



Fast-track Approvals Act 2024 (the Act)

MINUTE 5 OF THE EXPERT PANEL (THE PANEL)

Request for Further Information Maitahi Village [FTAA-2502-1009]

28 May 2025

- 1. Following the project Overview Conference held on 22 May 2025, members of the Panel have continued their consideration of the application, the reports and plans accompanying it, and the volunteered consent conditions (Attachment 25 to the application).
- 2. In the course of this ongoing consideration, various topics have emerged which the Panel considers ought properly be the subject of a request for further information from the applicant.

Statutory Power to Request Information

- 3. Section 67 of the Act provides that the Panel may, at any time before it makes its decision under Section 81 on a substantive application, direct the EPA to *inter alia* request further information in relation to the application from the applicant.
- 4. In order to ensure that its timely consideration of the application is carried out in an efficient manner, the Panel has determined that it is necessary to use this power in this case.

Topics subject to the Request

- 5. There are various areas where further information is sought. The specific topics of interest are listed in Appendix 1: Further Information Request.
- 6. The Panel has resolved to direct the EPA to request this further information from the applicant without delay.

7. The date by which this request must be compiled with is within 10 working days of the date upon which the direction is given. On this basis the requested information must be provided to the EPA by **12 June 2025**.

h.h. 5.

Hon Lyn Stevens CNZM KC Maitahi Village Expert Panel Chair

Appendix 1

Further Information Request – issued under s67 of the Act

Point	Торіс	Information Sought
1	Standard	The application does not seek approval for a standard freshwater fisheries activity as
	Freshwater	defined in Section 4 (see Checklist A2).
	Fisheries	
	Activity	The Panel notes the definition of "standard freshwater fisheries activity" in the Act, and clause (c)(iii) in particular which applies even if spawning areas are proposed to be avoided during construction: standard freshwater fisheries activity means an activity that includes construction of
		any of the following: (a) a culvert or ford that could impede but not permanently block fish passage: (b) weirs that comply with the conditions of regulation 72 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020: (c) works—
		(i) that require active disturbance to a water body, including diversions, in-stream operations, and removal of gravel, that does not persist for more than 3 months; or (ii) that are within 500 m of the coast and do not occur during the white baiting season; or
		(iii) that are in an area known to be used for trout, salmon, or native fish spawning and do not occur during the spawning season; or
		(iv) that require repeated disturbance to a water body and are temporary works for
		which there is a period of more than 6 months between each period of work.
		The applicant is invited to comment on its decision not to seek an approval for the above activity, and if so, why such a decision was made.
2	Natural Inland Wetland 1 – National Environment	Page 60 of the Ecological Impact Assessment (Attachment 22.12) states that a Hydrology Assessment is required for Wetland 1 to identify whether there will be any adverse changes to wetland hydrology due to upslope earthworks, and to identify measures to maintain wetland function and prevent loss of ecological values.
	al Standards for Freshwater (NES FW)	The applicant is requested to comment on how the wetland restoration and enhancement impacts for Wetland 1 can be reliably concluded as positive with a 'net gain' (Table 6.3 of Ecological Impact Assessment) until the findings of the hydrological assessment are fully understood.
		Further, which draft condition set relates to earthworks within 100m proximity of a wetland i.e. those related to Regulation 45 and 52 of Attachment 24? The only condition set that refers to the NES FW appears to be limited to the Kākā Stream aspects only.
3	Construction Activities (Noise and Vibration)	The application does not contain a specialist noise and vibration assessment in relation to construction noise effects. Rather, reliance is placed on Section 5.12 of the Assessment of Environmental Effects (AEE) on compliance with NZS 6803:1999 Acoustics – Construction Noise.
		Given the scale and length of the construction activity, and the range of noise generating activities that may occur e.g. piling, plate compacting, excavators, machinery and pumps, trucks etc, the applicant is requested to comment on how it has assessed and confirmed that the construction works will comply with <i>NZS</i>

		6803:1999 Acoustics – Construction Noise at the nearest receivers, and what the level of effect from construction noise on sensitive receivers is expected to be.
		Further comment is sought on vibration effects from the construction activities and how this has been assessed in relation to potential effects on sensitive receivers.
4	Roading -	What is the sequencing and timing of improvement works at the intersection of Maitai
	Timing of	Valley Road and Nile Street, and Matai Valley Road and Ralphine Way, and has this
	staging and	been confirmed and secured in the subdivision related conditions?
	on-site works	
5	Roading -	Some carriageway long-sections (Attachment 13.5 - Maitahi Civils – Set 4 – Roading -
	Internal Road	Road 2, Road 4, Road 5, Road 10) indicate gradients as high as 1:5 in particular
	Geometry	sections which are steeper than the stated compliance maximums of 1:8 for Sub
		Collector Roads and 1:7 for Local Roads (Page 38 of Attachment 6 - Integrated
		Transport Assessment).
		What are the maximum gradients for all internal roads, and are there any additional
		assessments required to address the effects of these gradients?
6	Stormwater -	Page 11 of the Arvida Maitahi Servicing Report (Attachment 9.2) states that due to
	Operational	capacity and site constraints, stormwater catchments 'B2' and 'B3' are unable to be
	Arvida	treated by the proposed identified wettands servicing the wider site and that treatment for catchments 'B2' and 'B3' will be designed during detailed design, and
		will likely comprise proprietary devices, rain gardens, or an additional wetland.
		Do any of the potential treatment methods, particularly in respect of any additional
		complete?
7	Stormwater -	The Stormwater Management Plan (Attachment 5.3) refers to the provision of rain
	Operational	tanks on private lots within the overall stormwater management strategy to
	Pnase – Maitahi	contribute to the slowing down of the fast and frequent flows and mimic the natural hydrological regime as closely as possible. The provision of rain water tanks is referred
	Martani	to as 'where possible.'
		What is the estimated number of lots where it is intended that rain water tanks be
		provided and what is the planned mechanism for ensuring provision e.g. via consent
8	Geotechnical	What is the general location of the potential mitigations for the Western Valley slopes
	Mitigations -	(Area 6) as referenced in Attachment 4 - Geotechnical Assessment (Page 38 -
	General	Geotechnical Report, Section 6.2.6 – "Upslope of Road 1, in the vicinity of Gullies 5 and 6,
		debris bunds, barriers or fences will be required to contain debris from shallow
		downslope lats from boulder roll")
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		The applicant is requested to confirm whether mitigation measures proposed
		downgradient of Gullies 5 and 6 can be located outside of all residential lots and
		whether there is sufficient adjoining land within the development area to accommodate all of these potential measures
		accommodate all of these potential measures.
		What is the likelihood of any additional resource consents being required as a result of
		the mitigation works and potential bunds or structures that are expected to be
		installed due to the eastern and western rock fall debris fields once detailed design is

