

Memo

Date: 2nd November 2023
From: Rachel Cottam, Senior Planner
To: CCC public website

Resource Consent Update – Braeburn Property – Industrial Activity at Portlink

The purpose of this memo is to provide an update on the application since the amendment application was submitted on the 22nd September 2023.

The applicant has confirmed the configuration of containers (whether classified as outdoor storage areas or as buildings) is as follows:

- The application proposes a maximum height limit of 5.8 metres on the sealed area with the ODP Greenspace. This restricts shipping container storage to two-high stacks within this area.
- Directly adjacent to the ODP Greenspace area (but not within), there will be three container stack high configuration to assist with mitigate noise from the manoeuvring area on the site.
- Consent is not sought to authorise buildings to extend above 11m in height within the ODP 11m height limit area. This would allow containers which are 2.6 metres high to be placed to a maximum height of 4 containers.

We are currently awaiting final assessments from relevant specialists for this application. This includes seeking consultation from the Ngāti Wheke Katiaki. Once this input has been received, the recommendation report of the processing planner will be prepared and submitted to the appointed commissioner. A summary document of the concerns raised by members of the public will also be sent to the commissioner at this time. If you have any further questions on the resource consent process, please contact Rachel Cottam.

Application for Certificate of Compliance – Braeburn Property – Industrial Activity at Portlink

The applicant has also applied for a certificate of compliance (RMA/2023/2806) that seeks to establish a container yard on a restricted area of the site and outside any landscape waterway setback areas. An application for a certificate of compliance establishes whether an activity is permitted or not and does not include a notification decision process. It does not require an assessment of effects as the decision is just to certify whether or not the activity is permitted or not under the District Plan.

Because the proposed stack of containers is over 11m in height , the decision makers will need to determine whether the stack of containers is defined as a building and whether it breaches the 11m height limit.

If the stack of containers is considered to be a building by the decision makers (or if there are any other identified breaches of rules in the District Plan), the application will need to be declined although appeal rights may apply.

This application will be determined by two independent commissioners. It is expected that a decision on this certification process will be made in December. If you have any further questions in regard to this process, please contact John Higgins, Head of Planning and Consents.