

26 August 2024

Sussex Trust
C/- Cuttriss Consultants Ltd
PO Box 386
Paraparaumu 5254
Attn: Emma Bean

By email (only) to: Emma.Bean@cuttriss.co.nz

Dear Emma

Further Information Request - Resource Consent application

Application number(s):	RM240112
Applicant:	Sussex Trust
Location:	160 Mazengarb Road, Paraparaumu
Proposed activity(s):	56-lot subdivision comprising 41 residential lots, 14 carparks and a private road/communal area lot; and for construction of 41 dwellings, a private loop road and associated earthworks not meeting permitted activity standards

Further to our letter dated 15 August 2024, we have now reviewed your application and inspected the site.

The following further information is needed to help me better understand your proposal, including its effect on the environment and the ways any adverse effects might be mitigated.

Requested information

Development Engineering

General Development Control

1. Please update the application plans and data to the NZVD 2016 Vertical Datum, which was adopted by Council on 1 July.

This information is required in accordance with the advice on Council's website, which states "Any height data sent to Kāpiti Coast District Council from 1 July 2024 must use the NZVD2016 height standard".

2. Please clarify whether Lidar data or Total Station data have been used to establish topographical survey, as it is not adequate for stormwater ponding assessments and earthworks quantities.

3. Please provide details of project staging together with relevant measures to ensure that each stage is self-sufficient and can operate in isolation from other following stages.

This information is required to enable Council to assess whether progressive staging with progressive s223/224 RMA certifications are feasible and reasonable.

4. For Information: Council does not accept draft CEMPs at resource consent stage. In addition, the content of the document provided is less than required by Council's standard conditions. A draft CEMP to be provided at Engineering Approval (Detailed Design) is acceptable, with a final CEMP to be provided at least 40 working days prior to construction starting.

Earthworks

5. For earthworks, please provide a topographical plan showing the existing and finished final ground levels to help identify existing drainage patterns and the accurate depths of cut and fill areas.
6. For earthworks, the application suggested LDMR Parts 3C and 4 Schedule 2 apply. However, KCDC also require NZS4404 Parts 1 and 2, although mentioned also within LDMR.

KCDC require the applicant to provide Certification of NZS4404 Schedule 1A at detailed design stage for geotechnical aspects. The resource consent decision will note the geotechnical report is not certified at resource consent stage. A brief report and certification Appendix A under NZ4431"2202 will be required, as well as Geotechnical Completion Report.

Geotechnical

7. Please provide a revised geotechnical report including comment on / recommendations for the utilities and private right of way.

This information is required because if using NZ4431 for housing foundations, the utilities and private ROW also need to be considered within the geotechnical report.

Utilities

8. Please provide a combined utilities plan showing all utilities with street lighting (for the private right of way) included. Please provide typical sections at critical locations to ensure that sufficient spacings can be provided between utilities and that there is sufficient private right of way width to accommodate all utilities.

Stormwater, Water and Wastewater

9. Please provide an assessment of how the proposed earthworks within Niu Sila Way properties will affect hydraulic neutrality within these sites.

Waste Minimisation

10. Please confirm whether advice has been sought from a waste collection company about whether the private right of way and waste collection arrangements (including an 8m truck) are practicable.

This information is required because as waste trucks are increasing in size rather than reducing, as this reduces effective down-time for trips to the refuse centre.

Access & Transport

11. Please provide clarification about the location of the three accessible parking spaces the Integrated Transport Assessment (ITA) refers to.

This information is required because the ITA states that three accessible spaces can be accommodated within the development. It appears that one space is provided within the common area however it is unclear where the other two spaces are located.

12. Please confirm the width of the proposed heavy-duty vehicle crossing.
13. Please provide details of any lighting proposed along the common accessway and footpaths (see question 8 above).
14. Please notate the plans to show the existing crossover to the site as to be removed and reinstated.

This information is required because the application indicates it is proposed to remove and reinstate the existing crossover to the site, but the plans do not reflect this.

15. Please provide an assessment of the impacts of the proposed earthworks on the existing footpath adjacent to Mazengarb Road. What are the impacts on the existing footpath as a result of the earthworks? Will the footpath need to be removed and reinstated?

This information is required because the earthworks plan shows some minor cut in the location of the footpath adjacent to Mazengarb Road (not the footpath adjacent to the subject site).

As mentioned in pre-application correspondence, in the future Council are likely to extend the existing shared path adjacent to the site. If there is an impact on this footpath that requires reinstatement Council may require it to be reinstated at a shared path width due to the removal of the footpath adjacent to the site.

