



3 June 2021

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Our Ref: RM210103

Dear Jason

**RESOURCE CONSENT APPLICATION: 312 Lot Subdivision, 1080, 1152, & 1200 State Highway 50 and 604 & 612 Wakarara Road, Ongaonga – RM210103**

Section 92(1) Resource Management Act 1991

Thank you for meeting with Robyn Burns and I on 30 April 2021. Since then I have undertaken a site visit and received the various Stantec engineering peer reviews to help inform this request for further information.

Pursuant to Section 92(1) of the Resource Management Act 1991 the following further information relating to the application is requested:

1. Application Details –

- a. Form 9 - The name of the owner is stated as “Springhill Farm Holdings”, however the names on the Records of Title provided are “Sandra Ellmers Family Trustee Ltd” and Ellmers Family Trustee Ltd”. Please explain the relationship of Springhill Farm Holdings to the owners registered on the respective records of title.
- b. Form 9 – Additional Resource Consents needed for the proposed activity. Please confirm whether any of the following activities or any other activity associated with the subdivision will necessitate resource consent under the Hawke’s Bay Regional Resource Management Plan or any national environmental standard:
  - i. the discharge of stormwater resulting from the subdivision.
  - ii. the diversion / filling of the unnamed ephemeral stream on the southern portion of the site.
  - iii. Road culvert or bridge crossings of the main branch of the unnamed ephemeral stream.
- c. Table 1 ‘Schedule of Proposed Lot Sizes’ – Lots 101 – 110 are not referenced in the Table. Please update the table to reference those lots.

2. Geotechnical Information – The report titled: *Detailed Site Investigation – Springhill Farm Lifestyle Development, State Highway 50, Ongaonga*, Geosciences Limited, April 2021, identifies in Figure 2 a ‘Farm Dump’. This creates a potential geotechnical hazard for building on unconsolidated fill as identified in the geotechnical peer review undertaken for Central Hawke’s Bay District Council (CHBDC). Please either annotate on the subdivision scheme plan and relevant staging plan(s) any area where farm dumping has been identified so that a consent notice condition can be applied to the relevant lots identifying the hazard; or alternatively detail how the farm dump(s) is to be remediated with the removal of un-engineered fill, and replacement with engineered fill.
  
3. Transportation – Please provide the following information:
  - a. The written approval of Waka Kotahi to demonstrate that any adverse effects on State Highway 50 are able to be mitigated and to confirm the acceptability of the proposed upgrades to SH50.
  - b. No street lighting is proposed in the application, and you mentioned at our 30 April 2021 meeting that this was deliberate so as to maintain rural character. The transportation peer review undertaken for CHBDC identifies that the absence of streetlighting, given the scale of the development, is a concern for the safety and security of the transportation network. The District Plan reserves control to require streetlighting under Rule 9.9.3(d) and again under assessment criteria 14.6(3)(p). In consideration of these District Plan provisions please provide an assessment of the appropriateness of street lighting generally but in particular adjacent to intersections in providing for the safety of the future transportation network.
  - c. The transportation peer review undertaken for CHBDC states that the number of cul-de-sacs total 18 and that it is general best practice to avoid cul-de-sacs where possible. The District Plan reserves control under Rule 9.9.3(d) to *the location, alignment and pattern of roading or service lanes*. In consideration of this District Plan matter please provide an assessment of whether JOALs 426 and 427, 416 and 417, and 405 and 407 would be more appropriately connected with each other as local roads.
  
4. Subdivision Design – As is identified in the AEE and supporting documents the subject site is traversed by an ephemeral stream including a confluence with a second ephemeral stream. While the main branch of the stream is proposed to form the boundary between adjoining lots and to include an easement in gross, the secondary stream is not referenced in the subdivision design at all. The District Plan includes the following subdivision assessment matters under Rule 14.6:
  - 2.Subdivision Design**
    - b. The provision for and practicality of walkways and cycleways, and the relationship of these to reserves (existing or proposed), access to the waterways, etc.*
    - c. The provision for and practicality of using natural stormwater channels and wetland areas.*
  - 6.Stormwater Disposal**
    - d. The ability to retain open natural waterway systems for stormwater disposal in preference to piped or canal systems and any adverse impacts on existing waterways.*
    - j. For stormwater pipes and open waterway systems, the provision of appropriate easements in favour of either the registered user or in the case of the Council, easements in gross, to be shown on the survey plan for the subdivision, including private connections passing over other land protected by easements in favour of the user.*
    - m. The need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility for stormwater disposal purposes.*

Please provide an assessment against the above criteria with consideration of the two ephemeral watercourses and whether the subdivision design should be changed

to better meet these criteria, including an opportunity to provide a local purpose reserve.

