

**BEFORE THE INDEPENDENT HEARINGS PANEL
TAUPO DISTRICT COUNCIL (TDC)**

UNDER the Resource Management Act 1991

IN THE MATTER of the Taupo District Plan
Proposed Plan Change 42: General Rural and Rural
Lifestyle Environments (PC42)

**STATEMENT OF EVIDENCE OF KAAREN ROSSER (PLANNING) ON BEHALF
OF ENVIRO NZ (FORMERLY ENVIROWASTE LTD) – SUBMITTER
(OS39) FURTHER SUBMITTER (FS238)**

9 AUGUST 2023

1. Executive Summary

- 1.1 By way of summary, it is my opinion that the changes sought to the provisions of the Plan Change 42 – General Rural and Rural Lifestyle Environments as detailed in the evidence below are appropriate and should be adopted by the Hearings Panel.
- 1.2 EnviroWaste (now Enviro NZ and referred to as such from herein) seeks recognition of existing waste industries in the General Rural zone that do not meet the definition of Rural Industry as proposed, but have locational and functional needs to be located in the General Rural zone. The existing Taupo landfill and waste transfer station fall within this scope as these activities rely on air, land and stormwater discharges for their continued operation. They are commonly considered as, and have similar characteristics to infrastructure even though they are not currently defined as such in the RMA. For this reason, I support their addition to the infrastructure definition.
- 1.3 The rezoning of Centennial Drive properties to Rural Lifestyle Environment within 1.5km of the Taupo landfill was opposed by Enviro NZ. It is my opinion that the lack of potential for subdivision along with the additional relief recommended by the s42A report to make minor residential units a non-complying activity will reduce lifestyle intensification closer to the landfill; however, an amendment to the matter of assessment for Rule 4b.3.2iii to include the Taupo landfill will ensure that reverse sensitivity to this regional waste infrastructure is acknowledged and potentially mitigated for if intensification is proposed.
- 1.4 Enviro NZ sought to amend Objective 3b.2.4. While I support the suggested amendment which would reduce conflict between objectives given the differences between their directions, I acknowledge the additional wording proposed for the Objective and accept the rejected submission point.
- 1.5 If district or regional resource recovery and waste disposal facilities are not defined as infrastructure, then I support an amendment to Objective 3b.2.6 to include regional waste facilities in the Objective. This inclusion will help to acknowledge the importance of the Taupo landfill and transfer station as an essential facility in the district.
- 1.6 Enviro NZ also proposed an additional objective to allow for quarries, clean fills and managed fills in the General Rural zone. I do not consider that these activities meet the definition of rural industry and therefore they should be recognised as significant activities within the General Rural Zone while limiting their effects. I therefore support the proposed objective.
- 1.7 Enviro NZ requested control of subdivision within 1.5km of the landfill, by opposing Rule 4b.5.1i and proposing a Rule that made subdivision within 1.5km of the landfill discretionary. While I agree that subdivision is already discretionary surrounding the landfill, it is on the basis of incompatibility with the geothermal resource. I support a subdivision rule specifically for the landfill, but consider a 1km buffer more appropriate and would also prefer the rule applying to sensitive activities rather than zones. I therefore seek that this relief be delayed until the district-wide plan changes to incorporate the National Planning Standards are released.

2. Introduction

- 2.1 My full name is Kaaren Adriana Rosser.
- 2.2 I am an Environmental Planner with Enviro NZ Services Limited (“Enviro NZ”), formerly known as EnviroWaste. My qualifications and experience are detailed at Appendix 1.
- 2.3 My evidence is given on behalf of Enviro NZ in relation to Plan Change 42 to the Taupo District Plan. Within my evidence I have addressed the matters relating to the provision of waste treatment and disposal relevant to the rezoning of areas to Rural Lifestyle Environment and management of the District’s rural area.
- 2.4 I have reviewed the Hearing Report completed for the Council by Craig Sharman, including the recommended revisions to the plan change provisions. I have reviewed the S32 Report, the Summary of Submissions document for Plan Change 42.
- 2.5 I am familiar with the Taupo district and the Taupo landfill and transfer station at 130 Broadland Road.

3. Scope of Evidence

- 3.1 This statement of evidence will, in the context of Enviro NZ’s submission, address the following matters:
- (a) The background and reasons for the submission
 - (b) Comment on the Hearing Report in terms of proposed amendments to the General Rural and Rural Lifestyle Environments.
- 3.2 A S32AA analysis of any proposed amendments is provided at Appendix 2.

