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# **WAINUIOMATA CLEANFILL COMPLIANCE**

## **COMPLIANCE ASSESSMENT 2**

FEBRUARY 2021

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**USE OF THIS REPORT**

This report has been prepared by The Catalyst Group at the request of our client for the purposes for which they intended. Where we have relied on information from external sources, we have referenced these sources as appropriate and assumed them to be accurate. If you are unsure about interpretation of the content of this report, or its use beyond that for which the client intended, please get in touch with us at [enquiries@thecatalystgroup.co.nz](mailto:enquiries@thecatalystgroup.co.nz)

Please reference this report

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**CONTRACT REPORT NO:**

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## OVERVIEW

### PURPOSE

This report sets out the findings of the second external compliance assessment for the Wainuiomata Cleanfill prepared for the consent holder, Hutt City Council (the 'Council'). This compliance assessment has been completed by Tess Drewitt, Senior Planner – Resource Management at The Catalyst Group ('TCG') with the assistance of Greg Carlyon, Principal Planner.

The deliverables associated with this contract are as follows:

- Review documentation obtained from the Council.
- Undertake a site visit with representatives from the Council and the Community Liaison Group ('CLG').
- Produce a report for the Council.
- Present the report to the Council and CLG.

This assessment has been prepared pursuant to Condition 25 of resource consent RM190050, which requires the Council to 'engage an independent audit of the site on a six (6) monthly basis to ensure that the site is operating in accordance with the conditions of consent.'

### THE CLEANFILL

The Wainuiomata Cleanfill is located at 130 Coast Road, Wainuiomata. The site is owned by the Council and was previously part of a larger lot that included the Wainuiomata Wastewater Treatment Plant ('WWTP'). In September 2008, the WWTP was decommissioned and the site was subdivided, including the site now used as the cleanfill. Resource consent for the cleanfill was granted by the Council and Greater Wellington Regional Council ('GWRC') in August 2011.

Consent provided for a two-staged fill occurring over 6 years to April 2017. Stage 1 and 2 are now complete, with Stage 1 closed in December 2019. The Council's land use consent was subsequently renewed in November 2019 to provide for Stage 3 being a southward expansion of the cleanfill. The expansion provides for an additional 117,000 m<sup>3</sup> of cleanfill being deposited on the site, with a maximum height above ground level of approximately 12 metres. The resource consent is valid for 2.5 years.

### SCOPE OF ASSESSMENT

This report assesses compliance with resource consent RM190050 held by the Council during the six-month assessment period, being September 2020 to February 2021. This assessment is confined to assessing compliance with conditions of consent RM190050 and does not extend to matters outside of this consent, including:

- Whether the cleanfill operation is consistent with any other National Environmental Standard, or district and regional plan requirements (e.g., compliance with permitted activity standards).
- Any related compliance processes, including the use of enforcement tools.
- The appropriateness of any conditions of consent.

- Matters relating to the relationship between the Council and any other party except where requirements are explicitly set out in the consents.
- Matters relating to the GWRC consents.

## DOCUMENTS REVIEWED

The following material has been reviewed in preparing this assessment:

- Decision by Independent Commissioner Mr Robert Schofield in relation to a resource consent application made by Tonkin & Taylor Ltd ('T&T') on behalf of the Council for the expansion of the existing cleanfill at 130 Coast Road, Wainuiomata, dated 18 December 2019 (the 'Decision').
- Wainuiomata Cleanfill Compliance Report 1, prepared by TCG, dated 13 August 2020.
- Site Management Plan ('SMP') for Cleanfill Operations, prepared by T&T, dated February 2020 (November 2020 update following CLG request)
- Wainuiomata Cleanfill - Draft Noise Management Plan, prepared by T&T, dated February 2020
- CLG meeting minutes, from March - November 2020
- Complaints register held by the Council, from 31 January - 22 December 2020.
- SMP non-compliance register, undated.
- Waste Volumes record, from August - December 2020.
- Noise Monitoring Results - 17 December 2020, prepared by T&T, dated 26 January 2021
- Noise Monitoring Results - September 2020, prepared by T&T, dated 29 October 2020
- Noise Monitoring Results - July 2020, prepared by T&T, dated August 2020.
- Site monthly inspection and compliance audit sheets, from 31/10/2020 to 29/01/2021
- Various email communications between the Council as consent holder and regulatory authority, and the Council and members of the CLG, within the review period.

