

# Your Comment on the Rotokauri North Stage 1

All sections of this form with an asterisk (\*) are mandatory.

## 1. Contact Details

Please ensure that you have authority to comment on the application on behalf of those named on this form.

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## 2. \*We will email you draft conditions of consent for your comment

<input checked="" type="checkbox"/>	I can receive emails and my email address is correct <b>Yes, please email me draft conditions of consent for comment.</b>	<input type="checkbox"/>	<del>I cannot receive emails and my postal address is correct</del>
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## 3. Please provide your comments on this application

If you need more space, please attach additional pages. Please include your name, page numbers and the project name on the additional pages

## 1.0 Introduction

- 1.1 The following comments pertain to the Rotokauri North Stage 1 Fast-track Application by Rotokauri North Holdings Limited (RNHL), referred to hereafter as 'the applicant'.
- 1.2 Following constructive consultation with the applicant to date, these comments focus on specific matters of interest that remain outstanding. These matters continue to be worked on and progressed by the applicant at this time.
- 1.3 The comments do not include any statutory considerations or assessment which would otherwise be required of WRC in its role as a consent authority.

## 2.0 Background and description of the proposal

- 2.1 The applicant briefly describes the proposal in Part 3 of the application (Form v2) as follows:

*"This project is Stage 1 of the RNHL's proposed residential development at Rotokauri North, and involves the creation of approximately 400 residential lots, with construction of duplex dwellings on approximately 20 of those lots and subsequent subdivision. This land is presently FUZ until such time as the zoning approved in PC7 becomes operative. The project will comprise:*

- (a) The creation of 285 vacant residential allotments and 11 superlots (in stages);*
- (b) Bulk earthworks/land modification works (including stream diversion and works within a watercourse) to establish finished contours for roads, accessways, stormwater devices (wetland, conveyance and re-alignment and re-creation of a stream) and building platforms for residential allotments;*
- (c) The construction of roads, stormwater management devices, accessways and provision of other utilities infrastructure;*
- (d) Riparian planting, enhancement works and pedestrian/cycling paths;*
- (e) Framework of development controls to be imposed as consent notices to enable the construction of dwellings; and*
- (f) The discharge of stormwater from the Ohote catchment (and discharges from the new shared path linkage to the Te Otamanui catchment).*

*The subject site is located at the north-western corner of the Hamilton City boundary within the operative Rotokauri Structure Plan area (of the Hamilton City District Plan – "HCDP"). It is approximately 10 kilometres northwest of Hamilton city centre and 2-3 kilometres west of the northern industrial development area of Hamilton. Lake Rotokauri is located 1.5 kilometres to the south.*

*The subject site is subject to Private Plan Change 7 (PC7), which seeks to rezone the land to the Medium Density Residential Zone and to replace the operative Rotokauri Structure Plan (as it relates to land in PC7) with the Rotokauri North Structure Plan. PC7 was approved by decision dated 11 March 2022."*

- 2.2 The scope of the application is limited to Stage 1 of the proposed development. It does not include any other stages of development which, when progressed, will require a further consent application.

## 3.0 Status of activities under the Waikato Regional Plan

- 3.1 On review of the information provided, consents are required under the Waikato Regional Plan (WRP) for the following activities:

