



Resource Consent

RESOURCE MANAGEMENT ACT 1991

Consent No. WGN130070 [31936]

Category: Land use consent

Pursuant to sections 104B and 108, and subject to all the relevant provisions of the Resource Management Act 1991 and any regulations made thereunder, a consent in respect of a natural resource is hereby granted to:

Name	Burrell Demolition Limited and C and D Landfills Limited	
Address	2 Landfill Road, Owhiro Bay , Wellington 6023	
Duration of consent	Effective: 1 February 2013	Expires: 14 June 2026
Purpose for which right is granted	To disturb soil on erosion plane land associated with the development and operation of a construction and demolition landfill.	
Location	C and D Landfill, 2 Landfill Road, Happy Valley, Wellington at or about map reference NZTM 1745612.5423113	
Legal description of land	Part Lot 1 DP 29398	
Conditions	1-28 as attached	
Appendix	1 as attached	

For and on behalf of
WELLINGTON REGIONAL COUNCIL

PP [Signature]
.....
Manager, Environmental Regulation
Date: *1 / 2 / 2013*
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Summary of your rights and responsibilities

(Not part of the resource consent)

This resource consent gives you the right to use a public resource (e.g. water, air, the coastal marine area) in the manner specified in the consent.

You may exercise the resource consent as you see fit provided that you comply with all the conditions of your resource consent and all other laws of the land.

If you wish to change the way you operate under this resource consent or if you wish to change or cancel any consent conditions, please contact the Wellington Regional Council (hereafter referred to as Greater Wellington) prior to making the changes. You may need a formal change to your resource consent conditions.

You may transfer your coastal, discharge, or water permit to any other person. If you sell your operation please contact Greater Wellington and we will arrange the transfer. The service is free of charge.

If your resource consent application contained inaccurate or misleading information, Greater Wellington may cancel or alter the resource consent.

Your resource consent does not:

- provide any warranty of any structure or process;
- provide any guarantee that the resource will be available at all times;
- provide any right of access through or over public or private land;
- negate the need for any approvals necessary under other legislation.

You, as the holder(s) of this resource consent and your agents (including contractors and employees), are jointly and severally liable for compliance with the conditions of this consent. It is important that anyone operating on your behalf fully understands and complies with the conditions of the resource consent.

You are required to pay any relevant charges that are associated with the consent. Greater Wellington fixes these charges under section 36 of the Resource Management Act 1991. The Act allows you to comment on any proposed charges *prior to them being fixed*. Charges may be reviewed every year. If you would like a copy of our current Resource Management Charging Policy please ask us.

You are required to allow Greater Wellington Enforcement Officers access to your site and operation at any reasonable time so that we can inspect your operation and confirm that it is complying with the resource consent.

Your resource consent will lapse if you do not give effect to it within five years of the date it was granted (unless otherwise specified in the resource consent conditions). If you wish to apply for an extension of this lapse date please contact Greater Wellington before the lapse date.

If you stop using your resource consent for a continuous five-year period, Greater Wellington may cancel your resource consent. We will advise you in advance if we propose to cancel your consent. You have the right to object to your consent being cancelled.

This consent is issued without prejudice to any claim that is lodged with the Waitangi Tribunal in relation to the customary ownership of natural resources, whether it be a claim that is awaiting hearing or awaiting settlement by the Crown.

Conditions to Resource Consent WGN130070 [31936]

Definitions:

Landfill - disposal site where construction and demolition material is buried between layers of dirt and other materials in such a way as to reduce contamination of the surrounding land

Stabilisation - "Stabilised" in relation to any site or area means inherently resistant to erosion or rendered resistant, such as by using indurated rock or by the application of basecourse, colluvium, grassing, mulch, or another method to the reasonable satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and as specified in Wellington Regional Council's Erosion and Sediment Control Guidelines for the Wellington Region, September 2002. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once, on reasonable visual inspection by the Manager, Environmental Regulation, Wellington Regional Council, an 80% vegetative cover has been established.

