



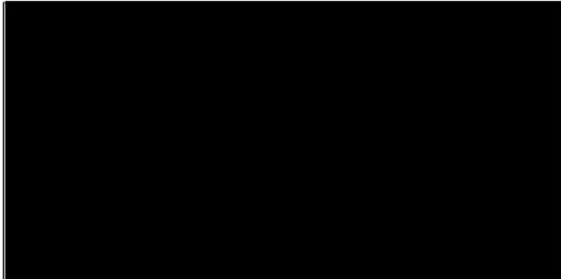
Ref: [REDACTED]

Civic House, 110 Trafalgar Street
PO Box 645, Nelson 7040, New Zealand

P (03) 546 0200

E LGOIMA@ncc.govt.nz
nelson.govt.nz

17 January 2025



OFFICIAL INFORMATION REQUEST - RESOURCE CONSENT INFORMATION REGARDING NELSON AIRPORT PROJECTS

I refer to your official information request dated 5 December 2024 for "...a copy of the Resource Consent applications and all information in relation to the Resource Consents for both the bridging of Jenkins Creek and the reconstruction of the Airport Apron..." and your subsequent request dated 4 January 2025 relating to correspondence detailing why Nelson Airport did not need a resource consent for the airport apron works.

Request 1 – [REDACTED]

Works for redevelopment of the airport, including to establish a carpark and bridge Jenkins Creek were approved by consents RM245138 (Land Use), RM245139 (Land Use), RM245140 (Water Permit), RM245141 (Discharge Permit), RM245142 (Outline Plan) and RM245208 (NES:CS) granted on 15 November 2024. A copy of the original application, further information responses received, and decision reports for these consents are available at the following link: [\[REDACTED\] LGOIMA Airport](#)

No resource consent application has been sought for the redevelopment of the airport apron.

Regarding the balance of information, such as working correspondence relating to the processing/assessment of these consents, given the amount of resource required to collate and review this, we would need to raise a charge for making it available.

We estimate that it will take up to 4 hours of staff time to carry out this work. This includes the following activities:

- Search and retrieval
- Collation
- Research (reading and reviewing to identify the information)
- Editing (excising or redacting information to be withheld)
- Scanning / copying
- Reasonably required peer review to ensure that these tasks have been carried out correctly

Internal Document ID: [REDACTED]

Our charging rate is currently \$76 per hour, as set out in Council's fees and charges schedule and this is in line with the Ministry of Justice charging guidelines. This means that the maximum charge based on the above estimate will be \$304, GST inclusive. Any unused component of the maximum charge will be refunded to you.

Before we proceed further, please confirm your agreement to the charge so we can raise an invoice. Payment is required ahead of the working being carried out, in accordance with section 13(4) LGOIMA. If we haven't received confirmation from you by 31 January 2025 that you wish to proceed, we will assume no further action is required and the service request will be closed.

Request 2 – [REDACTED]

Correspondence in scope of your second request (regarding redevelopment of the airport apron) is **attached**. In summary, the apron works are considered to be a Permitted activity and therefore do not require resource consent.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or Freephone 0800 802 602. If you wish to discuss this response, please feel free to contact me at chris.miles@ncc.govt.nz.

Yours sincerely



Chris Miles

Manager Consents and Compliance

Enclosures: E-mail correspondence – redevelopment of airport apron

From: Chris Miles <chris.miles@ncc.govt.nz>
Sent: Wednesday, December 18, 2024 11:31 AM
To: Simon Barr <Simon@nelsonairport.co.nz>
Subject: RE: Airport Apron Works

Kia ora Simon,

Thanks for providing the below information and clarifying some of the details in our subsequent phone discussion, in particular that earthworks depth would not exceed 1.2m.

My team have reviewed the information provided and based on that and our discussion, the activity appears to be a permitted activity under the NRMP (i.e. no resource consent required under the NRMP).

As acknowledged in the below information, the site is also shown as a HAIL site, where there are certain requirements under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS) to achieve permitted status.