I also conducted a site visit with the Council (as consent holder and regulatory authority) and several members of the CLG on 15 February 2021.

## LIMITATIONS AND ASSUMPTIONS

This compliance assessment has the following limitations:

- It is a point in time assessment based on information obtained from the consent holder and through the site visit. It is therefore dependent on the information provided and what I was able to witness at the site visit. This audit only assesses compliance in the window of time being September 2020 - February 2021 (the 'assessment period').

- Aside from the site visit, I have not had any direct communications with the CLG regarding any non-compliances. This matter has been addressed by my colleague Charlie Hopkins.

The assessment also assumes that:

- the information provided by the consent holder and the regulator is true and correct; and
- the consent holder has not omitted any information relevant to this assessment.

## COMPLIANCE RATINGS

The assessment provides a compliance rating for each condition of consent as well as an overall rating for the consent. Table 1 provides a description of the compliance ratings used in this assessment.

**Table 1: Compliance ratings**

Compliance rating	Description
Compliant	Fully compliant with the requirements of the condition.
Non-compliant	Non-compliant with one or more requirements of the condition.
Not assessed	Not enough information is available to assess compliance with one or more requirements of the condition.
Not applicable	The condition is not currently applicable (e.g., it has already been complied with, or compliance is not required during the timeframe of this assessment).

## COMPLIANCE ASSESSMENT

### SUMMARY OF FINDINGS

This assessment has found the Council to be compliant with the relevant conditions except for Conditions 12 and 15 relating to noise exceedances and the Noise Management Plan ('NMP'), and Condition 16 requiring noise monitoring results to be reported to the Council within 2 weeks. Overall, the consent holder is, therefore, non-compliant with resource consent RM190050.

### DISCUSSION

While the Council is compliant with most conditions in resource consent RM190050, the Council is not compliant with the prescribed noise limits in Condition 12 and, consequently, the Noise Management Plan ('NMP') required by Condition 15. The Council is also not compliant with Condition 16 requiring all noise monitoring results to be reported to the Council (as regulatory authority) within 2 weeks.

Tonkin & Taylor (T+T) prepared two noise monitoring reports during the assessment period on behalf of the Council (October 2020 and January 2021), both of which were peer reviewed by Marshall Day (November 2020 and February 2021). The reports identify non-compliances with the noise limits in Condition 12, although the degree of non-compliance appears to be in contention.

The October 2020 T+T report (for monitoring in September) found noise levels to be exceeded at one location, 199 Coast Road, by 2.5 dB. The Marshall Day peer review concluded that the noise limits at 199 Coast Road would be

exceeded by either 10 or 15 dB if a penalty for Special Audible Characteristic ('SAC') (specifically the closing of truck and trailer tailgates) is applied. I understand subsequent discussions between the two parties resulted in a broad agreement that the monitoring round showed compliance with the noise limits at all locations except 199 Coast Road.<sup>1</sup>

Subsequently, additional measures were introduced to ensure the Council could continue to comply with the noise limits, including limiting the use of the bulldozer and maximising separation distances where bulldozer use is required. I am not aware of any subsequent changes to the NMP to reflect these measures. If this is the case, I suggest the NMP be amended in accordance with the procedure outlined in Condition 15 to ensure ongoing compliance with these measures.

The January 2021 T+T report (for monitoring in December) identified that the noise limit was exceeded at one location, 200 Coast Road, by less than 1 dB. The Marshall Day peer review however concluded that insufficient measurements have been carried out to establish overall compliance on a day-to-day basis. The report recommended that the continuation of noise monitoring should be representative and incorporate all cleanfill activities. While I cannot comment on the specific methodology, I note that several outstanding matters need to be resolved to ensure the reports accurately assess ongoing compliance with Condition 12.<sup>2</sup>

I also note that ongoing slamming of tailgates on site as suggested through the peer review and various communications between the CLG and the Council may constitute a non-compliance with Condition 15, which requires the site to be managed in accordance with the NMP. I did not observe any such occurrences while I was on site and note that the tip face displays a sign saying: 'Please do not slam tail gate'. I am, therefore, unsure as to whether the emission of noise from tailgates remains as an ongoing issue onsite. I note that the February 2021 Marshall Day peer review states that more information on the frequency of tailgate bands and reversing beepers (including a count of occurrences) should be provided to fully understand the extent of SAC's. Compliance with this requirement can, therefore, be assessed once this information is provided.