4. Background and Reasons for Submission

- 4.1 In general, the submitter seeks some inclusion of matters pertaining to waste infrastructure within the Rural zones outlined in the Plan Change.
- 4.2 The government acknowledges that the way that waste is generated and disposed of in New Zealand needs to be addressed to minimise greenhouse gas emissions and to be more sustainable with the resource that is currently being disposed of. The NZ Waste Strategy was updated this year in March and new waste legislation will soon replace the Waste Minimisation Act 2008 and the Litter Act 1979. Waste levies for landfills are steadily being increased and many single-use plastics have recently been banned.
- 4.3 Significant work is now focussed on shifting NZ to a circular economy, with addressing waste a key component of that work. Enviro NZ considers that District Plans have a key part to play in enabling and maintaining waste resource recovery and infrastructure. The NZ Waste Strategy lists an action that local government needs to *“Make sure that planning and*

consenting processes take account of the need for waste management infrastructure and services”¹.

- 4.4 As waste management specialists and operators of transfer stations, collection facilities and the regional landfill within the Taupo district, the continued operation and future diversification of these facilities is necessary to achieve a circular economy.
- 4.5 The Taupo landfill and transfer station at 130 Broadlands Road is regionally significant in terms of waste infrastructure. The landfill is a Class A landfill and caters for municipal waste from the whole of the Taupo District and potentially beyond. Taupo landfill is consented for up to 50,000 tonnes of municipal waste per year, and currently receives approximately 34,000 tonnes per year for which the yearly tonnage has been incrementally increasing. It operates under a suite of land use and regional consents to ensure that its design, management and operation adequately protects the environment. These consents have significant compliance and monitoring conditions which include remedial measures to mitigate any adverse effects in the unlikely event of adverse events being felt beyond the boundary. This mostly takes the form of odour emissions, but can also include effects of dust, litter, contamination and noise.
- 4.6 Such sites are often the subject of reverse sensitivity and their establishment and continued operation needs management with a variety of stakeholders. Therefore, ensuring that the rural zones appropriately provide for waste facilities through various provisions ensures their ongoing necessary operation, with robust control of their environmental effects.

5.0 Infrastructure Definition

- 5.1 EnviroWaste sought to amend the definition of **infrastructure**, by the addition of a new clause:

‘....(m) district or regional resource recovery and waste disposal facilities.’

- 5.2 The New Zealand Infrastructure Strategy refers to infrastructure as *‘Fixed, long-lived structures that facilitate economic performance and wellbeing. Infrastructure includes ‘horizontal’ physical networks (principally transport, water and energy and telecommunications); and ‘vertical’ infrastructure (buildings such as hospitals, schools and prisons). The latter are also known as social assets’*. It categorises waste as economic infrastructure. It also focuses on waste as being one of only five objectives of the strategy, where all objectives seek to achieve a thriving New Zealand. The waste objective is to move to a circular economy by *“by setting a national direction for waste, managing pressure on landfills and waste-recovery infrastructure and developing a framework for the operation of waste-to-energy infrastructure”*. Therefore, the inclusion of waste facilities as infrastructure within district plans would align with national strategy.
- 5.3 Without being part of the definition, subsequent consideration of waste management facilities under the strategic directions is also excluded, notably those referring to infrastructure under 2.3 and 2.5. It is my opinion that waste infrastructure is particularly

¹ Page 11 of Ministry for the Environment. 2023. Te rautaki para | Waste strategy. Wellington: Ministry for the Environment. March 2023.

prone to the adverse effects of reverse sensitivity due to the long life-span and large size of sites and potential adverse amenity effects. I consider it is not consistent with sustainable management to offer no recognition within the Plan.

- 5.4 The 'Taking Responsibility for our Waste' consultation document released by the Ministry of Environment in 2021 describes future investment in resource recovery infrastructure as being necessary to support the waste vision. With the changing emphasis on a circular economy waste facilities are changing fast and need to adapt to encompass sustainable outcomes.
- 5.5 An example of change in the waste industry is diversion of food waste, along with construction and demolition waste diversion. The Ministry of Environment have signalled that diverting food waste from landfills is of critical importance to reduce greenhouse gas emissions and biogenic methane emissions. Similarly, construction and demolition waste may represent up to 50% of all waste generated and is being targeted for significant reduction. As most landfills (or other waste infrastructure) reside in the rural environment, it is therefore important that some objectives support the waste infrastructure so that the continuation of facilities, and/or new facilities, with the management of discharge effects, is enabled.
- 5.6 I therefore support the amendment to the infrastructure definition as proposed by Enviro NZ to be appropriate.