Construction and demolition fill – material listed in condition 4 of this consent

General conditions

1. The location, design, implementation and operation of the activity shall be in general accordance with the consent application and its associated plans and documents lodged with the Wellington Regional Council (WRC):
 - Resource consent application prepared by OPUS consultants titled "Application for Land Use Consents, Greater Wellington Regional Council" and received by WRC on 1 October 2012
 - Further information from OPUS consultants titled "Further Information WGN130070 [31939] and [31937] outlining fill volumes, other material found in the landfill and a further assessment on leachate effects received by WRC on 11 December 2012, and
 - Further information received by WRC on 28 January 2013 (email with updated map detailing fill locations)

Where there may be contradiction or inconsistencies between the application and further information provided by the applicant, the most recent information applies. In addition, where there may be inconsistencies between information provided by the applicant and conditions of the consent, the conditions apply.

Note: Any change from the location, design concepts and parameters, implementation and/or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.

2. The consent holder shall provide a copy of this consent and any documents and plans referred to in this consent to each operator or contractor undertaking works authorised by this consent, prior to the works commencing.

Note: It is recommended that the contractors be verbally briefed on the requirements of the conditions of this consent prior to works commencing.

3. The consent holder shall ensure that a copy of this consent and all documents and plans referred to in this consent are kept on site at all times and presented to any Wellington Regional Council officer on request.

Note: The applicant has identified the landfill onsite office as the location where all documents will be located.

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Acceptable materials

4. All material disposed of at the landfill shall be cleanfill and/or construction and demolition fill and shall be restricted to the following materials:
- Clay, soil, gravel and rock
 - Sheet roofing material, generally in the form of galvanised steel, aluminium or zinc preformed sheets, together with flashings, small quantities of which may include a Lead-edge
 - Framing timbers (both treated and untreated), generally as sawn or peeled timbers used for structural members, and timbers used in construction for formwork and shoring.
 - Small amounts of sawdust from construction
 - Wrought and cast iron
 - Steels, in the form of reinforcing rods, tendon and bar used for the pre-stressing of concrete, structural steel sections, pipe and tube
 - Galvanised structural steel section, pipe and tube
 - Concrete, in the form of plain, reinforced and pre-stressed concrete elements
 - Ready mixed wet concrete – used for roads and strengthening of landfill fill areas.
 - Asphalt, in the form of used road strippings – either as chip seal, plantmix or hotmix
 - Masonry – both brick and concrete, reinforced and un-reinforced
 - Gypsum-plaster based materials used as interior wall and ceiling materials
 - MDF or plywood that has been used as a wall lining/ floor
 - Cellulose-cement materials used as exterior sheeting's or pipes
 - Cement-bonded materials used as exterior sheeting's or pipes
 - Glass, in the form of glass used in buildings
 - Fibreglass insulation
 - Plastic materials used as electrical fittings
 - Plastic, ceramic and vitreous china materials used as plumbing and drainage fittings
 - Floor coverings that are fixed with adhesives to concrete or timber flooring elements
 - Topsoil, which may include small quantities of natural organic and vegetative materials
 - Non-putrescible packaging materials such as polystyrene, polythene, polyurethane and similar products
 - Polystyrene, polythene, polyurethane and similar products as building components, in all forms, as used in construction and demolition activities and for the packaging of construction products
 - Electrical or electronic wiring removed as part of demolition operations
 - Floor coverings, in the form of carpet, vinyl or linoleum, fixed to flooring elements
 - Cardboard and other paper-based products used as packaging in the construction industry

Any saturated clay, soil or rock (which is from an uncontaminated source) shall be appropriately treated and dried on site before being disposed of in the landfill


5. The total quantity of organic materials (trees and vegetative materials, timber, carpets, packagings etc). within the landfill materials shall not exceed 5% by weight of the landfill materials as a whole.
6. The consent holder shall ensure that any processed timber (both treated and untreated) that is brought onto the site to be deposited at the landfill is sorted and recycled, as far as practicable.