Condition 16 requires the Council to conduct noise monitoring 3-monthly and make available all noise monitoring results to the Council within two weeks of completion of each visit. While noise monitoring was undertaken 3-monthly during the assessment period, the results have not been made available to the Council within 2 weeks of completion of each monitoring visit:

- The monitoring round that occurred on 16 September was initially provided to the Council on 21 October and formally reported on 29 October (15 working days late).
- The monitoring round that occurred on 17 December was reported on 27 January (4 working days late).<sup>3</sup>

The timeframe for reporting is an important requirement of Condition 16 as it enables any exceedances to be rectified as soon as possible thereby minimising the duration of any exceedances felt by the surrounding households. I appreciate the complications in the modelling methodology may have resulted in the delayed reporting of results. However, if the Council wishes to extend the 2-week timeframe this should be done through a change to the conditions of consent (section 127 of the RMA) to avoid ongoing non-compliance.

The CLG has also raised an ongoing concern regarding compliance with Condition 14, which requires the Council to

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<sup>1</sup> Email from Alastair Meehan, 'RE: Discussion of September monitoring results', dated 3 December 2020.

<sup>2</sup> As detailed in the email from Parvati Rotherham, 'FW: Wainuiomata Cleanfill – noise monitoring and site audit', dated 19 February 2021.

<sup>3</sup> Taking into account the RMA shutdown period from 20 December to 10 January.

notify the CLG of construction activities in advance. As I understand, there is some disagreement between members of the CLG and the Council over when Condition 14 applies. I was advised at the site visit (and identified through communications between the CLG and the Council) that the Council did not advise the CLG of the works to seal the access road which occurred in December 2019, as required by Condition 7. These works were undertaken outside the assessment period of this audit (Sept. 2020 - Feb. 2021), so I have not assessed compliance regarding this event. However, I have provided some comments, of a general nature, in relation to the interpretation of Condition 14.

My interpretation of Condition 14 is that it requires prior notification to the CLG of all construction activities, regardless of whether the activity was anticipated in the application for replacement consent and is also authorised through a different condition of consent (such as Condition 7). This interpretation is based on the following matters:

- Condition 13 of the consent requires site construction activities to be assessed in accordance with NZS 6803:1999 "Acoustics - Construction Noise. The footnote to Condition 13 defines 'construction' as including but not limited to those activities referred to in NZS6803:1999, including '*construction of a haul road, perimeter drains or a noise bund. It does not include any ongoing land use activity.*'.
- Section 5 of the SMP further defines construction activities to include the construction of the flood protection wall, the establishment of the perimeter sediment bund, construction of haul roads, sealing the existing site accessway and subsequent maintenance, establishment of the truck wash, and final cutting and compaction of the finished batter slopes. These works are described as intermittent and short term in nature.

Going forward, I suggest the consent holder keeps a broad view of the definition of 'construction' and the requirement to notify the CLG in advance of any construction works to ensure ongoing compliance with Condition 14. The CLG meetings detailed in Condition 5 are the appropriate forum to discuss upcoming construction activities.

## COMPLAINTS

The complaints log records 9 complaints received during the assessment period. The complaints relate to dust, material acceptance, noise, hydrovac material acceptance, mud tracking, stormwater pipe works and professional misconduct. Section 6.4.2 of the SMP details the complaints process and the information required to be kept on the complaints register. The consent holder appears to be complying with these requirements. The complaints register is also available online through the Wainuiomata Cleanfill portal maintained by the Council.

## WAINUIOMATA CLEANFILL – CONSENT CONDITION REVIEW

### RM190050 – HCC consent

A full assessment of compliance with the conditions of consent is provided below.