- 3.1.1 To temporarily take groundwater for construction dewatering purposes (discretionary activity rule 3.3.4.24).
  - 3.1.2 To temporarily divert groundwater and take surface water for construction dewatering purposes (discretionary activity rule 3.6.4.13 and non-complying activity rule 3.3.4.26).
  - 3.1.3 To permanently divert and discharge stormwater to an unnamed tributary of the Ohote Stream (discretionary activity rule 3.5.11.8).
  - 3.1.4 To permanently divert groundwater and surface water through infilling artificial watercourses, diverting an unnamed tributary of the Ohote Stream, and by establishing a new watercourse and drainage system within the development site (discretionary activity rule 3.6.4.13).
  - 3.1.5 To permanently remove or place culvert and/or bridge structures in an unnamed tributary of the Ohote Stream and realigned stream channel (discretionary activity rule 4.2.4.4).
  - 3.1.6 To undertake bed disturbance works in an unnamed tributary of the Ohote Stream (discretionary activity rule 4.3.4.4).
  - 3.1.7 To undertake cut/fill bulk earthworks and cleanfilling works (discretionary activity rules 5.1.4.13, 5.1.4.15 and 5.2.5.6).
  - 3.1.8 To discharge contaminants during contaminated land remediation works (controlled activity rule 5.3.4.7).
- 3.2 The above activities accord with those listed in Section 5 of the AEE (Tollemache Consultants Ltd, April 2022).
- 3.3 It is WRC's preference that these activities be treated as separate consents with specific authorisation numbers, certificates and consent conditions. This is consistent with WRC consenting protocol and will assist the implementation of consents.
- 3.4 Notwithstanding (3.3), it is acceptable to include a schedule of general conditions which attach to all consents, particularly if/where this avoids duplication and is preferred by the applicant.
- 3.5 Consent durations should reflect the temporary and permanent nature of the activities and be consistent with WRC durations for consent. The proposed consent durations require further consideration by WRC.
- 3.6 Additional consents are not considered to be required for works in proximity to the downstream wetland under the WRP or the NES-Freshwater (2020). The proposed activities are considered to meet all relevant permitted activity rule and regulation requirements.

#### **4.0 Outstanding matters (from the main supporting assessments)**

- 4.1 WRC internal stakeholders and technical experts have reviewed the main supporting assessments. The matters which remain outstanding include the following:

- 4.1.1 With regard to the **Rotokauri North Stormwater Discharge and Stream Corridor Re-establishment Report** (BBO, April 2022), (Attachment 10):
- 4.1.2 The report does not demonstrate that peak flow attenuation is being provided for the 2-year Annual Recurrence Interval (ARI) event. Table 4-1 provides pre-development peak flow rates for the 10- and 100- year ARI events only. Flow attenuation should also be provided for the 2-year ARI event. If this design criterion cannot be achieved, then the applicant will need to justify why it cannot be achieved and demonstrate that no adverse effects are expected.
- 4.1.3 The report states that the 2-year 1-hour duration event has been modelled using Storm Water Management Model (SWMM) to determine the water quality volume. The water quality event is determined using 1/3 of the 2-year ARI 24-hour duration event, the applicant should use this to determine the water quality volume or demonstrate that the criterion used (2-year 1-hour duration event) is equivalent or more conservative.
- 4.1.4 The applicant has extracted rainfall data from the High Intensity Rainfall Design System (HIRDS) and has adjusted it by 2.1 deg Celsius for climate change. The applicant is requested to undertake a sensitivity test using RCP8.5 and the method outlined in the draft Regional Infrastructure Technical Specification (RITS) update document (previously provided) for this site.
- 4.1.5 No detail has been provided for the short lengths of swale that drain to and from the proposed wetlands, nor for the proposed wetland outlet configuration into the stream, or the details of the wetland themselves (plans showing the wetland components: inlet and outlet pool, banded bathymetry, etc.). Details are required for all components of the proposed stormwater management system to demonstrate a workable solution.
- 4.1.6 There is no information about the proposed piped reticulation within the built-up areas to convey runoff to the proposed wetlands, other than the 10-year ARI design standard provided in Table 2-1. Details are required to confirm that a system is proposed, and that it has been designed appropriately.
- 4.1.7 There is no specific mention about how overland flows will be conveyed safely to the stream corridor in the report, details are required to demonstrate a workable solution.
- 4.1.8 The applicant is unable to match pre-development peak flow rates for the 2-year ARI event, this is because the peak flow attenuation is being provided on-line, and if they throttled back the low flows then they would have velocities that are too high for fish passage through the outlet control structures under the roads. This requires further consideration and response by BBO.
- 4.1.9 Regarding properties downstream of the discharge point, WRC's Integrated Catchment Management Directorate (ICM) is concerned that the waterway between Exelby and Duck Road is totally unmaintained and overgrown. ICM

is asking if this has been addressed in the assessment and if any consultation with property owners has been undertaken.