Concrete use

7. The consent holder shall ensure that any wet concrete used on site is a minimum of 20 metres from any water course and is used in a controlled manner to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Prohibited materials

8. The following materials are **prohibited** for disposal and/or storage at the landfill.
- Liquid waste (except wet ready mix concrete disposed of pursuant to condition 6 of this consent)
 - Domestic waste in the form of municipal sanitary wastes (household waste)
 - Industrial waste

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- Commercial waste
- Hazardous wastes
- Contaminated soil
- Any form of refrigeration or electrical equipment or plant in an assembled state that may contain PCBs or freons
- Asbestos materials that are not cement-bonded
- Medical and veterinary waste
- Sewage waste or effluent sludge
- Dredging spoil from marine environments
- Material excavated from another site registered as having hazardous industries or operations (i.e. any site listed in WRC Selected Land Use Register (SLUR)).

Stabilisation of site

9. All fill material shall be placed and compacted so as to avoid erosion and instability to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Operations

10. The consent holder shall take all practicable steps to minimise fugitive discharges from the site, including collecting any wind blown material at or beyond the legal boundary of the property from which the consent holder operates

Fill heights

11. The consent holder shall ensure that the maximum fill height **must not exceed 240 metres** above mean sea level.

Note: this condition applies throughout the exercise of the consent, and requires that at no time the height be exceeded. Exceedance due to 'temporary' storage or areas to be reworked are not permitted under this condition.

12. The consent holder shall, by **1 August 2013**, have the fill heights within 'zones 4, 5 and 6' surveyed by a licensed land surveyor.

The surveyor shall measure the fill heights at map references A to D and 1 to 16 across 'zones 4, 5 and 6' as referenced on drawing project number 6-55619.00 revision A, revision date 28 January 2013 provided as further information on 28 January 2013 – attached as Appendix 1 of this consent.

A survey plan to an appropriate scale and with all measurements referenced to metres above mean sea level, shall be provide to the Manager, Environmental Regulation, **no later than 1 month** following the date of the site survey being undertaken.

Fill area and maximum extent of fill areas

13. The consent holder shall ensure that the area filled with cleanfill and construction and demolition fill material in accordance with this consent **does not extend** beyond the boundary of zone 4, 5 and 6 as referenced on drawing project number 6-55619.00 revision A, revision date 28 January 2013 provided as further information on 28 January 2013 – attached as Appendix 1 of this consent.

Note: this condition applies throughout the exercise of the consent, and requires that at no time shall the fill area in zones 4, 5 and 6 be exceeded. Exceedance due to 'temporary' storage of construction and demolition fill or areas of construction and demolition fill to be 'reworked' is permitted under this condition.

14. The consent holder shall ensure zones 4, 5 and 6 are at all times clearly marked with fixtures clearly visible to machinery operators that define the corners of the zones 4, 5 and 6 fill areas to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

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Resurvey

15. Following the surveys pursuant to condition 12 (fill heights) and condition 13 (fill extent), the consent holder shall repeat the survey of fill heights & extent within 'zone 4' for compliance with condition 14 and supply the information in the format specified in condition 14 by 30 June in the following years:
- 2014
 - 2015
 - 2017
 - 2025

Site Management Plan

16. The consent holder shall ensure that all works are undertaken in accordance with the **Site Management Plan (SMP)** submitted with the application (or an updated and approved plan) at all times.

Any changes to sections 3, 4, 5, 6, 9 and 10 of the SMP shall not be made without first ensuring they meet the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

If the SMP is updated, and the updates are to the satisfaction of the Manager, the consent holder must provide a copy of the updated version to the Manager, Environmental Regulation, Wellington Regional Council no later than **1 month** following the changes being made.

Note: Unacceptable materials are defined in condition 8 of this consent.

Temporary storage

17. The consent holder may use a temporary storage area to allow for the recycling or collection and removal of materials such as structural steel, timber, Astroturf, tyres, carpet or other non-hazardous construction materials.

The consent holder shall ensure that a temporary storage area is established and defined in the Site Management Plan required under condition 16 of this consent.

18. The consent holder shall ensure that any material stored on site temporarily as allowed by condition 17, is removed from site within **six months** from the first day of storage. Should any stockpiles of items require a longer storage time, the consent holder shall first gain the approval of the Manager, Environmental Regulation, Wellington Regional Council.