16. Please update the plans to show the footpaths within the development being a consistent width and a minimum of 1.5m-1.6m wide.

This information is required because the footpath widths within the development vary. It is recommended that all footpaths be a minimum of 1.5m- 1.6m wide.

Stormwater & Coastal Assets

17. Please note that despite the updated flood modelling referred to in the application, the site is still identified in both the District Plan Maps and Council's GIS as being subject to a ponding flood hazard.

The following comments are made on the basis of the use of the yet to be approved/released flood models.

18. In order to assess the application against Policy NH-Flood-P13 and associated rules, the application has not provided information demonstrating whether the development will redirect floodwater onto adjoining sites and what those impacts might be. The earthworks plan and example as shown in Figure 13 show the land being raised in what is shown as a ponding area to a level higher than the surrounding properties therefore potentially redirecting ponding or surface flow onto properties outside the development site.

Please provide information demonstrating what the effects are of the land raising on both the displacement of flood waters onto adjoining properties and also impacts on natural drainage and/or surface flow from the development site to the neighbouring properties i.e. from higher land to lower land [i.e. Changing the natural servitude].

19. If the new flood model is going to be used, it is important that it is not just presented in isolation as part of the application for development on site. The application needs to be considered on the information submitted and therefore the if the new flood model is going to be relied upon it needs to show the flooding relative to the surrounding environment and any interaction or impacts that may or may not occur.
20. If the new flood modelling is being relied on as part of the application, please provide further details regarding the extent of the floodplain around the application site and any interactions of that floodplain with the surrounding area, i.e. is the ponding from rain on grid or as a result of flow from off the application site.

21. In accordance with NZS4404 - 4.3.1 please provide details of the how the proposed system meets the design life requirements for stormwater systems. In noting that this system proposes large private on site soakage please provide details around the proposed maintenance and/or replacement of the structures and how any such maintenance/replacement obligations under the body corporate agreement are proposed to occur in order to meet the required design life.

Water & Wastewater

The following information is required to assist Council in assessing the scale of any adverse servicing effects associated with the proposal and to determine whether the proposed servicing arrangements are appropriate and acceptable.

22. Please confirm that the design will achieve a minimum cover of 900mm for wastewater mains and a minimum cover of 600mm for water rider mains.
23. Please note that each wastewater lateral requires a cleaning eye. Please notate the Scheme Plan – Sewer Layout to reflect this requirement.
24. Please confirm that the minimum clearance between services as per NZS 4404:2010 Table 5.6 & 6.4 can be met.
25. Please amend the proposal so that the proposed pumpstation complies with the requirements of the LDMR, including that it be located away from vehicular access and within a separate lot. Please see Clause 5.3.11 under Schedule 5 of the LDMR for the requirements for pump stations.
26. Please note that a detailed pump station design for approval will be required at detailed engineering drawing stage (this will be included as a consent condition). The pump station shall be designed as per WSA04 sewage pumping station code of Australia, Version 2.1 (2005) and LDMR:2022.
27. Please acknowledge that the water reticulation plan is to be confirmed as the water reticulation model is not yet completed.
28. The proposed connection of outdoor taps to the public watermain is not allowed as it is against Council's water bylaw. This proposal will not be supported. Please provide an alternative means of supplying non-potable water for household purposes such as toilet flushing, washing machines and outdoor taps (together with supporting information for the alternative proposal).
29. As per Council's GIS the invert level of manhole KWWN003084 & KWWN003085 are 4.77 and 4.42 respectively in terms of the Wellington Datum 1953. The datum provided in the infrastructure report doesn't align with Council's GIS data. Please advise whether you have confirmed the datum through site investigation.
30. Please provide a gravity feasibility report from a suitably qualified person. We believe looking at the finished ground levels on the earthwork plans, that gravity can be achieved for the proposed eastern lots.
31. Please provide a detailed design report for the low-pressure sewer system prepared by a suitably qualified person.
32. Please note that it will be necessary to comply with the recommendations of the geotechnical report while installing services within trenches. Trench details will be required at the detailed design stage.
33. For the communal bin areas, please provide an explanation of how the discharge from this area will not enter the stormwater system. The proposed solution should include a primary treatment system within the sump/grease trap prior to discharging it to the wastewater network. Please design and submit a solution for council's review and approval.

Planning

34. Please provide an explanation of why the potential changes to the proposal discussed at the pre-application meeting were not actioned. These included reducing the number of dwellings and lots, varying setback distances from external site boundaries, clustering dwellings in groups rather than setting them out uniformly, and showing water demand management tanks for each dwelling on the plans.