6.0 Zoning of Centennial Drive

- 6.1 With respect to the rezoning of properties along Centennial Drive to Rural Lifestyle Environment (RLE), Enviro NZ opposed any re-zoning of property to Rural Lifestyle within a 1.5km radius of the landfill. I also note that Contact submission, and the submissions from Taupo International Motorsport Park and Events Centre and Taupo Racing Club Inc., sought the removal of the RLE zoning from the Centennial Drive locality and replacement with GRE zoning.
- 6.2 Mr Sharman, in the s42A report, states that the RLE provisions do satisfactorily avoid reverse sensitivity effects as the lots remain restrictive in terms of further development under subdivision. To help achieve this, Mr Sharman proposes that the development of minor units at this location require consent to a non-complying activity under Rule 4b.3.2iii. Minor residential units can substantially add to the number of residential units overall and therefore I agree with this relief.
- 6.3 I do consider, however, that it would be helpful if the new matter of assessment listed for Rule 4b.3.2iii included the landfill so that reverse sensitivity to this regional waste infrastructure is acknowledged and can be assessed for those most south-eastern properties of Centennial Drive as relief for OS39.21. These properties occur within 1.5km of the landfill site, and allowing for this buffer makes for good planning while the landfill remains operational, which could be for another 30 years.
- 6.4 I propose therefore the following amendment to the clause a:

a. Any effects on the functioning of the General Rural Environment and other Environments including adverse effects on infrastructure, renewable electricity generation activities, the Taupo landfill and access to renewable energy resources

- 6.5 The additional alternate relief recommended to provide an additional policy 3b.3.16 for the Centennial Drive locality only, is agreed to. The proposed policy is appropriately worded ‘to avoid subdivision and development’ and will allow for the landfill to be acknowledged as a legally established activity in the neighbouring Environment.

7.0 Policies and Objectives

- 7.1 Objective 3b.2.4 - Enviro NZ sought to add to Objective 3b.2.4 with a qualifying statement to reduce unintended consequences on activities such as the landfill that have a functional need to be located in the Rural Environment.

Māori cultural activities, tourism activities, visitor accommodation and renewable electricity generation and transmission activities are enabled in the General Rural Environment where compatible with existing and planned character.

- 7.2 We note that this objective has been amended to include enablement of other activities that have a locational need. While this objective needs to be considered in the context of the other objectives for the General Rural Environment, which include maintaining established rural character and also avoidance of reverse sensitivity effects, I consider that the Enviro NZ amendment would help to reconcile the differences between policies and reduce conflict when reverse sensitivity issues occur next to tourism activities, for example. However, given the s42A wording of the objective to include other activities that have a locational need, I accept the rejection of the submission point.

- 7.3 Objective 3b.2.6 - I support the proposed amendments to Objective 3b.2.6 in relation to ‘*not compromising the safe and efficient function of infrastructure*’, as this will help to avoid the encroachment of sensitive activities next to infrastructure by what would be normal interpretation of ‘efficient’ functioning. However, as the s42A report does not support the infrastructure definition including regional waste facilities at this time, I consider the objective needs to include waste facilities to acknowledge the importance of the Taupo landfill and transfer station to the district as an essential facility. I therefore propose the following relief:

The impacts ~~on infrastructure~~⁴⁸ arising from subdivision and development ~~are managed~~⁴⁹ do not compromise the safe and efficient function of infrastructure⁵⁰ and regional waste facilities.

- 7.4 Policy 3b.2.10 – Enviro NZ sought a change to this policy to change the word ‘limiting’ to ‘restricting’ residential units, in order to avoid the cumulative effects of rural character erosion and to maintain a low intensity of residential buildings. We note that this change was accepted in the s42A report but has not translated into the resulting re-worded policy. While the re-worded policy now separates out the limiting of residential units to the General Rural Environment, I consider that the intent of the policy would still be enhanced with the proposed change of words. The resulting amended policy is provided below.