Monitoring of construction and demolition conditions

19. The consent holder shall maintain a log of the following information:
- The total volume (in tons or other standard measure) and type of each material stored temporarily on site and dates of arrival and removal of this material from site.
 - The total volume (in tons or other standard measure) of all the material **accepted** on site, and the total volume (in tons or other standard measure) of material **disposed** of within zone 4, 5 and 6
 - The operator or contractor who brings each bin to the facility and the type of waste that is contained within each bin, and
 - Any further information that the SMP states the consent holder will record in accordance with section 10 of the SMP.

The logs shall be maintained in a manner that allows their presentation to an officer of Wellington Regional Council on request.

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Benching

20. The consent holder shall ensure that the final height of any bench/lift shall not exceed 7 metres with the exception of benches constructed of long concrete members which shall not exceed 10 metres in length.
Note: Benching shall be undertaken in accordance with the Site Management Plan required under condition 16 of this consent.

Capping and stabilisation

21. The consent holder shall ensure that a final capping layer between 1 – 1.5m in depth shall be deposited on Zones 4, 5 and 6 within 1 month of filling being completed within each Zone.
22. The consent holder shall ensure that Zone 4, 5 and 6 are stabilised within 1 month of capping being completed in each zone. These works shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Planting Plan

23. The consent holder shall submit a Planting Plan for the site provided for under this consent for approval to the Manager, Environmental Regulation by **28 February 2017**.

The Planting Plan shall include (but not be limited to) the following:

- i. A detailed landscape plan of the proposed works;
- ii. A description of the location and extent where the planting will be undertaken;
- iii. The native and non-native species that are proposed to be planted, the height and size of the plants and the density of planting;
- iv. Details of pre-planting site preparation (clearing, mulching, fertilising);
- v. Details of how plants will be irrigated during their establishment;
- vi. Details of how the site will be maintained and how often, including the ongoing replacement of plants that do not survive and eradication of evasive weeds from the planting site to ensure adequate growth (eg, weeding, spraying, mulching)
- vii. Details of how the plants will be protected from pest animals; and
- viii. A timeline for planting.

The final Planting Plan shall be developed in accordance with Wellington Regional Councils '*Resoration Planting: A guide to restoration planting projects in the Wellington Region, 2004*' and all plants are to be appropriate for the area.

24. No amendments may be made to the Planting Plan unless the amendments have been approved to the satisfaction of the Manager, Environmental regulation, Wellington Regional Council.

Planting monitoring report

25. The consent holder shall keep a record of all monitoring and maintenance undertaken and submit this in a Planting Monitoring Report to the Manager, Environmental Regulation, Wellington Regional Council every year for **5 years by 30 June** following completion of planting. The report shall include (but not be limited to) the following:

- Success rate
- Photographs
- Details of which plants were replaced, including species, location and date replaced, and
- Recommendations of any ongoing maintenance

Implementation of planting plan

26. The consent holder shall ensure that by **30 June 2017** planting commences on site with indigenous species (and any appropriate non-indigenous species) in accordance with the approved planting plan under condition 24 of

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this consent and as specified in the Site Rehabilitation Plan (section 9 of the Site Management Plan) provided with the application.

Complaints

27. The consent holder shall maintain a permanent record of any complaints received alleging adverse effects from or related to the works. This record shall include:

- The name and address of the complainant (if provided)
- The date and time that the complaint was received, and of the alleged event
- Details of the alleged event
- Weather conditions at the time of the alleged event, and
- Any measures taken to mitigate/remedy the cause of the complaint

This record shall be made available to the Manager, Environmental Regulation, Wellington Regional Council, on request.

Review condition

28. The Wellington Regional 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, at any time within three months of the anniversary of the consent for the duration of this consent, for the following purposes:

- a) To review the adequacy of any report and/or monitoring requirements, and if necessary, amend these requirements outlined in this consent
- 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
- c) To enable consistency with any relevant Regional Plans or any National Environmental Standards or Regulations

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.

Note: Additional resource consents from your local council may be required to undertake this proposal. We advise you to contact the Wellington City Council prior to commencing works.