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13 December, 2018

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cc. Phil Reilly

Dear Sir/Madam

Resource Consent Application Receipt Acknowledgement & s.92 Request for Further Information

Thank you for the resource consent application received on 29 November, 2018. (Application No. APP140145). An initial review of the application has been undertaken and we have determined that there is enough information to begin processing it. This letter is to advise you that we have accepted the application as complete under s88 of the Resource Management Act 1991, to confirm the resource consent/s applied for, and advise you of the approximate costs involved in processing the application.

Application Details

The various consent applications lodged have been assigned the consent numbers listed in Table 1 below. Please refer to these numbers in any enquiries or correspondence concerning the application.

Reference Id	Activity Description	Activity Type
AUTH140145.01.01	To undertake earthworks and vegetation clearance in association with construction of a residential subdivision at 23 Kahikatea Drive, Kinloch	Land Use Consent
AUTH140145.02.01	To install twin culverts within the bed of the Okaia Stream in association with a residential subdivision at 23 Kahikatea Drive, Kinloch	Land Use - Structure
AUTH140145.03.01	To divert the Okaia Stream in association with a residential subdivision at 23 Kahikatea Drive, Kinloch	Water permit

Table 1: Consent Applications

Deposit

Thank you for the deposit of \$3,000. This deposit covers the initial administration and review of the application and will be deducted from the final invoice. As the processing officer, I will contact you if an additional deposit is required should the process for the application become complex and require notification and/or a hearing.

The costs associated with this application will be invoiced on a monthly basis until completed.

Cost Indication

Waikato Regional Council operates a 'user pays' policy in relation to the costs of processing resource consent applications. Costs are payable whether an application is granted or declined. However, costs are only invoiced where these are considered to be actual and reasonable. Invoicing generally occurs on a monthly basis until processing of an application is complete. Each invoice will identify the nature of the work to which the charges relate.

Having undertaken an initial review of your application and considered the process that the application is likely to follow, I have calculated that the application is likely to cost approximately \$8000-10000 (excluding GST) to process. In coming to this figure, I have assumed that the application; a site visit will be required; technical assistance will be required for earthworks, ecological and engineering reviews; and Waikato Regional Council staff are likely to carry out direct consultation. Should any of these assumptions change, then the cost guide may be reviewed and provided to you.

Annual Consent Holder Charges

Should your application be granted, your resource consent is likely to attract an annual consent holder charge. These charges cover part of Waikato Regional Council's costs in relation to its resource management functions and are reviewed annually. You can find out more about this charge by visiting our website:

<http://www.waikatoregion.govt.nz/resourceconsents>

Request for Further Information under Section 92(1) of the RMA

I advise that, in accordance with s92(1) of the RMA, I request further information in relation to the application. The reason I request this information is that it is necessary to enable Waikato Regional Council to better understand:

- the nature of the activity, and/or
- the effect(s) it will have on the environment, and or
- the ways in which adverse effects may be mitigated.

The information I request is as follows:

Consents Required

1. It appears that separate consent applications have been lodged for the earthworks activities associated with the formation of the large road embankment extending from Okaia Dve into the site and for those associated with the actual subdivision site development. As these activities are inherently linked (cut to fill between these areas as part of the overall subdivision project) and contiguous to each other, I consider it appropriate that a single earthworks consent application should be considered for these activities (as expressed in Table 1 above). Please confirm your agreement to this approach.

Vegetation Clearance

2. Further to the above point, the application documents outline that the vegetation clearance activities at the site are able to be undertaken as a permitted activity under the WRP on the basis that the extent of vegetation clearance within each part of the site (the road embankment and the subdivision development) is less than 1ha. I consider that based upon the contiguous nature of both the proposed earthworks activities and the vegetation clearance works, these activities are to be considered as a whole, and on this basis, the vegetation clearance activities would appear to exceed 1ha (approx. 1.4ha) and would be subject to specific consent authorisation under the WRP. Hence, the effects of

the vegetation clearance works need to be addressed as part of this consent application. Please provide this information.

Earthworks

3. The erosion and sediment control method proposed for the site is reasonably unique being based upon the discharge of the proposed SRPs to storage ponds for containment and pumping of the treated water to an upslope soakage basin to minimise any discharge effects. The applicant is commended for presenting an innovative method for managing potential discharge effects however please provide further details of how these storage basins would be configured (size/soakage capacity etc) and how any discharges would be controlled in any significant storm event when pump/storage capacities may be exceeded.
4. Please confirm the proposed water supply availability within the site for dust management purposes.

Culvert

5. The application proposes construction of a twin culvert crossing of the Okaia Stream which has a significant hydraulic catchment area in excess of 1,000ha. However, the application documents do not appear to include any specific hydraulic design calculations/details to confirm that the proposed sizing and configuration is appropriate to convey catchment flows without resulting in any adverse increases in erosion or flooding effects at the culvert inlet/outlet points. Please provide this information.

Ecology

6. The ecological assessment included in the application document outlines that approximately 40m of stream will be modified by development of the proposed crossing. I disagree with this statement in that this stream reach will be entirely lost (rather than modified) through the proposed works becoming encapsulated with a concrete pipe.