Avoid the cumulative effects of rural lifestyle development by providing for these activities within the Rural Lifestyle Environment and otherwise⁵⁵ ~~limiting~~ restricting residential units within the General Rural Environment⁵⁶ that:

- a) Increase the demand for community infrastructure and services*
- b) Result in the inefficient use of land or loss of future flexibility for productive uses*
- c) Erode the general rural character through its density, scale and location.*

7.5 Policy 3b.2.14 - In relation to Policy 3b.2.14, the proposed exclusion for rural industry is accepted, and the submission point is withdrawn. It is debatable that clean fills and managed fills would be interpreted as rural industry, given that they support primary production only occasionally in my opinion. However, I consider fill areas are generally encompassed within Objective 3b.2.4, as they have a locational and functional need to locate in rural areas.

7.6 Enviro NZ sought a new objective for quarries, cleanfills and managed fills (OS39.16). This was rejected on the basis that quarries, cleanfills and managed fills meet the definition of rural industry. As detailed above, this interpretation is debatable. The definition for rural industry is proposed to be *'industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production'*. In my experience, with the exception of farm quarries, most cleanfills and managed fills support either urban activities or larger infrastructure. For example, the tunnel material for the City Rail Link has to be disposed of in a clean fill. I therefore consider the proposed objective below is appropriate, but would be better included as a policy. It would then provide for these critical uses in a manner that ensures that their adverse effects are minimised.

Restrict quarries, cleanfills and managed fills so that they should not adversely affect or inhibit the use of surrounding land for productive purposes or for carrying out permitted or consented activities; and their completed state should be in keeping with the appearance, form and location of existing rural character and amenity values.

7.0 General Rural and Rural Lifestyle Environment Subdivision Rules

7.1 EnviroWaste opposed Rule 4b.5.1i on the basis that a controlled activity status for subdivision of lots greater than 10 hectares could potentially increase the number of sites and dwellings within proximity to the Taupo landfill (OS39.21). The s42A report recommendation was to reject the submission point and it detailed that subdivision within 1.5m of the landfill is discretionary due to the landfill and the area surrounding being located in an area subject to the geothermal rule and within Area X on Planning Map D3.

7.2 I accept that subdivision would be a discretionary activity for these reasons, and note that for subdivision within Area X any application would be considered with regards to all the objectives and policies of the General Rural Environment, and therefore reverse sensitivity effects to the landfill would be considered. However, I would argue that specific consideration of the landfill would be enhanced if the buffer subdivision rule under Point OS29.22 was accepted by the Panel.

7.3 Point OS39.22 proposed that a new "other" subdivision rule be inserted to state:

Any subdivision of land in the General Rural Environment or Rural Lifestyle Environment that is located with Area Z on Planning Map ? is a discretionary activity.

Such a rule would specifically allow consideration of reverse sensitivity effects in the creation of new land titles for rural land around the landfill. It would not apply to non-rural zoned land and because of this, its effectiveness may be limited given the rural land tenure in the vicinity of the landfill (apart from the land to the north which is currently zoned rural but proposed to be zoned General Industrial).

- 7.6 I do consider that this buffer approach would also be better represented as an overlay where individual sensitive activities could be assessed in vicinity of the landfill, rather rely on the subdivision process. For this reason, my preferred outcome would be to wait for the district-wide plan changes to incorporate the National Planning Standards, which I understand will be in 2024. I therefore accept the recommended rejection of OS39.22.
- 7.7 Nevertheless, in consideration of the extent of the buffer, in my opinion such a buffer can be reduced based on the following rules from the Auckland Unitary Plan and guidelines from Environmental Protection agencies of the various states of Australia. Links to these documents are detailed at **Appendix 3**.

Auckland Unitary Plan

Standard E14.6.4.1(3) gives a separation distance of 1 km to residential property from the landfill footprint.

Standard E14.6.2.4(1) requires that refuse transfer stations be located more than 300m from any dwelling or residential zone.

Environmental Guidelines – Solid Waste landfills, NSW EPA (2016)

In the case of large putrescible waste landfills (more than 50,000 tonnes of putrescible waste per year), buffers of at least 1000 metres should be provided where practicable to residential zones, schools and hospitals to protect the amenity of these land uses from odour, noise and other impacts.

- 7.5 Given these guidelines, I would consider a 1km separation from the landfill footprint would be an appropriate buffer to more sensitive activities. If this approach was used for the landfill, it would allow for management of encroachment into an area which may be subject to reduced air quality, to manage the risk of impacts from unintended events, such as equipment or management failures or abnormal weather events. It would also provide for appropriate expectations of amenity in the vicinity of the existing landfill.

