the site has been designed so that buildings avoid the fault line hazard area and no-build area. The flood hazards are reduced through site levels and proposed floor levels of the buildings.

Earthworks

14I 1.4 Objective:

To ensure earthworks in the Primary or Secondary River Corridor of the Hutt River do not affect adversely flood protection structures.

Policy

To ensure that earthworks in the Primary or Secondary River Corridor have no more than minor adverse effects on flood protection structures.

Comment:

Due to the bulk earthworks, the level of the site is outside the 1 in 440-year flood plain. The earthworks proposed as part of this application are for building foundations and leveling only. This is minor and will not affect any flood protection structure.

8.6.2 Conclusion: s104D (RMA)

The proposal satisfies both parts of the 'gateway' test. As set out in Section 6 of this report, effects of the proposal are no more than minor. This report concludes that the proposal is not inconsistent with the relevant objectives and policies of the planning framework.

8.7 Other Matters

Section 104(1)(c) requires a consent authority to have regard to any other matter it considers relevant and necessary to determine an application for a resource consent. In this case, the activity is non-complying, and the integrity of the plan may be considered as an 'other' matter as may Iwi Environmental Management Plans.

8.7.1 Integrity of the City of Hutt District Plan

As set out above, the site is distinct from other rural sites and for this reason the proposal is unlikely to compromise the integrity of the Plan.

8.7.2 He Kākano - An Introduction to the Ngati Toa Iwi Environmental Management Plan

He Kākano sets the context for a future Iwi Environmental Management Plan for Ngati Toa. The objective of Ngati Toa that enables environmental leadership is *Te Ao Turoa: Nurturing a resilient environment to sustain future generations*.

The document states, “our plan for the future is built on the footprints of the past” and this means;

- Reconnecting with the ancestral landscape – the original activities, traditions, tikanga, values associated with places.
- Confronting errors of the past – addressing harmful historical activities that have compromised te taiao.
- Planning for the future to enable the reconnect with the ancestral landscape and confront challenges such as climate change.¹⁴

The document also describes what an Iwi Environmental Plan is and questions and issues the Plan will seek to address.

As set out above, Ngati Toa is the registered landowner and consultation with them has been ongoing. Elements are incorporated into the development to lessen the environmental footprint of the activity, both through the mitigation measures proposed and through the features of the site; EV Chargers, facilities that encourage waste reduction, solar panels, and water management.

8.8 Part II RMA

The planning instruments referred to above are generally comprehensive in the way that they give effect to Part II matters under the RMA, although the Lower Hutt District Plan is dated, particularly as it does not directly envisage resource recovery parks. Section 8B.2.3.1 of the District Plan also states that Part II matters will be specifically considered in the assessment of applications. For this reason, an assessment against Part II of the RMA is set out below.

8.8.1 Section 5

Regarding s5, the proposal provides an essential waste management facility to meet the need of the community to provide for social and economic wellbeing and health and safety. The project effectively sustains the urban land resource and contributes to sustainability in a wider sense by facilitating waste reduction and implementation of the waste management hierarchy. The proposal does not impact on safeguarding the life-supporting capacity of air, water, soil, or ecosystems. It has incorporated several measures, these of which have been discussed throughout this report; to avoid, remedy, or mitigate adverse effects. Overall, the proposal is consistent with the purpose of the RMA that is to promote the sustainable management of natural and physical resources.

8.8.2 Section 6

Under s6, the proposal recognises and provides for relevant matters of national importance. Specifically:

¹⁴ He Kākano, Page 3 as accessed on 25 January 2023, <https://static1.squarespace.com/static/61a403b442b8840d9ed2143a/t/61e6755137970d62dea7aaba/1642493343646/He+Kakano.pdf>

-  Planting proposed maintains natural character of the area in general, taking into account the context of the site. The proposal is not an inappropriate use or development (s6(a)).
-  Public access to the Hutt River is maintained and not impacted by the proposal (s6(d)).
-  Ngati Toa and Taranaki Whanui have been consulted during the preparation of the proposal. The site is ancestral land. No waahi tapu items are identified in relevant planning documents, nor have any been identified by Mana Whenua during consultation to date (s6(e)).
-  The proposal has been designed to reduce the risk from natural hazards and the remaining risk is not significant. Specifically, management of natural hazards is achieved by locating all buildings above the 1 in 440-year flood level and avoiding any building within the identified no-build area associated with the Wellington Faultline (s6(h)).