Cond. #	Consent condition	Assessment (February 2021)	Compliance status
1	That the proposal is carried out substantially in accordance with the information and approved plans submitted with the application and held on file at the council.	Overall, the cleanfill appears to be substantially operating in accordance with the resource consent. In particular, the location of Stage 3, cleanfill maximum volumes and heights, material acceptance, acceptance protocol, dust management measures, and other general measures in the SMP and NMP are all as anticipated.	Compliant
2	That the consent holder keeps a copy of this decision on site when work starts and makes it available on request to council staff.	A copy of the consent was verified at the site visit.	Compliant
3	<p>The consent holder shall ensure that cleanfilling is undertaken in accordance with the publication A Guide to the Management of Cleanfills by the Ministry for the Environment (2002), or any superseding guidance document released and ratified by the Ministry for the Environment.</p> <p>a) Only material such as clay, soil, rock, concrete, dry asphaltic concrete, glass, ceramics, tiles or brick that are free of combustible or putrescible components or hazardous substances or materials likely to create a hazardous leachate by means of biological breakdown, shall be deposited within the cleanfill site.</p> <p>b) Materials considered to meet the above definition are outlined in Table 4.1 of the publication A Guide to the Management of Cleanfills by Ministry for the Environment (2002).</p>	Section 3.2 of the SMP details the material acceptance criteria, which is consistent with Condition 3. I observed at the site visit the operator inspecting truck loads and verifying waste type and source. I did not observe any inconsistencies with the waste acceptance criteria, nor was I advised of any issues on site.	Compliant



Cond. #	Consent condition	Assessment (February 2021)	Compliance status
4	<p>Prior to accepting cleanfill material from off-site, the consent holder shall submit for approval to the Team Leader Resource Consents, Hutt City Council, a Site Management Plan (SMP) in accordance with Ministry for the Environment’s ‘A Guide to Management of Cleanfills’ dated January 2002 or superseding guidance documents. The SMP shall outline the proposed operation of the cleanfill, including the procedures and controls to manage the site, and at a minimum shall include descriptions of:</p> <p>...4 All works on site must be in accordance with the SMP and any subsequent amendments to the SMP must be to the satisfaction of the Team Leader Resource Consents, Hutt City Council.</p>	<p>A SMP was approved by the Council regulatory team on 17 February 2020. The consent holder appears to be operating the site in general accordance with the SMP. The Council is undertaking weekly and monthly inspections of the site, with any non-compliances recorded in the SMP non-compliance register. The register includes two non-compliances, however these are outside the timeframe of this assessment (February and July 2020).</p>	Compliant
5	<p>Prior to accepting cleanfill material from off-site the consent holder shall invite local residents and any other interested members of the community to participate in a Community Liaison Group (CLG). This group will thereafter meet on a three-monthly basis following the commencement of the consent (or at a timeframe otherwise agreed by the parties involved) and shall give the opportunity for residents and Council representatives to discuss operations and environmental remediation at the Cleanfill. Invitations will be sent to CLG members at least 4 weeks prior to suggested meeting days. The minutes from these meetings shall be provided to the Team Leader, Resource Consents within three (3) working days of the meeting occurring. The primary purpose of the CLG is to provide a mechanism for the consent holder and community members to meet in person and discuss operations at the site. This includes, but is not limited to:</p>	<p>The CLG continues to be active and well attended. Since the previous compliance assessment in August 2020, the CLG has been meeting regularly with minutes recorded for September, October, November and January. A further meeting is scheduled to be held in March.</p> <p>The meetings appear to be operating as intended. I have reviewed the meeting minutes during the review period and the forum appears to be providing residents and the Council the opportunity to discuss operations and environmental remediation.</p>	Compliant

