

26 August 2022

Kathryn Drew
Bloxam Burnett & Olliver
PO Box 9041
Waikato Mail Centre
Hamilton 3240

Digitally Delivered

Dear Kathryn,

Resource Consent Application – Further information request

Application number: SP/0107/22 & LU/0161/22
Applicant: Te Awa Rise Limited
Address: 3784 Cambridge Road RD 3 Cambridge 3495
Proposed activity(s): Subdivision to establish 54 residential lots, five super lots for future compact residential development, two roads to vest, two reserves to vest and Landuse LU/0161/22 - for bulk earthworks

In accordance with section 92 of the Resource Management Act 1991 (RMA), the following information is requested to enable me to make an accurate and informed assessment.

The following information is requested:

The following information is requested in relation to Reserves Planning Team:

Accessway reserves - general

1. The application notes that the pedestrian linkages will be vested in council as local purpose reserves (pedestrian access). Given the intent is also to have cyclists and other wheeled forms of transport such as scooters use these paths, please confirm whether the applicant agrees to vest these as local purpose (access) reserves.

Lot 504 (proposed local purpose (accessway) reserve

2. The proposed walkway is only 4m wide and isn't straight making it unlikely that the exit can be seen from the entrance. Please confirm whether the applicant agrees to widen the walkway to 6m and straighten the alignment, if so please provide an updated scheme plan. If not, please provide justification why this isn't possible and how poor CPTED outcomes will be mitigated.

Access for maintenance around pond edge/Superlot 205

3. Through pre-application correspondence it was agreed that Road 5 would be moved towards the west (away from the pond) a minimum of 1m to enable Council pedestrian access between the edge of Superlot 205 and planted pond margin for maintenance and public access of the pond and its margins. The plans don't clearly show any change to the design or location of Superlot 205 or Road 5. The AEE however states: *Although Lot 205 is located within the 23m setback, the provision of a reserve between the lot and the edge of the watercourse has been provided for. For this reason, the subdivision is considered to appropriately manage any potential effects on the water body and appropriate setbacks are provided.*

Please explain how the 1m setback will be provided for and how the applicant proposes to provide Council with a legal right of access e.g. easement for maintenance or vesting of local purpose (stormwater reserve) along the pond margin.

Lot 400 (proposed local purpose (stormwater) reserve)

4. Please confirm there is no planned re-use of contaminated soils exceeding the adopted human health guideline criteria on Lot 400.
5. What is planned to manage existing contaminated land identified in the eastern filling area and how will this impact/constrain future development e.g. planting restrictions to not penetrate a cap?
6. The plans show a detention basin taking up the majority of Lot 400. Is this proposed to be grassed or planted? What will the maintenance be? Please note, if it is to be mown then maintenance access must be provided, and the slope gradient can't exceed 20%. The Reserves Team's preference is to plant up large amounts to create a buffer to the adjoining SNA, enhance the amenity, and reduce the mowing maintenance requirements.

Walkway 501 and Lot 401

7. Please provide further details on how Walkway 501 and adjoining Lot 401 will be developed to reduce the risk of slips and erosion affecting the reserve and shared use path in the long term.

Walking and cycling connectivity

8. To ensure pedestrian connectivity is achieved, please confirm there is a 3m shared path proposed from the Cambridge Road entrance in the north eastern corner through to the shared path along the buffer ridge along the eastern edge of Road 5.

Proposed fencing – general

9. The application states that there is an optional 1.1m high visually permeable fence to delineate between public and private spaces, but then the proposed driveway and fencing plan in the design guidelines shows 1.8m fencing along reserve boundaries for Lots 1, 3, 4, 5, 19, 20, 50, 51 and Superlot 205. It also doesn't show proposed fencing type for eastern edge of Superlot 205

or walkway edge of Superlot 204. Please provide further details on fencing addressing the above.

10. Please confirm the level of visual permeability as a percentage for fence types B and C.

Design Guidelines

11. The guidelines on page 8 state 'landscaped area should be native, natural, ...' however the plant list contains many exotics. While this is supported for the specimen trees, please review the recommendations for hedges, accent plants, shrubs and flowers to include a higher percentage of native species. Alternatively, please consider a native only requirement (by way of covenant) for the lots adjoining the SNA to prevent exotic plant seed spread and to create a buffer to the SNA.

The following information is requested from the Development Engineering Team.

12. Please include building restriction zone on the scheme plan as per GMW Geosciences report.
13. The s106 Assessment is incomplete. Please provide an updated assessment ensuring that all the relevant sections are commented on and clarified by a suitably qualified professional (surveyor/engineer). An example of s106 table can be found [here](#).
14. Please provide a draft Operations and Maintenance Plan for the proposed stormwater swale. This is to understand maintenance requirements for the proposed swale (please note, the draft at this stage can be brief).

Results of Consultation

15. It is understood that iwi consultation is underway and that a Cultural Values Assessment (CVA) has been commissioned. Please provide the results of consultation, including the CVA. In addition, please comment on Lot 400 in relation to protection of the remnant pa features in a Council reserve, specifically, please provide comment on the following:
 - a. Could the remnant pa feature be shown separately as a historic reserve and would mana whenua be supportive of this approach? This would be more appropriate to the values being protected and also address uncertainty about future administration of stormwater reserves.
 - b. What ongoing responsibility (if any) falls to the Council (i.e., once the subdivision is complete) should the pa feature be on a historic reserve?

23m waterbody setback non-compliance

16. Rule 26.4.2.1 requires resource consent for buildings, earthworks and vegetation clearance within 23m of the edge of any water body. The application notes that approval is sought to dispense with this rule for future buildings within the 23m setback. Section 7.7 of the application sets out an assessment of the potential effects, but is not clear on what mitigation is proposed in relation to future buildings on Superlot 205. Please provide further details on this

aspect. I note that Table 7.1 indicates that planting is proposed, but no details on the location, species etc. are provided.

Ecological Assessment

17. Council engaged Boffa Miskell to undertake a peer review of the Ecological Assessment prepared by 4Sight Ltd. A copy of this review is attached to this letter. For the purposes of understanding and assessing the potential ecological effects of the proposal, the matters identified in the Boffa Miskell review are adopted and form part of this s92 request. Of particular importance, and as set out in the review letter, is the bat survey undertaken and the subsequent lack of data on long-tailed bat activity and corresponding consideration of the assessment of effects on this species, which prevent a full assessment of ecological effects to be undertaken. Therefore, a more quantifiable, structured reasoning and assessment of effects is requested. I suggest that 4Sight contact Andrew Blayney (Boffa Miskell) directly to work through the issues identified in the Boffa Miskell review.

Next Steps

Within 15 working days from the date of this request you must either:

1. Provide the information requested, or
2. Advise Council in writing of the alternative date that you will provide the information by, or
3. Advise council in writing that you refuse to provide the information requested.

A response is due from you no later than: 16 September 2022

Please be advised that the statutory timeframes for processing your application have been put on hold until the further information requested has been received.

When all of the information requested has been provided, I will review it to make sure it adequately addresses all of the points of this request. Please note that if council has to seek clarification on matters in the further information you provide, then this will be considered as information required under this letter. As such the application will remain on hold.

Once all the information requested is received and assessed a determination will be made on whether the application will be processed on a notified or non-notified basis.

If you are not sure how to respond, please call me on 027 766 2995 and we can discuss your options.

Yours Sincerely



Tim Wilson
Consultant Planner