

ref: Thornton/30426

26 August 2025

Hutt City Council

Via dan.kellow@huttcity.govt.nz

Dear Dan,

ADDENDUM TO RESOURCE CONSENT FOR CLEANFILL ACTIVITIES AT 1044 COAST ROAD, WAINUIOMATA COAST (HCC REF: 240334)

We refer to the Notification Report in relation to the above resource consent application lodged with Hutt City Council on 15th November 2024.

We wish to advise that since lodgement:

- 6th February 2025 – Hutt City Council (HCC) notified their Proposed District Plan (PDP). Hearings have not progressed due to uncertainty in relation to government direction to stop work on any plan changes pending new legislation and national direction proposed to be introduced in 2026.
- 27th March 2025 – The Cabinet agreed to remove Land Use Capability (LUC3) soils from the definition of highly productive land within the National Policy Statement for Highly Productive Land (NPS-HPL). The formal revision of the NPS-HPL is still pending.
- 8th August 2025 – Greater Wellington Regional Council (GWRC) granted consent non-notified for the activity subject to conditions (WGN250145). A copy of the decision is included in **Attachment A**.
- Various other changes in response to the Section 92(1) request from HCC and to meet GWRC requirements.

I'll address how each of these affect the proposal in more detail below.

Proposed District Plan

The PDP as notified had no material effect on the proposal, as it proposed to retain the existing Rural Zone. As per Minute#1 of the Hearings Panel, hearings for the PDP are placed on suspend pending further advice in relation to the Government's announcement on the 16th July 2025 to stop any further Council plan changes until avoid work that might need to be redone once new legislation and national direction are introduced in 2026.

Therefore, no assessment against the PDP has been carried out at this time, as it would be

of very little bearing on the decision. It is my opinion that it would have very limited weighting given the high degree of uncertainty surrounding any of its provisions as it is subject to both significant change, and challenge.

The site is also not subject to any rules which have immediate legal effect under section 86B of the RMA as none of the rules that effect the site under the PDP relate to significant indigenous vegetation, habitats, indigenous fauna or historic heritage.

Therefore the PDP is of no relevance.

Highly Productive Land

Once the NPS-HPL is amended, the site would no longer contain highly productive land. The amendments are yet to be formally made, and until that time note that it is still currently defined as highly productive land. I anticipate the changes to be made soon, and if made before consent is granted, conditions will need to be amended accordingly.

Greater Wellington Regional Council

GWRC granted resource consent for cleanfill activities, earthworks and associated discharges under the Natural Resource Plan including Plan Change 1.

Their decision related to managing of the cleanfill specifically, along with proximity to the streams and wetlands, water quality from discharges, erosion and sediment controls, and flooding effects.

We note that under section 30 and 31 of the RMA, there are numerous matters where territorial and regional responsibilities have some overlap. These predominantly relate to management of contaminated soils, erosion and sediment control and flooding.

Many of the proffered conditions overlap between HCC and GWRC responsibilities.

We would therefore seek prior to granting of consent, that the conditions align to avoid slight variations on specifics between GWRC and HCC, and avoid duplication where possible so that it's clear who is responsible for various aspects of compliance and monitoring.

The application to GWRC was processed as non-notified subject to conditions. A copy of the decision and conditions is included in **Attachment A**.

Other Changes

In response to the section 92(1) from HCC, and the assessment of the GWRC consent, the following changes have also been made:

- The applicant will maintain the berm vegetation within 180m of the vehicle entrance to a height of no more than 1m to ensure that there is good visibility for trucks leaving and entering the site.
- The applicant will install 'trucks crossing' signage near the vehicle entrance to ensure that motorists and cyclists on Coast Road are aware of the presence of trucks nearby to improve awareness and safety.

- To manage on-site noise further, limitations will be imposed on the type of equipment, and duration of their use.
- The maximum area of any unstabilised material is to be limited to 2,500m² which is the maximum area that can be adequately serviced by 2 x 10,000L water trucks for dust management over an 8 hour period according to Ministry for the Environment Guidelines, if dust management is required.
- Reduce the maximum area of any stage to no more than 1.5ha. This minimises the extent of the site that may be opened up for cleanfilling at any time.
- Site rehabilitation to be carried out progressively in stages (i.e. per 1.5ha stage).
- Screen planting is proposed to be carried out in stages, with priority given to the bends in Coast Road and the northern boundary. With the exception of internal planting on the northern boundary, planting is to be indigenous.
- Rehabilitation planting within 10m of the wetlands will be carried out prior to the completion of all cleanfill activities, with rehabilitation of Proposed Planting Area 3 being 8,843m³ of wetland area commencing prior any cleaning fill operations commencing, providing a substantial ecological net benefit.
- Updates to the Erosion and Sediment Control's including plans such as the addition of clean water diversions and potential use of flocculation.

CONCLUSION

I consider the changes outlined above further reduce the actual and potential effects on the environment outlined in the original Assessment of Environmental Effects (AEE).

I remain of the view that effects on the environment are no more than minor, and able to be managed with conditions to be acceptable.

I remain of the view that effects on persons living nearby are no more than minor as noted in the AEE, acknowledge minor nuisances from activities, dust and truck movements may be present. I maintain the view that this is largely limited to 904C/D directly to the north and only during Stage's 4 and 5. I remain of the view that all other properties are sufficiently separated to unlikely be affected in any material way that would alter the use or quiet enjoyment of their properties.

In relation to No. 904C/D, I consider any minor effects to be limited to visual and noise, both of which can be mostly mitigated through noise management, and screening planting, to an acceptable level.

I consider that the cleanfill has many positive effects which were outlined in the original AEE and include:

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- The environmental and economic benefits of reducing truck movements and haulage of material;
- The environmental and economic benefits to existing landfill operations by diverting cleanfill away;
- The environmental benefits of reducing illegal dumping of cleanfill;
- Reduced cost of housing associated with the economic benefits of having a cleanfill closer to the development site; and
- Substantial benefits in terms of rehabilitation of streams and wetlands during and at completion of the cleanfilling activities, which will result in a net ecological gain.

I remain of the view that the proposal is consistent with the relevant objectives and policies and that the HCC is able to grant consent to the proposal subject to the imposition of appropriate conditions, as outlined in the amended Proffered Conditions set in **Attachment B**.

If you have any queries, please contact me on 021 449 053 or via email.

Yours sincerely



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