8.0 Conclusion

- 8.1 I support the primary submissions and further submissions made by EnviroWaste (now Enviro NZ) with the exception of OS39.21 and OS39.22 for the reasons outlined above.
- 8.2 I respectfully request that the Panel recommend to the Council those amendments to the provisions as outlined in my evidence.

8.3 Thank you for your consideration.

Kaaren Rosser

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Appendix 1

Qualifications and Experience

I hold a Bachelor of Science (Earth Sciences) from the University of Waikato and a Post-Graduate Diploma in Natural Resources from the University of Canterbury, along with a Certificate of Proficiency in Planning from the University of Auckland. I am an Associate Member of the New Zealand Planning Institute.

I have over 20 years' experience, which includes both working in local government and the private sector. I have undertaken policy analysis and the preparation of submissions for a wide range of clients and I have also written precinct provisions for the Auckland Unitary Plan. I have advised clients on a wide range of planning matters, but with a particular focus on water and air discharge matters relating to industrial sites. I have also processed complex planning applications for Auckland Council including chicken farms and large multi-unit developments.

Appendix 2 - s32AA evaluation

Submission Point	Provision Number	Text of changes to proposed amendments	Evaluation of amendment (Section 32AA assessment)
OS39.21	new matter of assessment listed for Rule 4b.3.2iii	<i>a. Any effects on the functioning of the General Rural Environment and other Environments including adverse effects on infrastructure, renewable electricity generation activities, the Taupo landfill and access to renewable energy resources</i>	<p><u>Effectiveness and efficiency:</u> The amendment would enhance effectiveness by making it clear to plan users that the Taupo landfill is a land use in the rural environment close to Centennial Drive that is incompatible with residential development.</p> <p><u>Costs:</u> Potential limitations on very few properties closer to the landfill that wish to establish a minor residential unit.</p> <p><u>Benefits:</u> Continued operation of landfill.</p> <p><u>Risk of acting or not acting:</u> Lack of awareness of landfill in proximity.</p> <p><u>Decision about provision:</u> The amendment is appropriate given the strategic importance of the landfill.</p>
OS39.12	Objective 3b.2.6	<i>The impacts on infrastructure⁴⁸ arising from subdivision and development are managed⁴⁹ do not compromise the safe and efficient function of infrastructure⁵⁰ and regional waste facilities.</i>	<p><u>Effectiveness and efficiency:</u> The amendment would enhance effectiveness by making it clear to plan users that regional waste facilities can be constrained by subdivision and development.</p> <p><u>Costs:</u> No costs on environment arising from amendment.</p> <p><u>Benefits:</u> Continued operation of the landfill and reduction of reverse sensitivity.</p> <p><u>Risk of acting or not acting:</u> Lack of awareness of landfill in proximity to development.</p> <p><u>Decision about provision:</u> The amendment is appropriate given the strategic importance of the landfill.</p>
OS39.16	New policy	<i><u>Restrict quarries, cleanfills and managed fills so that they should not adversely affect or</u></i>	<p><u>Effectiveness and efficiency:</u> The policy would enhance effectiveness by making it clear to plan users that quarries, cleanfills and managed fills are important rural uses that fall outside</p>

		<p><u><i>inhibit the use of surrounding land for productive purposes or for carrying out permitted or consented activities; and their completed state should be in keeping with the appearance, form and location of existing rural character and amenity values.</i></u></p>	<p>rural industry and should be provided for.</p> <p><u>Costs:</u> No costs on environment arising from the policy.</p> <p><u>Benefits:</u> Provides for these uses under tight environmental constraints.</p> <p><u>Risk of acting or not acting:</u> Extreme difficulty in consenting these uses when required to support infrastructure.</p> <p><u>Decision about provision:</u> The amendment is appropriate to ensure these uses have sound parameters for their establishment.</p>
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Appendix 3 – Landfill Buffer Guidelines

Environmental Guidelines – Solid Waste landfills, NSW EPA (2016)

Link provided here:

<https://www.epa.nsw.gov.au/~media/EPA/Corporate%20Site/resources/waste/solid-waste-landfill-guidelines-160259.ashx>

Chapter E14 of the Auckland Unitary Plan (see pages 41 and 42 excerpt following)

- (1) The crushing of minerals and aggregates associated with a mineral extraction activity must be located at least 200m from any dwelling located outside the site zoned Special Purpose – Quarry Zone that is not under the control of the quarry operator.