- 4.1.10 The applicant is proposing to increase the volume of the Ohote Stream tributary by widening and deepening the stream to create a detention volume, which in conjunction with new culverts to be placed in the stream will limit peak flows downstream of the subdivision. WRC is uncertain that using the existing stream, albeit with significant ecological improvement, for peak flow mitigation is an acceptable approach. WRC would have thought that the compliance point for peak flow mitigation would be at the discharge locations to the stream, rather than in the stream downstream of the development. Further commentary from the applicant is requested to address this point.
- 4.1.11 The shared paths and access tracks around the ponds are below the 2-year ARI flood level. It would be useful to understand how often these will flood. These paths may not be useable during larger events limiting access to key structures such as pond outlets. It would be useful if the applicant provided some commentary advising how often the access tracks are expected to flood, supported by plotting water levels for various ARIs on the various cross sections provided in the plans, currently only the ½ 2-year level is shown.
- 4.1.12 Will the design of the outlet orifices allow fish passage between the Ohote Stream tributary and the wetlands? WRC is uncertain if this is being provided for or is required. WRC notes that the applicant states that the treatment wetland will not be intended to provide aquatic habitat.
- 4.1.13 The report provides little detail how stormwater will be conveyed to the wetlands other than the piped stormwater network shown on the plans in Appendix C. Overland flow paths, to cater for events larger than the primary network capacity are not shown. No analysis of flood level with the development or sizing of the pipe network and overland flow paths is provided.
- 4.1.14 The modelling undertaken assumes that the inflow to the development from the upstream catchments will be reduced to 80% of the existing 100-year ARI storm flow. This has been done on the basis that these areas will be developed at a later date and will be required to implement peak flow mitigation at that time. There is a risk that a 1 in 100-year ARI storm occurs prior to the development of the upstream catchments at some unknown future date. WRC would expect that designing the system to cater for existing inflows would be required, rather than relying on future upstream development to mitigate flows.
- 4.1.15 The proposed culvert designs do not appear to comply with Regulation 70 of the NES-Freshwater (2020). Further comments are requested.
- 4.1.16 The parameters provided in appendix A for couple of catchments. The parameters seem reasonable although the slopes are high for catchments Ohote 1A, 2A, 3A, 4A, 5A, 6A and 7A. It appears these catchments are for

direct rainfall onto the ponds, so slope may be okay. If these are for direct rainfall onto the ponds the impervious percentage for these catchments should be 100% and the parameters for length and infiltration should be adjusted accordingly. These catchments are fairly small, and the overall impact is likely to be minor.

- 4.1.17 With regard to the **Rotokauri North Earthworks and Wastewater Installation Effects on Groundwater Report** (WGA, April 2022), (Attachment 17):
- 4.1.18 The effects on nearby bores due to dewatering during the pipeline installation, are assessed in Section 8.4 of the report. Whilst the report findings are generally supported, WRC requests a small investigation of one very shallow bore referred to as 69\_1860, to ensure that this is not used for water supply. The bore depth of 3.5m suggests it is not suitable for reliable water supply, however, it would be prudent to eliminate the risk.
- 4.1.19 The effects on surface water (artificial watercourses/farm drains) due to dewatering during the pipeline installation, are assessed in Section 8.4 of the report. Whilst the effects are reported to be minor, WRC considers that appropriate management measures are necessary to ensure that any freshwater ecological values are protected. This will require careful works planning/programming, and a groundwater/surface water level monitoring regime to ensure that pre-determined baseline water levels are not exceeded. This can be achieved through specific management plans, in particular a Construction Management Plan and a Groundwater Monitoring and Contingency Plan as required for other development sites in the catchment.
- 4.1.20 The most influencing factor on groundwater dynamics is considered to be the permanent stormwater/drainage system, post development. This will require an assessment at detailed design stage to determine the extent of groundwater/surface water lowering and if any mitigations are necessary.
- 4.1.21 With regard to the **Integrated Transportation Assessment Report** (Commute, April 2022), (Attachment 14):
- 4.1.22 There appears to be very little to comment from a public transport perspective – there are a short few paragraphs on PT only in the Integrated Transport Strategy (ITA).
- 4.1.23 PT has been discussed in previously held workshops and WRC have commented regarding bus stops and routeing. However, these comments have yet to be reflected in updated and/or further information.
- 4.1.24 The minimum level of information required for confirmation is:
- Where the provision is going to be made for bus stops (we agreed in a previous workshop this would be in-lane bus stops). Routeings and stop locations were discussed previously but WRC requests further input.