8.8.3 Section 7

Under s7, the proposal has regard to other matters. Specifically:

-  The proposal includes measures to reduce and mitigates effects on the environment and this has regard to kaitiakitanga, the ethic of stewardship, and the maintenance and enhancement of the quality of the environment (s7(a), 7(aa), and 7(f))
-  The site utilises a piece of land that would be unsuitable for many other purposes efficiently (s7(b)).
-  Urban land is a natural and physical resource that is finite in Wellington, due to topographical constraints. The proposal has regard to the finite nature of industrial land by locating on what is effectively a greenfield site (s7(g)).
-  Due to separation distances from sensitive activities and mitigation incorporated into the proposal, amenity values are maintained (s7(c)).

8.8.4 Section 8

The proposal takes into account the principles of the Treaty of Waitangi. As discussed throughout this report, the consultation has been undertaken with both Taranaki Whanui and Ngati Toa. . No concerns have been identified by Ngati Toa to date, with further comment expected during the processing of this consent. Through consultation, the proposal has taken into account the principles of the Treaty of Waitangi.

9.0 Conclusion

Waste Management NZ propose a modern, fit-for-purpose resource recovery park to be accessed from Benmore Crescent, Manor Park, referred to as Te Rangihātea. Waste Management has been looking for a site to establish a resource recovery park for over 15 years. The subject site is well suited for the proposal, as it is a large vacant site that is close to the urban area and avoids the consumption of existing urban-zoned land. The proposal incorporates several environmental initiatives.

The site is too small to be used for rural production purposes and has been modified over successive years. It is not overly suitable for residential use, given the land sits over the Main Wellington Faultline, is within the buffer corridor for both the Rail Line and State Highway, and is in proximity to the Hutt River Secondary River Corridor. The resource recovery park, however, can be designed to avoid the no-build line and reduces risk by proposing non-habitable activities. By reducing the effects of natural

hazards, the proposal can efficiently use a piece of land that is central to the urban area of Wellington and may otherwise remain underutilised. Urban land is an important resource that is coming under increasing pressure and is decreasing in supply, as recognised by national policy and direction. It also utilises the site in a way generally consistent with the Hutt City Growth Strategy.

The proposed resource recovery park will not only manage waste but will actively contribute to reducing waste in the area it serves. It includes activities such as the repair shed and second-hand goods store that encourage re-use and upcycling. Material recovery is also proposed. The facility will directly contribute to achieving objectives of the Waste Minimisation Act 2008 and reduce overall effects associated with waste generation in the Wellington Region.

The proposal has been carefully designed to reduce and mitigate effects. Several mitigation measures are included in the proposal: including comprehensive water re-use, removal of any trade waste off-site for treatment, stormwater treatment and retention, and planting. Hours of operation control amenity effects that, due to the location of the site and design of the proposal, are minor. The buildings will be visible from some viewpoints. To reduce visual effects planting and use of recessive colours are proposed. The roads that will serve the park have been designed by an appropriately qualified expert who has determined that traffic effects are acceptable. As stated above, natural hazards are well managed through the proposal's design. Overall effects are no more than minor.

The proposal maintains consistency with the objectives and policies of the planning framework, including national policy direction. It does not compromise highly productive land, will ensure the capacity of land available for urban activities and manages effects on freshwater. Mana Whenua have been consulted during the development of the proposal and consultation is ongoing. Environmental effects have been managed as set out above and risk from natural hazards is reduced. The proposal provides a facility that will meet the needs of both current and future generations

The proposal adequately gives effect to matters of national significance and takes into account matters of importance, stated in Part II of the RMA. The proposal has considered the principles of Te Tiriti o Waitangi and achieves the sustainable management of resources both by the nature of the activity proposed and through management of effects on site.

Overall, the proposal satisfies both parts of the s104D test and consent is warranted subject to appropriate conditions.

10.0 Limitations

We draw your attention to the following notes and limitations on our liability:

-  This report has been prepared based on information supplied by our client; Waste Management (NZ) Ltd, and their expert advisors.
-  In the event of any inconsistency between the plans submitted as part of this application and this report, the plans take precedence including calculations and dimensions provided.

-  This report and application are based on planning provisions dated at the time of writing. Planning provisions may change over time. If there is delay in lodging this application, part of the application may become inaccurate.
-  We have taken care to identify all reasons for consent. Our assessment is based on the appended plans and information and is therefore sufficient to address any reasons for consent that may not have been identified or that have arisen because of any delay between the completion of this report and it being lodged.
-  This report has been prepared for Waste Management (NZ) Ltd our client, and their advisors for the purpose of applying for resource consent. We do not accept liability for use of this report for any other purpose or by any other party.