

23 March 2023

Lawrence Fay
C/- Leith Consulting Ltd
Level 1
12 Ihakara Street
Paraparaumu 5032

By email (only) to: Justine.b@leithconsulting.co.nz

Dear Justine

Further Information Request - Resource Consent application

Application number(s):	230036
Applicant:	Lawrence Fay
Location:	126-130 Rosetta Road, Raumati
Proposed activity(s):	4 lot subdivision not complying with minimum lot size, minimum average lot size, shape factor, earthworks exceeding permitted activity standards, and the construction of 3 additional dwellings not complying with the permitted activity standards including setbacks, coverage, permeable surfaces, height, stories, height in relation to boundary and outdoor living areas.

Further to our letter dated 23 March 2023, 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

Planning

1. Please provide a Landscape and Visual Assessment (LVA) prepared by a suitably qualified person. This LVA should include an assessment of the visual effects of the proposal on the amenity of neighbouring properties and the streetscape, and have regard to the Special Character Area Guidelines for the Beach Residential Precinct in Appendix 3 of the District Plan.
Please note that Council is likely to have this LVA peer reviewed.
2. Please confirm whether it is intended to construct the proposed dwellings prior to Titles being issued for the proposed subdivision. If so, please provide an assessment of the proposal against relevant District Plan standards in relation to the current lot boundaries. This should include number of dwellings, separation between dwellings, floor area ratio, coverage and permeability.

3. Please confirm whether any alterations or additions to the existing dwelling on the site are proposed. If additions and alterations are proposed, please provide an assessment against District Plan standards and plans showing the alterations/additions.
4. Please confirm whether the proposed retaining walls will comply with Rule GRZ-R3, noting that safety barriers are required under the Building Code where there is a drop of 1m or more. Please provide an assessment of the combined height of retaining walls and safety barriers/fences atop these walls.

Engineering

5. *Conceptual Stormwater Report*

Please have the Conceptual Stormwater Report peer reviewed and signed off by an engineer before re-submitting it to Council. Please also provide the following additional information relating to the Conceptual Stormwater Report:

a) Conceptual layout of proposed stormwater disposal system

Please provide a clear concept layout of the proposed system, indicating expected levels of the tanks relative to the building platforms, likely tank footprints and the location and footprint of the proposed soakage area for Lot 3 (refer to b below).

The only drawing showing the overall proposed arrangement is Box Architecture Drawing 22-006 A205. However, this is not consistent with the Conceptual Stormwater Disposal Report because it shows disposal by soakage for all of Lots 1 to 3 whereas the Report indicates soakage only for Lot 3 and attenuation tanks for Lots 1 and 2.

b) Soakage for Lot 3 – location

It appears that the soakage area for Lot 3 would need to be located to the east of the existing swimming pool since the remainder of the lot will be developed. This part of the lot slopes steeply down to the boundary with 71A Renown Road to the east. Please demonstrate the feasibility of locating the proposed crate system in this terrain to confirm it can operate as intended without discharging runoff down the slope to 71A Renown Road.

c) Soakage for Lot 3 – rate

The soakage rate has not been tested at the proposed soakage location. The only test performed within the site indicates the ground is unsuitable for soakage. The application states that soakage will be tested locally prior to building consent application and that 'Alternative designs may be considered but will need to be supported by relevant calculations, technical specifications and/or additional testing if required'.

Please provide the results of soakage testing, including confirmation of the soakage rate, for Lot 3. Council considers it appropriate for the application to confirm the feasibility of an alternative method of disposal for Lot 3 at resource consent stage in the event that a soakage solution is not found to be viable at design stage due to soakage rate or topography (refer to b above).

d) Interaction with reuse storage

The Conceptual Stormwater Disposal Report should make clear how the water reuse tanks interact with the attenuation tanks (or soakage). Runoff will need to first pass into the reuse tank and then overflow to the attenuation tank. There should be sufficient overflow capacity for the entire peak runoff flow to bypass the reuse tank in the event that this is full at the start of a storm.

6. Please provide a specific slope stability assessment prepared by a suitably qualified geo-professional. This is required due to the steeply sloping topography of the site, the soil type and the nature and scale of earthworks proposed.
7. Please provide a right-of-way (ROW) long-section in accordance with clause 3.3.16.1 of NZ4404.
8. As per point 5(c) above, please undertake proper soakage testing within Lot 3 and confirm whether a soak pit/tank is suitable at resource consent stage.
9. Please show on a scheme plan an indicative location for the soak pits for Lots 3 and 4 (these need to be fully contained within lot boundaries).

