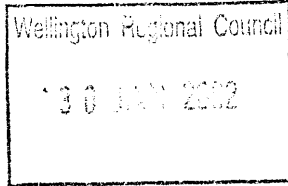




SIMPSON GRIERSON
LAW

WGN020084

P. Bullock P/B



29 January 2002

Chief Executive
Wellington Regional Council
PO Box 11-646
WELLINGTON

Partner Reference
D J S Laing - Wellington

Writer's Details
E-mail Address:
james.winchester@simpsongrierson.com

For: Paula Bullock
Manager Consents Management

Objection to Condition of Consent by Seaside Haven Limited

1. We act for Seaside Haven Limited, and enclose by way of service a notice of objection pursuant to section 357 of the Resource Management Act 1991 against condition 8 of consent WGN020084 [21693].
2. Please contact us if you would like to discuss the objection in further detail.

Yours faithfully
SIMPSON GRIERSON

James Winchester
Senior Associate

ISO 9001
Quality Assured

WG020290.008

BARRISTERS & SOLICITORS

Auckland Simpson Grierson Building, 92-96 Albert St, Private Bag 92518, Wellesley St, Auckland, New Zealand Telephone +64-9-3 58 2222, Fax +64-9-307 0331 DX CX10092

Wellington Simpson Grierson Building, 44-52 The Terrace, P O Box 2402, Wellington, New Zealand Telephone +64-4-499 4 599, Fax +64-4-472 6986. DX SX11174

Website www.simpsongrierson.co.nz or www.simpsongrierson.com

76577

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of an objection by
**SEASIDE HAVEN
LIMITED** pursuant to
section 357 of the Act

NOTICE OF OBJECTION TO CONDITION OF CONSENT

TO: The Chief Executive
Wellington Regional Council
PO Box 11-646
Wellington

1. Name of objector:

Seaside Haven Limited, which has been granted resource consent WGN020084
[21693], subject to conditions.

2. Name of decision-maker:

Wellington Regional Council.

3. Date of decision which is the subject of the objection:

13 December 2001.

4. Date on which notice of the decision was received by the objector:

14 December 2001.

5. Nature of the application on which the decision was made:

Application for resource consent to discharge leachate to land from the Fort Dorset contaminated site.

6. The grounds on which the objection is based:

Seaside Haven objects to the imposition of condition 8 of the consent, which provides that the consent holder's interest in the consent may not be transferred to any other person, for the following reasons:

- (a) the condition is unnecessary and does not serve a valid resource management purpose;
- (b) the condition is unreasonable in that it may impose obligations on the consent holder in respect of land that it no longer owns or is financially responsible for;
- (c) the condition may require the consent holder to negotiate land access with private land owners in order to comply with other conditions of consent; and is therefore potentially unenforceable; and
- (d) the imposition of the condition lacks sufficient justification.

7. The relief the objector seeks:

Cancellation of the condition.

DATED at Wellington this 29th day of January 2002

SEASIDE HAVEN LIMITED by its
solicitor and authorised agent



D J S Laing

Address for service:

Simpson Grierson
Solicitors
Simpson Grierson Building
44-52 The Terrace
P O Box 2402
Wellington

Attention: D J S Laing

Telephone: 04 499-4599

Facsimile: 04 472-6986