

## Palmerston North City Council

**Minutes of a Resource Consent Application before an Independent Commissioner appointed by the Palmerston North City Council under the Resource Management Act 1991, Public, held in The Gallery Room, Conference and Function Centre, 354 Main Street, Palmerston North on 19 October 2021, commencing at 9.00am**

**Commissioner** Commissioner Mark St. Clair.

**Present:**

### NOTES:

There were 5 Minutes issued relating to the directions for the filing of evidence and other matters relating to hearing procedure and process, namely:

- Minute #1 – 30 August 2021
- Minute #2 – 13 September 2021
- Minute #3 – 20 September 2021
- Minute #4 – 20 October 2021
- Minute #5 – 27 October 2021

**1. Hearing of a Resource Consent Application lodged by Soul Friend Pet Cremations (the Applicant) for a proposed pet cremation business and associated activities at 94 Mulgrave Street, Ashhurst, Palmerston North (Land Use 5959).**

Consideration was given to:

1. All documents pre-circulated included in the Agenda.
2. Documents tabled at the hearing:
  - (i) Video from the Applicant;
  - (ii) Draft Conditions as at 19<sup>th</sup> October 2021 (PNCC and Applicant), clean and track changes versions, tabled by Ms Tabitha Manderson;
  - (iii) Report to Commissioner - Presentation of Submission in Opposition by Mr & Mrs Denton (Phil Pirie, Consulting Surveyor), dated 15 October 2021.

The following people appeared before the Independent Commissioner:

### For the Applicant – Soul Friend Pet Cremations

- Ms S Morrison – Owner and Director of Soul Friends Cremations.
- Ms T Manderson – Principal Planner, WSP Ltd.
- Mr G van Hout – Senior Acoustic Engineer, WSP Ltd.
- Mr S Steyn – Senior Landscape Architect at WSP Ltd

The hearing adjourned at 10.26am.  
The hearing resumed at 10.44am.

1) Ms Tabitha Manderson (Planner)

The hearing adjourned at 11.14am  
The hearing resumed at 11.28am.

As Submitters

1) Submitter SO-05\* - Mr Dave Denton & Mrs Elaine Denton with their consultant Mr Phil Pirie.

The hearing adjourned at 11.58am  
The hearing resumed at 12.04pm.

The hearing adjourned at 12.57pm.  
The hearing resumed at 1.45pm.

2) Isobel E Currie & Bevan P Currie

For Palmerston North City Council

- Mr P Hindrup – Consultant Planner for PNCC, Section 42A reporting officer.
- Ms C Kershaw – Consultant Landscape Architect for PNCC – attended online.
- Mr N Lloyd – Consultant Noise Control Engineer for PNCC.
- Mr C Lai – Senior Transport Engineer at PNCC

The Independent Commissioner adjourned the hearing and reserved his decision, pending the circulation of additional material requested by the Commissioner during the hearing.

The hearing adjourned at 3.21pm.

The following documents were filed on 20 October 2021, while the hearing was adjourned, as directed by the Independent Commissioner:

- (i) Revised Draft Conditions filed by Mr Hindrup, Palmerston North City Council.
- (ii) Decision of the Hearings Committee on Resource Consent Application by Maskill Contracting Ltd dated 20 June 2005, and Case law Maskill v PNCC (Environment Court Decision dated 18 May 2006).

Additionally, on 26 October 2021, Ms Manderson filed the Air Quality Technical Report by Pattle Delamore Partners Ltd dated 14 May 2021.

Right of Reply of the Applicant

Ms Tabitha Manderson filed the right of reply in writing on behalf of the Applicant on 26 October 2021 in accordance with the Independent Commissioner's request.

The hearing was closed on 27 October 2021 (Minute # 5 of Commissioner).

Further consideration was given to the evidence before the Independent Commissioner on a Resource Consent Application lodged by Soul Friend Pet Cremations for a proposed pet cremation business and associated activities at 94 Mulgrave Street, Ashhurst, Palmerston North (Land Use 5959).

**The INDEPENDENT COMMISSIONER, under delegated authority on behalf of the Palmerston North City Council, RESOLVED:**

- 1.1 That, acting under delegated authority pursuant to Section 34A, and Sections 104, 104B, 104D, 108, 108AA of the Resource Management Act 1991, the application made by Soul Friends Cremations for Resource Consent to Palmerston North City Council (LU 5959) to establish and operate a pet cremation business, public memorial garden, woodworking workshop and spray booth for urn finishes and to undertake land disturbance and a change in use of a piece of land described in the hazardous activities and industries list without a detailed site investigation at 94 Mulgrave Street, Ashhurst, is granted, subject to conditions; as set out in the Decision (attached).
- 1.2 That copies of the decision be served on the Applicant and Submitters and be available for public inspection.

The Decision was issued on the 16<sup>th</sup> day of November 2021.

CONFIRMED THIS 16<sup>TH</sup> DAY OF November 2021.



**COMMISSIONER**