

MACKENZIE DISTRICT COUNCIL
RESOURCE CONSENT APPLICATION RM160209
G PAYNE - TWIZEL

MINUTE 2 AND DIRECTIONS OF COMMISSIONER DARRYL MILLAR

Introduction

1. The hearing to consider this proposal has been adjourned. The adjournment occurred as I indicated to the parties present that I required additional information and assessments to complete my deliberations.
2. The purpose of this Minute is to outline my requirements and the process that will follow, leading to the closure of the hearing.

Discussion

3. As a result of the evidence and lay statements presented, and my related questions, the matters listed below require attention from **Mr Hallett** and/or **Ms Harte**, as follows:

Mr Hallett to:

- i. Confirm which proposed allotments are partially located within the Recreation P zone;

Ms Harte to:

- ii. Provide a supplementary report that:
 - includes an assessment of the relevant objectives and policies of the Recreation P zone (Section 9 District Plan), Objective 3 and relevant policies of Section 13 of the District Plan, and policy 2 of Objective 6 of Section 13 of the District Plan;
 - includes an assessment under section 104D of the RMA;
 - includes an assessment under s104(1)(c), insofar as it relates to precedent and plan integrity issues;
 - provides a response from the Council's Asset Manager as to whether there are Council infrastructure capacity issues arising from this proposal. If so, the report needs to consider the implications of such and provide recommended mitigation measures if appropriate; and
 - provides an assessment against clause 10.2.1 (Section 13 District Plan).
- iii. Provide an amended set of recommended subdivision consent conditions:
 - updating condition 3 to reflect the correct number of lots in Stage 3A, and lot references in Stage 3D;
 - that provides greater flexibility for design solutions in condition 6.b);
 - updating conditions 13 and 14 to reflect additional allotment numbers in Stage 3A;
 - addressing accidental discover of contaminated soils, as outlined in response. Also as outlined in response, an advice note regarding the possible need for a further variation for stages 1 and 2 may be appropriate;
 - that provides a method or pathway for establishing a consent notice linking the enduring impact of land use consent conditions 3, 4 and 5.

- iv. Provide an amended set of recommended land use consent conditions:
 - Allowing for a further exemption in condition 5 (or a new condition) as provided for in rule 3.1.1.d(i)(b) of Section 6 of the District Plan.
4. There may be some efficiency gains if **Mr Hallett** and **Ms Harte** liaise on the development of the amended conditions package outlined in clauses iii and iv above.
5. At the hearing I indicated that the aforementioned information package would be circulated to the parties for information. **Mr Hallett** indicated that upon receipt of the package he would prepare a written closing submission for circulation. On this basis, it would appear it will not be necessary to reconvene the hearing and that I will be able to formally close the proceedings. I will, however, finalise my position on that issue once I have received the additional information and **Mr Hallett's** closing statements

Directions

6. Given the above I direct that:
 - **Ms Harte** and **Mr Hallett** provide the above information and assessments to me by 5pm 25 August 2017;
 - **Ms Harte** to arrange for circulation of this material to the parties for their information; and
 - that unless I direct otherwise, **Mr Hallett** is to supply a written closing statement no later than 5pm Wednesday 30 August 2017. **Ms Harte** is to arrange for circulation to the parties.
7. Any queries in relation to this Minute and the Directions should be made to **Ms Harte** in the first instance. Contact details are contained in the Council's Hearing Notice.

DATED: 17th August 2017



DK Millar
Commissioner