5. Natural Hazard Flooding Effects – The three waters peer review undertaken for CHBDC notes that there is no flood hazard mapping for the property from the HBRC as the property sits outside of the modelled area. The peer review therefore recommends further information on the following, including with consideration to a 1:100 year storm event:
  - a. The potential wider overland flood plain and streams through the site to understand the flood extents, erosion hazards/stability, appropriate buffers or margins to the existing watercourses along with any stream diversions that are required, and any on-going access for maintenance that should be included. Considerations to consider climate change and potential future for more frequent storm events and potential for increasing erosion and movement of the stream.
  - b. Proposed post-development flow paths through the development.

The above information is requested to demonstrate that the application can satisfy the requirements of section 106 of the Resource Management Act 1991 and also for consideration against the District Plan assessment criteria under Rule 14.6.4(e) and (j) and the matters of control under Rule 9.9.3(e) and (g).

6. Stormwater Effects – The three waters peer review undertaken for CHBDC states that it is not clear if the basis for stormwater mitigation meets the appropriate guidelines, and there is no basis or design standard on what the storage or soakage systems will be designed to achieve. The peer review recommends that a design approach for the on-site systems with an appropriate design storm (100-year event) be confirmed with the following information provided:
  - a. Proposed design standard for the design of on-site soakage/storage systems for individual lots, private access ways and proposed public roads.
    - i. Typical example sizing is determined for on-site storage/soakage approach based on conservative soakage rates. This can then be used when the properties are developed as part of building consent or roads are designed but confirmed based on the extent of site development and ground conditions at each site. This is expected to be a minimum volume/area required for storage/soakage from say a 100m<sup>2</sup> of impervious surfaces (roofs, hardstand, roads).
    - ii. Maintenance provisions for private access swales and soakage systems, along with on-site stormwater storage/soakage systems.

The above information is requested for consideration against the District Plan assessment criteria under Rule 14.6.6 and the matters of control under Rule 9.9.3(g).

7. Wastewater Effects – The three waters peer review undertaken for CHBDC acknowledges the on-site wastewater evaluation for the development and states that due to the scale of the development and the rapid permeability of some sub-soils, especially for the northern half of the development area, this should be considered in more detail. The peer review also notes that in addition, the separation to the stream may need to be greater with the rapid permeability. The peer review recommends that the following information be provided:
  - a. A simple 3D model for the groundwater at the site is developed considering any stream interfaces or downgradient groundwater abstractions. The assessments are required to determine the minimum level of treatment to be provided from on-site systems prior to discharge to land, to mitigate potential impacts on groundwater from pathogens or nutrients.
  - b. It is also recommended that some example site layouts are prepared for the smaller lots with watercourses through them to demonstrate that the various

on-site services can be accommodated within the proposed lots, providing for separation from boundaries, water courses, buildings and stormwater soakage areas.

The above information is requested for consideration against the District Plan assessment criteria under Rule 14.6.7, the matters of control under Rule 9.9.3(h) and the RMA requirement to consider cumulative effects.

8. Reverse Sensitivity Effects – A potential adverse effect of the subdivision is to create future reverse sensitivity effects on the operations of neighbouring agricultural and horticultural activities. There are no specific matters of control in section 9.9.3 relating to reverse sensitivity, however additional matters of control are set out in section 14 and specifically 14.6 ‘Subdivision Assessment Matters’, of which 1.c) is: *“The relationship of the proposed lots and their compatibility with the pattern of the adjoining subdivision and land use activities, and access arrangements.”* Further to this Schedule 4 of the RMA, Clause 7(1)(a) requires an AEE to address *“any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects.”* As the proposed lifestyle Lots have the potential to be incompatible with agricultural (including a piggery fronting Wakarara Road to the west) and horticultural activities in regard to amenity expectations, please provide an explanation of how such potential reverse sensitivity effects are to be mitigated.

#### Other Matters

This does not form part of the request for further information however the appropriateness of the request for a fifteen year lapse date for the consent at a time when there is a change in rural subdivision direction under the Proposed District Plan is questioned. You may wish to comment on this.

#### Statutory Requirements

Please note that pursuant to Section 92A (1) of the Resource Management Act 1991 you are required by 25 June 2021 to take one of the following options:

- a) Provide the information; or
- b) Inform Council in writing that you agree to provide the information; or
- c) Inform Council in writing that you refuse to provide the information.

If you fail to respond within the time limit, or refuse to provide the information requested, Council must:

- Process the application on a publicly notified basis pursuant to Section 95C(2); and
- Consider the application under Section 104 of the Resource Management Act.

Please do not hesitate to contact me if you have any queries.

Yours faithfully



Philip McKay

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**Consultant Planner for Central Hawke’s Bay District Council**