<sup>4</sup> For a full reference please refer to the consent certificate

Cond. #	Consent condition	Assessment (February 2021)	Compliance status
	<ul style="list-style-type: none"> <li>• Providing comment on the draft SMP as specified under condition 6 below,</li> <li>• Informing CLG participants of construction activities, as required under condition 14,</li> <li>• Consultation on the draft Environmental Restoration Plan, as required under condition 23,</li> <li>• Review of the findings of the independent audit as required under condition 25</li> <li>• Informing CLG participants of any operational changes at the site, and</li> <li>• Providing feedback to the consent holder about the operation of the cleanfill.</li> </ul>		
6	Prior to submitting the SMP to Hutt City Council for approval, the consent holder shall provide a draft copy of the SMP to members of the CLG and submitters to the Stage 3 consent and provide them with the opportunity to provide comment upon the document. Where comments have not been accepted the reasons why shall be included with the submission of the SMP to HCC. CLG members and submitters shall be provided a minimum period of five (5) working days to review and provide comments.	Compliance with this condition was confirmed in the August 2020 compliance assessment.	Compliant
7	Prior to accepting cleanfill material from off-site the consent holder shall seal the access road internal to the site between the site gate and the site entrance kiosk shown in Drawing 84466.005-20 attached in Appendix D of the AEE.	Compliance with this condition was confirmed in the August 2020 compliance assessment. I can confirm the road is still sealed.	Compliant
8	Within three (3) months of the Stage 3 operation commencing the consent holder shall install a portable wheel-wash on-site. This wash should be appropriately sized to cater for the heavy vehicles visiting site, should be of a pressure washing variety and should be designed to recycle washwater. Prior to the installation all	Compliance with this condition was confirmed in the August 2020 compliance assessment. I can confirm the wheel wash is still in operation.  At the site visit, the Council raised concerns that operating the	Compliant

Cond. #	Consent condition	Assessment (February 2021)	Compliance status
	practicable measures shall be undertaken to avoid unreasonable material from being tracked onto Coast Road. In the event material tracks onto Coast Road, it must be swept clear within 12 hours of being deposited.	wheel wash in dry conditions may be unnecessary and create a mud/tracking problem. My reading of Condition 8 is that it does not specifically require continued operation of the wheel wash for all trucks. However, this requirement is contained within Section 4.2 of the SMP. Any changes in the procedure for using the wheel wash should therefore be reflected in a revised SMP following consultation with the CLG and consent authority.	
9	No more than 75 trucks per day shall be permitted to access the site for the purpose of depositing cleanfill material.	At the time of my site visit, I was advised daily truck numbers were averaging in the 40s, which is significantly below the 75 authorised by Condition 9.  In November 2020, the Council circulated a copy of a revised SMP to the CLG and consent authority for approval. The revised SMP confirms that, upon arrival of the 76 <sup>th</sup> truck, the driver will be turned away and denied the ability to deposit fill. I have not been made aware of any specific circumstances where this has occurred.  The CLG meeting minutes document discussion around increasing the limit to above 75, noting that such an increase would require a s127 RMA amendment to conditions.	Compliant
10	The consent holder will ensure that access to the site for the purpose of cleanfill deposition is granted only to approved commercial operators.	The site maintains a register of approved operator and all visitors during my visit were greeted and checked. Unregistered/unapproved operators are provided with the necessary forms if appropriate.	Compliant
11	Within one month of the completion of each sub-stage of the Stage 3 filling (as identified in the fill sequencing plan identified in the SMP), the consent holder shall ensure that the particular sub-stage is progressively stabilised (i.e., via hydroseeding or similar mechanism). The stage should then be monitored and maintained until 80% grass cover has been established.	The first sub-stage is still nearing completion. The Council anticipates It will be completed within the term of the next compliance assessment.	Not applicable