Disturbing the soil of the piece of land is a permitted activity while the following requirements are met:

- a. controls to minimise the exposure of humans to mobilised contaminants must—
 - (i) be in place when the activity begins:
 - (ii) be effective while the activity is done:
 - (iii) be effective until the soil is reinstated to an erosion-resistant state:
- b. the soil must be reinstated to an erosion-resistant state within 1 month after the serving of the purpose for which the activity was done:
- c. the volume of the disturbance of the soil of the piece of land must be no more than 25 m³ per 500 m²:
- d. soil must not be taken away in the course of the activity, except that,—
 - (i) for the purpose of laboratory analysis, any amount of soil may be taken away as samples:
 - (ii) for all other purposes combined, a maximum of 5 m³ per 500 m² of soil may be taken away per year:
- e. soil taken away in the course of the activity must be disposed of at a facility authorised to receive soil of that kind:
- f. the duration of the activity must be no longer than 2 months:
- g. the integrity of a structure designed to contain contaminated soil or other contaminated materials must not be compromised.

The below bullet points under HAIL address some of these things but more detail would be required for us to confirm your consultant's Permitted status assessment in terms of the NES:SC. (Should these matters not be complied with, a Resource Consent would be required under the NES:SC, or the activity would need to be modified to comply).

Some of the key things here are the duration of the works (re disturbance of the HAIL area) and whether any removal of soil off-site (from the HAIL area) is proposed.

Happy to discuss and we can check any updated info provided.

Cheers
Chris

Chris Miles
Manager Resource Consents and Compliance | Kaiwhakahaere Tatū Taiao
Nelson City Council | Te Kaunihera o Whakatū
P 03 545 8843
nelson.govt.nz



From: Simon Barr <Simon@nelsonairport.co.nz>
Sent: Wednesday, December 11, 2024 12:56 PM
To: Chris Miles <chris.miles@ncc.govt.nz>
Subject: Airport Apron Works

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Hi Chris,

Thanks for taking my call just now. As discussed, to assist with our response to an OIA request, we are keen to receive any feedback from NCC on our conclusion that the current apron works do not require any resource consents.

Below is an email exchange with Susan (note it's not verbatim, as I've removed some comment regarding our intended response to the requester regarding Jenkins Creek consents – added text is in **green**).

Hope your team is able to give feedback on our conclusion without intruding too much into other productive work.

Cheers, Simon

Simon Barr
Commercial Manager
Mobile: 027 355 1673
simon@nelsonairport.co.nz
www.nelsonairport.co.nz



From: Simon Barr <Simon@nelsonairport.co.nz>
Date: Friday, 6 December 2024 at 3:23 PM
To: rcadmin@ncc.govt.nz <rcadmin@ncc.govt.nz>
Subject: Attn Susan Corry - re LGOIMA and OIA request regarding Resource Consents for recent approvals

Hi Susan,

Thanks for your time on the phone earlier today. To ensure we are referring to the same information request, the request made to us is contained in the email below.

My intended response is that no consents are required for the apron works, and that we will be **providing the consent application and subsequent decision** for Jenkins Creek.

With regard to the apron project, you asked me to outline why we have determined no consents are required. To this end, I requested our consultant planner provide a succinct narrative, which I have pasted in below:

Permitted Activity vs Outline Plan

- While Outline Plans are a common approach for sites where there is a designation in place, this project is being undertaken in accordance with the permitted standards of the underlying zone in the Nelson Resource Management Plan and therefore an Outline Plan process is not required.
- The project is located within Industrial zoned land and does not involve the construction of any buildings. Rather it involves soil disturbance and pavement works and the replacement of an existing stormwater drain. Any areas where fill material is to be temporarily stockpiled, where outside the industrial zone, will be located in the open space recreation zone also in compliance with the permitted zone standards.

Stormwater

- Stormwater will continue to be discharged from the pavement area via the airport's global stormwater discharge consent RM095045.
- It has been confirmed that the existing stormwater system has capacity to accommodate any potential additional stormwater and that this is able to remain within scope of RM095045 and continue to comply with the discharge quality limits of this consent.

Earthworks

- Earthworks within the industrial zone will comply with Rule INr.54 in terms of maximum depths of excavation, height of fill, and location in proximity to any river or the CMA.
- Earthworks will also comply with Rule INr.60.1 which permits earthworks within an inundation overlay area provided the works are for network utilities and structures only, which in this case, they are (this is confirmed by the definition of Network Utilities in the NRMP).
- Any earthworks (fill) within the open space and recreation zone will comply with Rule OSr.48 and OSr.49 in terms of maximum height of fill, slope finish of any stockpile, and location in proximity to any river or the CMA.

HAIL (NES CS)

- The earthworks will largely be outside any HAIL area with only a small area occurring partially within a HAIL area.
- Given these works fall within the wider 118ha piece of land or site held as ML13B/222, they will comply with the permitted soil disturbance requirements of the NES CS.