- Proposed stop locations should be indicated on a plan. If not, there is a lot of work in going back to consult with adjacent landowners, by which time there is also competition for kerb space with accesses and street furniture.
- Also, a check on the swept paths for bus manoeuvring along the proposed route.

4.1.25 WRC is keen to understand how the application fits within the wider site strategy, in particular the ITS. Vehicle access arrangements do not lend themselves to provision of fixed route bus services, and in terms of infrastructure we are looking at future proofing only.

4.2 The above matters are currently with the applicant for its consideration and response.

## **5.0 Other matters for consideration**

5.1 Subject to resolution of the outstanding matters (4.0), the proposed approach to stormwater management appears to be consistent with the Rotokauri Integrated Catchment Management Plan (ICMP), (HCC, 2017). From a WRC perspective this is important. WRC has technically certified the ICMP, and it now forms part of the HCC Comprehensive Stormwater Discharge Consent (CSDC), (AUTH105279.01.01).

5.2 Similarly, subject to further WRC comments on conditions, the proposed approach to stormwater management appears to be consistent with the CSDC. This is also important because the RDHL stormwater consent will likely transfer to HCC post vesting of infrastructure. However, the stormwater consent can only be surrendered if it is consistent with the CSDC.

## **6.0 Proposed consent conditions**

6.1 In general, WRC supports the proposed conditions (Attachment 30). However, several outstanding matters have yet to be resolved (4.0) and these will likely necessitate amendments to and/or additional conditions. There are also some management plan conditions which have yet to be included. For example, a Construction Management Plan (specific to all regional consents), a Groundwater Monitoring and Contingency Plan (specific to the dewatering activities), a Planting Plan (for stormwater management devices) and an On-lot Devices Management Plan (for rain tanks and/or other on-lot devices).

6.2 RMA s128(1) review clause conditions should present with regular review opportunities throughout the duration of consents.

6.3 The proposed conditions require further review by WRC, ideally following a response to the matters identified above (4.0). This would include working with the applicant to propose amendments to and/or additional conditions as considered appropriate.

## **7.0 Conclusions and recommendations**

7.1 It is concluded that WRC generally supports the application, provided it meets all relevant statutory requirements and that the residual and/or cumulative adverse effects of the activities are minimised via appropriately detailed conditions.

7.2 The environmental enhancement initiatives via proposed stream diversion works and new watercourse and drainage system, are also supported. These initiatives should go some

way to re-instating what was once a perched wetland, albeit in a more modern setting and in quite a different context.

7.3 WRC respectfully requests the Expert Panel to:

- 7.3.1 Have due regard to the comments provided by WRC.
- 7.3.2 Allow time for the applicant to respond to outstanding matters (4.0), and for WRC to:
  - review the applicant's response, and
  - work with the applicant to propose amendments to and/or additional conditions.
- 7.3.3 Treat the regional activities as separate consents with specific authorisation numbers, certificates and consent conditions.

Thank you for the opportunity to provide comments. WRC is happy to assist the Expert Consenting Panel as required.

Signed:



Amy Robinson  
**Manager – Regional Consents  
Resource Use**

**Thank you for your comments**