Rural activities

E14.6.2.3. Intensive farming indoors of more than 25 pig equivalents or more than 10,000 poultry that was lawfully established or authorised before 21 October 2001

- (1) Any change in the activity must not change the character or increase the scale or intensity of any adverse effects of the activity on the environment.
- (2) The activity must have a management plan recording all management, operational and monitoring procedures, methodologies and contingency plans necessary to comply with this rule.

Waste processes

E14.6.2.4. Refuse transfer station with more than 30m³ of refuse or 500m³ of green waste

- (1) The refuse station must be located more than 300m from any dwelling or residential zone.
- (2) The premises must be in an industrial or rural area and have either:
 - (a) a minimum separation distance of 300m from any dwelling on another property or any residentially zoned area; or
 - (b) a minimum notional odour boundary of 300m through designation or an instrument registered against the land title of the owners of any residential property within 300m of the activity, and such designation or registered instrument must provide a restriction on the owners and occupiers of such land from complaining about any offensive or objectionable odour generated by the activity in respect of that property.
- (3) The refuse transfer station must be designed to ensure that litter and dust is kept to a practicable minimum and with sufficient capacity to hold all waste materials received on-site indoors or under cover, except green wastes.
- (4) All access and transfer areas must be sealed and designed with sufficient room for the movement of vehicles within the yard area.
- (5) The consent applicant must have clear protocols for:
 - (a) acceptance criteria for materials delivered to the site;

- (2) Discharges to air from the demolition of buildings containing asbestos materials must be undertaken in a way that avoids the discharge of asbestos and provides for the health and safety of all people, including those working on the site, and in accordance with the Health and Safety in Employment Act 1992.
- (3) For discharges or dust from earthworks or road construction and maintenance that do not meet permitted activity standards, a dust management and monitoring plan must be submitted to Council. The Plan must show the means to minimise dust such that it does not cause nuisance effects beyond the boundary of the works.

Rural activities

E14.6.3.5. Intensive farming established from 21 October 2001 housing between 10,000 to 180,000 chickens

- (1) The premises, measured from the exhaust vents closest to the neighbouring site, must be located a minimum of 400m from the property boundary or notional property boundary. Notional property boundaries must be established through an instrument registered against the land title or any neighbouring property within the buffer area. Such registered instrument must provide a restriction on the owners and occupiers of such land from complaining about any offensive or objectionable odours or dust within the buffer area generated by the intensive livestock chicken farm.
- (2) There must be a management plan for the activity detailing:
 - (a) environmental objectives and targets, use of best practicable options, performance reviews, checklists;
 - (b) shed management details including ventilation and litter management;
 - (c) drinker and feeding systems operation;
 - (d) waste management and litter disposal; and
 - (e) complaints system and management including schedule of neighbouring properties and contact phone list.

E14.6.4. Discretionary activities

Activities listed as discretionary activities in Table E14.4.1 Activity table must comply with the following standards where applicable.

Waste processes

E14.6.4.1. Discharges to air from landfills receiving waste materials, including domestic and industrial wastes

- (1) The landfill must have been issued with resource consent or an application has been lodged to discharge contaminants into air prior to 1 January 2002 and the landfill is still receiving waste provided the footprint and contours of the landfill remain unchanged.
- (2) The landfill operation must be able to maintain a minimum separation distance of one kilometre between the landfill footprint and nearest dwelling located in the urban area and zoned for residential activities on the 21 October 2010.
- (3) The landfill operation must be able to maintain a minimum notional odour boundary of one kilometre through designation or an instrument registered against the land title of any residential property within one kilometre of the landfill footprint for the active life of the landfill. Such designation or instrument must provide a restriction on the owners and occupiers of such land from complaining about any offensive or objectionable odour generated by the landfill in respect of that property.

E14.7. Assessment – controlled activities

E14.7.1. Matters of control

The Council will reserve its control to the following matters when assessing a controlled activity resource consent application.

- (1) For discharge of contaminant into air from combustion activities:
 - (a) stack height, design and emission discharge velocity;
 - (b) fuel source, burning rate, emissions controls and maintenance; and
 - (c) duration of consent.
- (2) For discharge of contaminant into air from dust generating processes:
 - (a) location of activity and distance from activities sensitive to air discharges;
 - (b) dust mitigation measures;
 - (c) dust management plan; and
 - (d) duration of consent.
- (3) For discharge of contaminant into air from rural activities:
 - (a) location of activity;
 - (b) dust and odour mitigation methods;
 - (c) type of waste treatment; and
 - (d) duration of consent.