Overall, this project has been subject to a planning review prior to works commencing and it is confirmed that all works can occur as a permitted activity under the NRMP and, in the case of stormwater discharge, within the scope of RM095045.

Before I respond to the requester, I'd appreciate receiving any feedback you may have on the above.

Kind regards, Simon

Simon Barr
Commercial Manager

Mobile: 027 355 1673

simon@nelsonairport.co.nz
www.nelsonairport.co.nz



From: [REDACTED]

Date: Thursday, 5 December 2024 at 5:43 PM

To: Simon Barr <Simon@nelsonairport.co.nz>

Subject: LGOIMA and OIA request regarding Resource Consents for recent approvals

Dear Simon

I have a request under the LGOIMA and the OIA.

My request relates to the Resource Consent applications for the Airport Apron reconstruction and bridging of Jenkins Creek approvals as per below.

Can you please provide me with a copy of the Resource Consent applications and all information in relation to the Resource Consents for both the bridging of Jenkins Creek and the reconstruction of the Airport Apron, this should also include but not be limited to the hours of construction, and the construction noise management plan and the letter that will go to the residents informing them of the impact.

Thank you in anticipation.



AIRPORT GAINS APPROVALS FOR BRIDGING JENKINS CREEK

Nelson Airport has gained resource consent to build bridges over Jenkins Creek and create a new carparking area as it looks to deliver the next phase of development in its 2050 Masterplan.

[Read More →](#)

27 Nov 2024



NELSON AIRPORT SET TO BEGIN \$10 MILLION APRON RECONSTRUCTION

After years of planning, a full reconstruction of Nelson Airport's apron will take place over the next six months to ensure a safe, high-quality environment for airport operators and passengers now and in the future.

[Read More →](#)

31 Oct 2024

Chris Miles

From: Chris Miles
Sent: Thursday, 16 January 2025 5:26 pm
To: Sam Flewellen
Cc: Simon Barr; Ben Stark
Subject: RE: Airport Apron Works - NES CS

Hi Sam,

Thanks for that clarification.

I concur with your findings that the activity is Permitted based on undertaking the activity as per this information and that previously supplied.

Regards
Chris

Chris Miles

Manager Resource Consents and Compliance | Kaiwhakahaere Tatū Taiao
Nelson City Council | Te Kaunihera o Whakatū
P 03 545 8843
nelson.govt.nz



our.nelson.govt.nz | shape.nelson.govt.nz | facebook.com/nelsoncitycouncil | [@nelsoncitycouncil](https://twitter.com/nelsoncitycouncil)

From: Sam Flewellen <sam@planzconsultants.co.nz>
Sent: Thursday, January 16, 2025 3:40 PM
To: Chris Miles <chris.miles@ncc.govt.nz>
Cc: Simon Barr <Simon@nelsonairport.co.nz>; Ben Stark <ben@aesculus.co.nz>
Subject: Airport Apron Works - NES CS

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Good afternoon Chris,

Further to Council's e-mail of 18 December 2024, I am just responding on behalf of Nelson Airport to confirm compliance can be achieved regarding the permitted standards for soil disturbance under the NES CS for works associated with the runway apron project.

To summarise:

- The piece of land (title) that has been subject to HAIL activities and will be subject to soil disturbance in association with the apron project is a total of 118.8086ha (1,188,186m²) in area.
- NAL will have appropriate controls in place to minimise the exposure of humans to any contaminants during any soil disturbance where HAIL activities have been undertaken in accordance with Clause 3(a).
- The disturbed soil will be made erosion resistant within 1 month in accordance with Clause 3(b).
- The volume of excavation expected will be within the permitted limit in accordance with Regulation 8 of the NES CS.
- Excavated soil will initially be stockpiled within the same land title and tested before a decision will be made on where it will be located. It is likely that it will remain within airport premises and most likely within the same land title.
- The soil disturbance duration will be no longer than 2 months in accordance with Clause 3(f). The project works will be staged. While the overall project will take in the order of 6 months, the total of any soil disturbance works e.g. excavation, within any potential HAIL area will be well less than 2 months.
- Based on the above, the proposed soil disturbance works can be undertaken as a permitted activity.

If you have any questions, please do not hesitate to contact me.

Regards



Sam Flewellen - Partner

M: 021 178 9427 **E:** sam@planzconsultants.co.nz **W:** planzconsultants.co.nz

P: PO Box 1845, Christchurch 8140 **A:** 54 Bridge Street, Nelson, 7010

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