Cond. #	Consent condition	Assessment (February 2021)	Compliance status
12	<p>Noise from any cleanfill deposition activities (excluding emergency and construction works) shall not exceed the following levels when measured at or within the notional boundary of any dwelling existing at the time the consent is granted:</p> <p>a. Monday to Friday (excluding public holidays) 7.30 am to 5.00 pm – 50 dB LAeq</p> <p>b. Saturday (excluding public holidays) 7.30 am to 12.00 pm – 50 dB LAeq</p> <p>c. All other times - 40 dB LAeq</p> <p>d. 10.00 pm to 7.00 am (all days) – 75 dB LAfmax</p>	<p>The Consent holder regularly assesses compliance with Condition 12 in accordance with the noise monitoring reports required by Condition 16.</p> <p>In this review period, T&amp;T prepared noise monitoring reports on behalf of the Council in October 2020 and January 2021. The October 2020 and January 2021 reports were also peer reviewed by Marshall Day in November 2020 and February 2021, respectively. I have summarised the findings of these reports in the main report.</p> <p>The October 2020 and January 2021 reports show at least one non-compliance with the noise limits. I have therefore concluded that the Council is not complying with Condition 12.</p>	Non-compliant
13	Site construction activities shall be assessed (and measured where appropriate) in accordance with NZS 6803: 1999 “Acoustics - Construction Noise”.	I am not aware of any assessment of site construction activities during the assessment period, so this condition is not applicable. I note that the noise monitoring reports pursuant to Condition 15 are required to be prepared in accordance with NZS 6802:2008.	Not applicable.
14	The consent holder shall notify the Team Leader, Resource Consents, Hutt City Council and members of the CLG of any construction activities taking place and their expected duration, at least five (5) working days prior commencement of those activities.	In the CLG meeting minutes I reviewed, I observed communications between the Council and the CLG regarding upcoming construction activities suggesting compliance with Condition 14 during the period of this assessment. I reiterate my comments in the main report regarding ongoing compliance with this condition.	Compliant
15	The Noise Management Plan (NMP) prepared by Tonkin and Taylor Ltd (dated November 2017) shall be updated within two (2) months of approval of this resource consent. Any subsequent changes to the operation of the cleanfill relevant to noise generation will require a review of the NMP and any amendments	<p>The NMP was updated in February 2020 and approved in March 2020. I am unaware of any subsequent changes.</p> <p>The noise monitoring reports suggest that the ongoing operation of the landfill is not in full accordance with the approved NMP, and specifically the exceedances of the noise limits detailed in</p>	Non-compliant

Cond. #	Consent condition	Assessment (February 2021)	Compliance status
	shall be sent to the Team Leader Resource Consents for approval. The ongoing operation of the cleanfill shall be in accordance with the approved NMP.	<p>Section 5.1. The noise limits are the basis for the NMP and maintaining operations within these limits is central to managing the noise effects on the wider environment. Given the exceedance of these limits, I have assessed non-compliance with Condition 15.</p> <p>The Council may also not be complying with the requirements in the NMP regarding tailgates. Section 6.4.2 of the NMP states:</p> <p><i>'To ensure noise limits are achieved, all site staff will be made aware of and follow the below good practice ... [including] 9. Do not slam tailgates of vehicles...'</i></p> <p>As suggested in the main report, full compliance with this requirement can be assessed once additional information is provided in the next monitoring round.</p>	
16	The Consent holder shall undertake noise monitoring of the cleanfill within 30 days of work commencing within Stage 3 and thereafter at three (3) month intervals unless otherwise agreed by the Team Leader Resource Consents, Hutt City Council. All noise monitoring results shall be made available to Hutt City Council within two weeks of completion of each monitoring visit.	T&T undertakes regular noise monitoring on behalf of the Council. However, as discussed in the main report, the results are not being reported to the Council within two weeks as required by Condition 16.	Non-compliant
17	The cleanfill shall only operate within the hours of Monday to Friday 7.30am – 5.00pm and Saturday 7.30am – 12.00pm, excluding public holidays (except where deposition of fill is required outside these hours/days for emergency civil works).	Condition 17 is reflected in Section 3.1 of the SMP. Onsite notices also advertised the site as being open during these hours. I have not received any information suggesting the Council is in breach of Condition 17.	Compliant
18	The consent holder shall ensure that the operation is managed in a manner to ensure that no dust nuisance occurs beyond the boundary of the site. Measures for control will be outlined in the	I did not note any dust issues at the site visit. Section 4.2 of the SMP outlines the dust management measures on site, and the Council appears to be generally operating in compliance with	Compliant