Traffic/Transport

10. Please provide an integrated transport assessment prepared by a suitably qualified person.

The application states that Lot 1 will not comply with the permitted activity standards for site access and loading. The Access and Transport team are not supportive of vehicles reversing onto Rosetta Road from a traffic safety perspective.

If the applicant is wanting to proceed with this arrangement an Integrated Transport Assessment from a suitably qualified person must be provided.

Along with the standard matters, the Integrated Transport Assessment (ITA) must also specifically address the following:

- a) The potential traffic safety effects of vehicles reversing onto Rosetta Road from Lot 1. This should address sightlines in relation to vehicles, cyclists and pedestrians along Rosetta Road taking into account existing vegetation and retaining walls along the east side of Rosetta Road, on street parking and traffic volumes.
 - b) Tracking curves for vehicles exiting Lots 2, 3 and 4 to confirm that vehicles from these lots can exit the development in a forward direction.
11. Please confirm the gradient of the right-of-way, noting that for residential driveways NZS4404:2010 requires a gradient of no more than 1 in 5.
 12. Please show the dimensions of the car parking space/s for the existing dwelling on the development plans.

Iwi

13. Please provide responses to the following comments received from the Ātiawa ki Whakarongotai Charitable Trust:
 - a) The Trust notes that the Site is located in the Coastal Qualifying Matter Precinct and the Coastal Marine Area (**CMA**), meaning the Site is susceptible to the coastal erosion hazard. The Trust supports managed retreat within the CMA, to ensure the protection of the dynamic beach profile which will change as a result of sea level rise and other climatic changes. The Trust does not oppose the dwellings, granted a condition of consent is added stating that the dwellings are relocatable and therefore if required can be moved from the Site in the future.
 - b) The Trust notes CGW Consulting Engineers provided a Geotechnical Site Suitability Report as part of the Application. The Trust requires that due to the proximity of the Site to the CMA and therefore the susceptibility to the coastal erosion hazard, a condition of consent to be that the Applicant adopts the recommendations in the report provided by CGW Consultant Engineers, so that any potential liquefaction risk is mitigated.

- c) The Trust notes within the Conceptual Stormwater Disposal Report, the Applicant is open to alternative methods of stormwater disposal. The Trust is opposed to the discharge of untreated stormwater directly to land, as the impact that untreated stormwater can have on the stormwater network and the nearby CMA is devastating to native ecosystems and the taonga species that reside within. The Trust recommends the use of water sensitive design principles, and suggests the exploration of the use of rain gardens as another option to the current proposal of on-site soakage and attenuation. Rain gardens provide treatment and retain stormwater management on Site, therefore negating the need to send stormwater to the local network.
- d) The Trust requests that the Applicant utilises stringent sediment and erosion control measures to ensure that sediment does not enter the local stormwater system or the nearby CMA. The impact that sediment can have on the CMA and stormwater network is devastating to native ecosystems and the taonga species that reside within. The Trust requests that consent is only granted if sediment control and runoff are addressed to KCDC's satisfaction. Sediment and erosion controls should be monitored by KCDC on a regular basis to ensure they are being complied with.
- e) The Trust notes the Proposed Works involves vegetation removal to facilitate the development, and requires confirmation that no native vegetation will be removed from the Site. The Trust is opposed to the removal of native vegetation, and notes that the landscaping plan does include native vegetation. However due to the proximity of the Site to the CMA, if the avoidance of native vegetation removal is not possible, we ask that native vegetation be replanted twice fold, in order to mitigate any potential impacts of the Proposed Works, and to support the ecosystem of the nearby CMA.
- f) The Applicant has proffered to adopt an Accidental Discovery Protocol (**ADP**), which the Trust supports. However due to the nature of the Proposed Works and the proximity of the Site to the CMA, the Trust requests that the Ātiawa ki Whakarongotai ADP as set out in the *Whakarongotai o te moana, Whakarongotai o te wā: Ātiawa ki Whakarongotai Kaitiakitanga Plan* is the specific ADP used in the event an archaeological site or materials are discovered.

Providing the information

Please provide this information in writing within 15 working days¹ by Friday 21 April 2023. 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 \$5,010.00 in full before we proceed with the notification of your application.³

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

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.

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 on 021 468 108 or by email at megan.barr@kapiticoast.govt.nz, quoting application RM230036.

Yours sincerely



Megan Barr
Consultant Planner - Contractor