The assessment goes on to recommend that in response to these effects, enhancement (weed control/riparian planting) of a 57m stream length should be undertaken to mitigate these effects. The application documents identify a potential location where this mitigation could be undertaken being within the Department of Conservation reserve land directly upstream of the culvert however then accurately states that this area of potential mitigation cannot be considered on the basis that there is no agreement with DoC to undertake these works. Subsequently, the application concludes that planting of the road embankment itself is sufficient to offset this direct loss of stream channel.

I disagree with this outcome and request that an appropriate/agreed mitigation site is identified to undertake the necessary mitigation works identified within the ecological assessment.

7. The ecological assessment outlines that 'the inclusion of rock or concrete fish baffles on the bed of the culvert will aid fish passage in high velocity flows'. The culvert design plans included in the application do not appear to include any specific design details for the proposed 1050mm culvert to confirm whether these measures have been incorporated. Please clarify whether these measures are proposed as part of the culvert design and provide relevant design details.
8. As previously noted, the application appears to propose around 1.4ha of vegetation clearance across the development site area. The ecological assessment appears to give little regard to any values associated with this broader area of native vegetation within the site and any ecological effects associated with the loss of these areas and does not propose any mitigation in response to these effects. Please provide a more detailed assessment of any terrestrial ecological values associated with these areas (including confirmation of the proposed extent of loss, direct effects as well as habitat

fragmentation and edge effects which may extend beyond the site into the adjacent reserve areas) along with consideration of any required mitigation to offset the loss of these areas.

9. The application notes the surrounding bush/stream habitat to the site within the DoC Scenic Reserve as having a 'Significant Natural Area' status under the Taupo District Plan. Accordingly, please provide an assessment of the proposed areas of ecological habitat disturbance within the subject site against the 'Significance Criteria' outlined in section 11A of the Waikato Regional Policy Statement to determine the significance status under this document.

Consideration of Alternatives

10. The RMA 1991 requires any consent assessment to include a consideration of alternatives in regard to achieving a project's objectives while avoiding, mitigating or remedying potential effects.

In this respect, I note that an alternative access alignment is potentially available into the proposed development area through the applicants pasture land to the north of Kahikatea Drive which would avoid the need for the proposed stream crossing, road embankment earthworks and vegetation clearance activities. Please confirm whether this alternative access route has been considered and why it has been disregarded for the proposed development site.

Furthermore, in regard to the significant culvert/fill embankment associated with the formation of the accessway over the Okaia Stream, please confirm whether consideration has been given to use of a bridge crossing at this access point and why this option has been disregarded.

Consultation

11. The application documents outline that consultation has been initiated with Ngati Tuwharetoa. Please provide the outcomes of this consultation.
12. The application documents outline efforts made to date to consult with local hapu at the Mokai Marae with these records outlining this party as expressing a high level of concern regarding a number of issues (unconfirmed). Please confirm whether the applicant intends to continue to engage with this party to clarify and address these concerns.
13. The WRC has already received correspondence from the Residents and Friend of Kinloch Association who have raised concerns in regard to the potential effects of the proposed development activities upon the broader Kinloch environment. Please provide the outcomes of consultation undertaken with this party as an interested party to the proposed development activities subject to these consent applications.

Statutory Assessment

14. The application documents include a basic assessment of the proposal against various relevant statutory documents including the Waikato Regional Policy Statement and Ngati Tuwharetoa Iwi Environmental Management Plan. The application concludes that the proposal is consistent with these documents however provides minimal justification or assessment of how the proposal adheres to relevant objectives and policies. Please provide a more details assessment of these documents to confirm how this conclusion has been reached, particularly regarding the ecological habitat impacts of the project.

Technical Review

Please note that in addition to the above matters, I have also circulated the application to the WRC consultant ecologist to review their relevant components of the application. Furthermore, the culvert design calculations/plans will be forwarded to the WRC engineer for review upon receipt.

I will forward any additional comments/questions received from these parties in due course as an addendum to this further information request.

Response

The RMA requires that, within 15 working days of receiving this request, you must respond to Waikato Regional Council in one of three ways, as follows:

1. Provide the information requested; or
2. Advise in writing that you agree to provide the information; or
3. Advise in writing that you refuse to provide the information.

Should you agree to provide the information, please provide it by 29 January, 2018. If you cannot provide it by this date please advise me as soon as possible and we can discuss an appropriate date.

Should you refuse to provide the information or not provide it within the period specified, I advise that Waikato Regional Council is required to publicly notify the application and that following public notification, we may decline your application if we consider we have insufficient information to enable us to make a decision on your application.

I advise that processing of your application will be placed on hold from the date of this letter to the date of receipt of the information requested, or if you refuse to provide the information, the date of receipt of that advice.

Should you require any further information with regard to the above, please contact me on 027 2323112 or email at richard@wainuienvironmental.co.nz. If responding in writing, please quote application number APP140145.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R. A. Duirs', written in a cursive style.

Richard Duirs
Environmental Consultant
Resource Use