Cond. #	Consent condition	Assessment (February 2021)	Compliance status
	SMP and must include the presence of a watercart (or similar water source suitable for managing the generation of dust) on-site at all times that filling occurs.	<p>these measures, including:</p> <ul style="list-style-type: none"> <li>• Use of the wheel wash for all trucks</li> <li>• Enforcing a speed limit of 10 km/h</li> <li>• Sealing the access road</li> <li>• Use of the onsite water tank where required</li> <li>• Use of concrete 'millings' to suppress dust on the accessways.</li> </ul> <p>The complaints register records a dust complaint on 15 September 2020. However, there is no evidence the complaint was verified, and I was not advised of any known instances of dust leaving the site boundary.</p>	
19	That if the consent holder finds taonga (a thing of tangible or intangible value treasured in Māori culture) on the site, the consent holder must contact iwi representatives, the Heritage New Zealand and the Council within 24 hours. All work in the area must stop immediately and may not resume until iwi representatives and Council staff have carried out a site inspection and the Council gives its approval.	I was advised at the site visit that no such discoveries have been, or are likely to be, made.	Not applicable.
20	The final batter slopes shall be designed and certified by a suitably qualified geotechnical engineer and certification shall be provided to the Team Leader Resource Consent within three (3) months of the cleanfill reaching capacity.	Condition is not currently applicable.	Not applicable
21	The consent holder shall manage cleanfill activities to generally avoid the placement of concrete and building rubble and other material not easily compacted in the part of the site affected by the 1:100 year floodway (as shown in Appendix D of the AEE), unless appropriate rock armouring is installed on the southern	The Council is installing rock armouring along the southern edge of the fill area. The Council has not yet commenced filling this area, but I was advised that fill will commence once the rock armouring is complete.	Compliant

Cond. #	Consent condition	Assessment (February 2021)	Compliance status
	edge of the fill area.		
22	By 19 June 2022, cleanfilling shall cease, with restoration of the site in accordance with the Environmental Restoration Plan to commence during the next planting season following approval of the Environmental Restoration Plan.	Condition is not currently applicable.	Not applicable
23	That the consent holder shall submit an Environmental Restoration Plan for Stage 3 of the cleanfill to the Team Leader Resource Consents for approval within three (3) months of the cleanfill reaching capacity or by the lapse date, whichever is sooner. The environmental restoration plan shall include measures to grass or landscape any exposed areas and ensure the site is left in a suitable condition to enable use of the site as a reserve in future. The plan will have regard to the guidance prepared by GWRC titled 'Restoration Planting – A Guide to Planning Restoration Planting Projects in the Wellington Region' and will be informed through consultation with the CLG.	Condition is not currently applicable.	Not applicable
24	The consent holder shall control weeds and maintain the plants in accordance with the procedures set out in the Environmental Restoration Plan required by Condition (23) for a duration of three (3) years.	Condition is not currently applicable.	Not applicable.
25	The consent holder shall engage an independent audit of the site on a six (6) monthly basis (following the exercise of this consent) to ensure that the site is operating in accordance with the conditions of consent. All costs of this audit shall be borne but the consent holder. The consent holder shall invite the Team Leader Resource Consents and representatives from the CLG (with a minimum of ten (10) working days' notice of the scheduled date) to be in attendance to observe the audit process. The findings of this audit shall be provided to Team Leader Resource Consents	The previous audit was held in August 2020, with this current audit being held in February 2021. The Team Leader and CLG were invited to attend the site visit in accordance with this condition.	Compliant

Cond. #	Consent condition	Assessment (February 2021)	Compliance status
	and the CLG.		
26	<p>Hutt City Council may review any or all conditions of this consent by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, on a six-monthly basis following the commencement of this consent, for any of the following reasons:</p> <ul style="list-style-type: none"> <li>a. To review the adequacy of any plan and/or monitoring requirements, and if necessary, amend these requirements outlined in this consent.</li> <li>b. To deal with any adverse effects on the environment that may arise from the exercise of this consent; and which are appropriate to deal with at a later stage.</li> <li>c. To enable consistency with any relevant District Plan(s) or any National Environmental Standards or Regulations.</li> <li>d. The review of conditions shall allow for the deletion or amendment of conditions of this consent; and the addition of such new conditions as are shown to be necessary to avoid, remedy or mitigate any significant adverse effects on the environment.</li> </ul>	I am unaware of any reviews of the conditions during the assessment period.	Not applicable.





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