This information is required because the suggested changes were made in order to mitigate potential adverse effects including visual bulk and dominance effects, character and amenity effects and streetscape effects. The suggested changes were also recommended to ensure the proposal was better aligned with the Residential Design Guide.

35. Please provide a Landscape and Visual Assessment (LVA) from a suitably qualified person (Landscape Architect), which assesses the landscape, character and visual effects of the proposal on the surrounding environment, neighbouring properties and the streetscape. This LVA should also include an assessment of the proposal against the relevant District Plan objectives and policies.

This information is required to assist Council in determining the scale of the adverse landscape, character and visual effects of the proposal (i.e. whether they are less than minor, minor or more than minor).

Council is concerned that the proposal has the potential to give rise to adverse character and visual amenity effects, including cumulative bulk and density effects, that are at least minor.

Please note that once we have received the above assessment, we will likely commission a peer review of the assessment under section 92(2) of the RMA at the applicant's expense. We will advise you of this prior to commissioning the review.

36. Please provide an assessment of the effects of the proposed earthworks to be undertaken within the adjoining properties at Niu Sila Way on the water drainage easement labelled 'H', 'I', 'J', 'K' on Record of Title 1030162. Please advise whether Council's Water and Wastewater team has been consulted about the proposed fill earthworks within the easement.

This information is required to determine whether any adverse effects on this easement are acceptable.

37. Please confirm whether applications have been submitted to Greater Wellington Regional Council for the necessary discharge consent and earthworks consent. If applications have been made, please advise the application numbers and current status of the applications.

This information is required to enable consistency of condition requirements should the applications be running concurrently.

38. Please provide additional justification for the proposal not to comply with the requirements of INF-MENU-R28 or INF-MENU-R35. The planning argument advanced for not meeting the District Plan requirements for water demand management that "*The District Plan requirement to show a reduction in water use of 30% of the Household 2007 summer average water use has been met, largely through the introduction of metering in 2014*" is not accepted. Equally, the proposal to connect outdoor taps to the potable water supply is not accepted (see point 28 above). Council is aware of other developments with limited space where water demand management tanks have still been accommodated.

Iwi – Ātiawa ki Whakarongotai

39. Please respond to the following comments made by the Ātiawa ki Whakarongotai Charitable Trust:

The Proposed Works have the potential to generate adverse effects to Ātiawa values. The following will address these effects and make recommendations on how to mitigate them:

- *During the earthworks process, the Trust requests that any excess fill not be removed from the site but be retained for landscaping. If this is not practicable, the Trust requests that fill is retained within the rohe of Waikanae. Where fill needs to be brought in, the Trust requests it is sourced from within the rohe of Waikanae.*
- *It is important to Ātiawa that sediment runoff is monitored well. We require that sediment and erosion control is carried out to a standard that Kapiti Coast District Council is satisfied with, and that they are responsible for the ongoing monitoring and compliance of the Works.*
- *The Trust is opposed to the removal of any native vegetation, and where plants are removed we request a twice-fold planting of native species to mitigate this. The Trust requests that chosen native vegetation is eco-sourced where practicable.*
- *Earthworks at the site have the potential to result in archaeological findings, we appreciate the inclusion of the Ātiawa ki Whakarongotai Accidental Discovery Protocol in the Application.*

Providing the information

Please provide this information in writing within 15 working days¹ by Monday 16 September 2024. If you will not be able to provide the information by that date, please contact us before then to arrange an alternative timeframe. We will not work on your application any further until either you provide this information, or you state that you refuse to provide it.

Refusing to provide the information

If you refuse to provide the information, or if you do not submit the information to us within 15 days (or by another other agreed timeframe), the RMA requires that we publicly notify your application.²

If this happens, you will be required to pay the notification fee of \$5,370.00 in full before we proceed with the notification of your application.³

Next steps

Once you have provided the requested information, we will review what you have provided to make sure it adequately addresses all the points of this request.

In our previous letter we described the statutory timeframe for our decision on your application, which counts (and sets limits) on the number of days we can work on consent applications.

¹ Section 92A(1) of the RMA

² Section 95C of the RMA

³ Section 36(7) of the RMA

⁴ Section 88C(2) of the RMA

The time for you to respond to this letter will be excluded from the timeframe⁴, and the original forecast date for our decision may now be later than we previously advised.

We will be able to give you an updated forecast on a date for this once you have provided the information requested above, or we have discussed the application again.

If you are not sure how to respond or have any questions, please contact me by phone on 021 468 108 or by email at megan.barr@kapiticoast.govt.nz, quoting application number RM240112.

Yours sincerely



Megan Barr
Consultant Planner - Contractor