		complete e.g. land use consent for structures, or works near any waterways including for any access tracks needed for maintenance?
9	Geotechnical Mitigations - Stormwater	Have the geotechnical mitigations e.g. bunds and walls/structures which have not been designed yet, been assessed for their potential impact on stormwater/overland flow paths and does this issue impact on any of the conclusions within the Stormwater Assessment Report (Attachment 5.1)?
10	Geotechnical - Residential Lot viability	Appreciating the Geotechnical Assessment includes considerations of Section 106 of the Resource Management Act 1991, there appear to be some lots that will be provided with very steep gradients e.g. Lot 135 on Road 8 which may have an elevation gain of around 27m over a length of 47m. How have these steeper lots been assessed as being technically feasible or viable, even if the wider geotechnical hazards are mitigated?
11	Air Quality - Wastewater pump station	What level of compliance is there with the Nelson Air Quality Plan (NAQP) and any potential discharge to air (odour) associated with the wastewater pumpstation at the nearest sensitive receivers including those within the development such as the Arvida complex?
12	Air Quality – Dust	What level of compliance is there with the NAQP and any potential discharge to air (dust) associated with the construction earthworks at the nearest sensitive receivers?
13	Building Envelope - Wastewater pump station	The application states that the wastewater pump station will require consent under rule OSr.42 of the Nelson Resource Management Plan (NRMP) but it is difficult to ascertain the potential scale of the structures and equipment within this lot. What are the approximate dimensions of any fencing, structures or equipment that are broadly expected to form part of the wastewater pump station in relation to the requirements of rule OSr.42 of the NRMP?
14	Subdivision - Vesting of infrastructur e	What has been the outcome of discussions with the Nelson City Council (if any) with regard to which infrastructure assets are expected to be vested in Council and which are not, in particular, the rock debris mitigations, landfill area and encapsulation cell areas?
15	Comprehensi ve Housing Development - Arvida	While a minor matter of detail given the overarching applicability of Rule REr22.3 of the NRMP, clarification is requested for the front yard setback intrusion in relation to Rule REr.25 of the NRMP. It is listed as a non-compliance (Page 22 of Attachment 14.2 - Design Proposal Overview) due to not meeting a setback of 4m. Rule REr.25 appears to require a setback of only 1.5m from road boundaries.
16	Main bridge abutments	The Kākā Bridge location set out in Figure 5.5. of the Stormwater Assessment Report has not been subject to detailed design but assumes no piers or abutments will be located within the bed of the Kākā Stream channel. What process, or consenting steps, does the applicant intend to take once detailed design is complete if it is determined that works and structures are required within the bed of Kākā Stream?
17	HAIL / Contaminati on	 Confirm: 1. Whether Attachment 8.1 - Remediation Action Plan v.3 (RAP) has been finalised and, if not, what the process steps will be for approval or certification of the RAP as 'final'?

		 Whether the response to the review of the RAP (Attachment 8.3) has been reviewed by HAIL Environmental and, if so, whether HAIL Environmental are in agreement with the proposed approach to these? Is the intent that the Contaminated Land Management Plan (CLMP) and Site Validation Report (Conditions 9-10 of draft condition set M), be reviewed and certified by Council's monitoring officer or an independent suitably qualified contamination specialist, noting that Council does not appear to have an in house expert in land contamination? Whether the potential downstream effects of groundwater contamination have considered the risk of increased mobilisation from the site of contamination, noting that this area is proposed to be constructed into a stormwater attenuation pond? Has this also taken into account that the proposed stream realignment will be below existing ground levels (as stated in 6.2.1.1 of the Geotechnical Report) and whether this presents any increased risk to contamination mobilisation in the future? Who will be responsible for the ongoing monitoring and maintenance of the potential contamination encapsulation cell post development? Who will be responsible for any ongoing monitoring of any residual contamination (either soil or groundwater) post development?
18	Servicing - Water Supply	Section 4.0, Page 11, of Attachment 9.1 - Maitahi Servicing Report states ' <i>Pipes will be</i> <i>no smaller than DN150 in line with the NTLDM.</i> ' What is the validity of this statement in relation to potable water pipe infrastructure as it appears that smaller pipe sizes would actually be the expectation? This would also align with "Maitahi Civils Set 3 Water and Services" (Attachment 13.4) drawings which show pipe sizes down to 32mm (outside diameter).