

RM24.098
4 February 2025

Via email to: carmen@planzconsultants.co.nz, gnel@wastemanagement.co.nz

Kia ora

Section 91: Deferral pending application for additional consents – Resource consent application RM24.098.

Thank you for your application to replace various consents for the purpose of managing a closed landfill, Fairfield.

An initial assessment of your application has been made by ORC staff. Council considers that the following additional consents may be required for the proposal to which the application relates.

Additional resource consent that is required

- Section 9 land use consent for a defence against water as a discretionary activity under Rule 14.3.2.1 of the Regional Plan: Water for Otago (RPW).
- Section 14 water permit for the diversion of surface water, including flood flows, as a discretionary activity, around a defence against water structure under rule 12.3.4.1(i) of the RPW and regulation 45B(4) of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.

The Applicant intends to increase the height of that the perimeter of the access road to provide additional protection against rainfall. This is considered a defence against water under the definition outlined in RPW. There is no permitted activity for a defence against water structure and therefore resource consent is required. The defence against water structure will result in the diversion of surface water, which is not permitted as the upstream catchment exceeds 50 hectares and the diversion will occur within 100 m of a natural inland wetland.

This decision under [section 91\(1\)](#) of the Resource Management Act (the Act) means that the processing of your consent application will be deferred until the valid application(s) for the additional consent/s are lodged with Council.

If you disagree with Council's determination to defer the processing of the application until application(s) for the above are lodged, you may apply to the Environment Court under [section 91\(3\)](#) for an order directing that this be revoked.

The processing of the application will continue upon lodgment of valid application for the above consents.

If you have any queries, please contact me on (03) 474 0827 or 0800 474 082.

Yours sincerely



Brittany Watson
Consents Planner



Shay McDonald
Senior Consents Planner