

If calling ask for Philip McKay 027 495 5442
TRIM/File Ref 52312#



13 February 2020

Hastings District Council
c/- Rachel Signal-Ross (Agent)
Tonkin & Taylor Ltd
PO Box 5271, Wellesley St
AUCKLAND 1141

E-mailed to: rsignal-ross@tonkintaylor.co.nz

Dear Rachel,

Application for Alteration of Designation: RMA20190573 – Omarunui Landfill – Development of Area B - 329 Omarunui Road

An initial assessment of your application for resource consent has now been completed.

Under section 92 of the Resource Management Act (RMA) 1991, the Hastings District Council requests further information to fully assess your proposed activity, its effect on the environment and the ways in which any adverse effects on the environment might be mitigated.

Council (as regulatory authority) received the above alteration of designation application from the Hastings District Council (as requiring authority) on 20 December 2019. The application is a Notice of Requirement to alter Designation D123 'Omarunui Regional Landfill Site' to authorise construction and operation of 'Area B' for the disposal of municipal waste. The application is made jointly with resource consent applications to the Hawke's Bay Regional Council for air and water discharges associated with Area B. The following requested information relates to the alteration of designation application and any additional information required for the resource consent applications will be separately sought by the Hawke's Bay Regional Council.

Additional information required to process this application includes:

1. Visual and Landscape Effects

The subject site is located within two identified Rural Landscape Character Areas, being RCL3 'Tutaekuri Valley' and RCL4 'Hills Surrounding Heretaunga Plains' and as such a greater level of information is required than if the subject site was in an area without any identified landscape significance. On that basis the following additional information is sought:

- a) Appendix N of the application includes a report from Evergreen Landscapes Ltd, titled: 'Landscape Assessment Omarunui Landfill Area B Proposed Landfill Site' (the "Landscape Assessment"). That report refers to various plans and site photos as appendix documents. The only document appended to the report however is 'Figure 8: Proposed Landscape Plan'. Please therefore provide the remaining plans and photos referred to in the Landscape Assessment but not provided in Appendix N of the submitted application.
- b) The Landscape Assessment makes no reference about the location of the subject site being within the Rural Landscape Character Areas RCL3 and RCL4 as identified in the Proposed Hastings District Plan (the "District Plan"). An addendum to the Landscape Assessment, or an amended report, is therefore requested to assess the potential effects of the application in regard to the 'management issues' identified in Appendix 45 of the District Plan for RCL3 and RCL4. If necessary, the AEE should also be amended to accommodate any resulting additional recommendations from the Landscape Assessment.

2. Amendments to Omarunui Landfill Management Plan – Appendix 24

The alterations to the Omarunui Landfill Management Plan in Appendix 24 of the District Plan are provided as track changes in Appendix E of the application. The changes are in turn referenced and explained in section 9.3.3 of the application AEE. It is noted that the alteration to the designation is those yellow highlighted track changes in Appendix E, however the non-highlighted track changes relating to the Area E Cleanfill and other matters may cause confusion when the application is publicly notified as to whether those changes form part of the application. Further to this section 9.3.3 does not explain the reasons for all of the yellow highlighted changes. The following information is therefore sought:

- a) Please provide a background explanation in section 9.3.3 of the Application AEE as to the non-highlighted track changes from 2014 included in Appendix E and the process by which those amendments were made to the District Plan Appendix. If the existing District Plan Appendix 24 is in error by not showing these 2014 amendments, please explain this.
- b) Please provide explanation in section 9.3.3 of the yellow highlighted track changes in section 3.3 of Appendix 24 adding the wording:
 - i. the *“final approved cover system”*; and
 - ii. *“...or authorised by resource consent.”*
- c) Please provide explanation in section 9.3.3 of the yellow highlighted track changes in section 3.11 of Appendix 24 adding the wording *“the Omarunui Landfill Waste Disposal Conditions”*.

3. Quantification of Traffic Effects

The Application AEE identifies at section 7.1 that some surplus soil will be taken off the site. It also identifies at section 7.1.6 that there will be a concentrated delivery of aggregate for the leachate collection layer. Please provide estimates of the likely quantity of soil to be taken off the site and the likely quantity of aggregate to be brought onto the site both in cubic metres and truck movements and the time period over which these activities are likely to occur. Such information will help to quantify whether such traffic movements will be significant in comparison to the average daily operational heavy vehicle movements to and from the site.

4. Cultural Values and Mana Whenua Engagement

This important aspect of the application is relevant to both the alteration to designation and resource consent components. I understand that in assessing the further information requirements for the resource consent component of the application, the applicant and Hawke's Bay Regional Council have an agreement to extend the RMA timeframes for seeking such information. I also understand that there is ongoing engagement with mana whenua. On that basis the need for further information on these aspects of the application will be assessed in conjunction with the Hawke's Bay Regional Council to cover both components of the application in due course. In the meantime any additional information on cultural values or mana whenua engagement that is available since the application was lodged would be appreciated.

Other Matters:

- 1) In regard to section 13.9.2 of the Application AEE, 'Iwi Management Plans', there are several errors which I recommend be corrected in an amended version of the application for notification, as follows:
 - i. Section 13.9.2.2 'Mana Ake'. The last sentence of the first paragraph states *“Te Taiwhenua o Heretaunga marae is not in the immediate vicinity of the landfilling activities.”* There is however no such marae as Te Taiwhenua of Heretaunga is an organisation which represents the various hapu and marae of the Heretaunga Taiwhenua. A more correct statement would be *“There are no marae in the immediate*

vicinity...”

- ii. Section 13.9.2.3 ‘Tūtaekurī Awa Management and Enhancement Plan’. This plan represents multiple hapū. The last sentence of the first paragraph should therefore be plural when referring to hapū with kaitiakiatanga.

In accordance with section 92A of the Act you must within 15 working days of the date of this request, take one of the following options:

- iii. Provide the information; or
- iv. Inform the Council in a written notice that you agree to provide the information; or specify a reasonable timeframe for providing the information for agreement of Council, or;
- v. Inform the Council in a written notice that you refuse to provide the information.

A decision on your application has been placed on hold awaiting your response to this request, in accordance with section 88B of the Act. Where possible however, the application will continue to be processed as allowed by the information already supplied.

Please contact me if you have any questions regarding the above information request or the further processing of the application.

Yours sincerely



Philip McKay
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on behalf of Hastings District Council
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Authorised by:



Caleb Sutton
Team Leader Environmental Consents /
Subdivision, Hastings District Council