Attachment 1: Further Information Response Table (13 June 2025)

	PANELS R	EQUE	ST	APPLICANTS RESPONSE
1	PANELS R Standard The applic (see Chec The Panel particular (a) (b) (c)	EQUES Freshv cation of klist A2 l notes which lard fres culve weirs Envir work (i) (ii) (iii)	ST vater Fisheries Activity does not seek approval for a standard freshwater fisheries activity as defined in Section 4 e). the definition of "standard freshwater fisheries activity" in the Act, and clause (c)(iii) in applies even if spawning areas are proposed to be avoided during construction: Shwater fisheries activity means an activity that includes construction of any of the following: ent or ford that could impede but not permanently block fish passage: that comply with the conditions of regulation 72 of the Resource Management (National commental Standards for Freshwater) Regulations 2020: S— 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 that are within 500 m of the coast and do not occur during the white baiting season; or 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	 APPLICANTS RESPONSE Need for additional approval Section 42(4)(j) states (relevantly): (4) A substantive application may seek 1 or modeling (j) an approval or a dispensation that would oth 42 or 43 of the Freshwater Fisheries Regulation fisheries activity: Section 42 does not contain an equivalent provision for (Standard FFA). The Applicant's interpretation of the Fast Track Approxise separate approval for a freshwater fisheries activity - m Complex Freshwater Fisheries Activity (Complex FFA)
	The applic why such	(iv) cant is i a decis	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. nvited to comment on its decision not to seek an approval for the above activity, and if so, ion was made.	 Clause 9 of Schedule 5 to the FTAA, which sets consent application that includes a Standard F Schedule 5 for Complex FFAs. Schedule 9 of the FTAA, which is entitled "Apprfisheries activities". There is no schedule for St Clause 5, Schedule 9 sets out the criteria for as Complex FFA "approval" should be granted. Th requiring a similar assessment for a Standard F Clause 6, Schedule 9 allows the Panel to impose Complex FFA. In contrast, Clause 19, Schedule conditions on a resource consent that "may de Activity". The EPA-approved form at pages 12 and 20 whi resource consent application, rather than an ap A2, which is within the "Checklist A Family" – C consents. Checklist G being for Complex FFAs. There is n A2. For completeness, the Applicant confirms the Maitahi FFA. Need for additional information The Panel's RFI has caused the Applicant to re-consid Fisheries Activity (Standard FFA) and its relationship t

re of the following matters (the approvals):

nerwise be applied for under <u>regulation</u> ns 1983 in respect of a complex freshwater

or a Standard Freshwater Fisheries Activity

- vals Act (**FTAA**) is that there is no need for a nor an ability to get one - unless it is a). The proposition that only Complex FFAs the FTAA regime, including:
- s out the information required in a resource FA. There is no equivalent clause in
- rovals relating to complex freshwater tandard FFAs.
- ssessing whether an application for a nere is no equivalent clause in the FTAA FFA.
- se conditions applying to approval for a le 5 states that the Panel can impose eal with a Standard Freshwater Fisheries
- ich include Standard FFAs as part of the pproval on its own. Supported by Checklist Checklist A being that for resource
- no equivalent for Standard FFAs aside from
- Village Project does not entail a Complex

ler the definition of Standard Freshwater to the Application.

As observed by the Panel, the very broad definition of Standard FFA would seem to capture some of the proposed activities. In particular, the Applicant is seeking approvals to allow for the realignment of Kākā Stream, which will involve the full scope works of relevant to the definition of Standard FFA. The consents sought are listed in Section 4 of the Substantive Application.

Whilst the FTAA does not require an applicant to obtain separate approval for a Standard FFA, the Proposal is an activity that includes a standard freshwater fisheries activity and therefore the applicant is to provide information in accordance with:

- (1) Section 43(1)(a) A substantive application must be lodged in the form and manner approved by the EPA; ...
- (2) Section 41(e)(ii) and related 43(3)(a) resource consent approvals must include the information in Clauses 5 to 8 of Schedule 5;
- (3) Clause 9 of Schedule 5 is headed Information required in application including standard freshwater fisheries activity (noting there is nothing in Clauses 5 to 8 that otherwise applies specifically to standard freshwater fisheries activities, so the omission of reference to Clause 9 in s43(3)(a) seems to be an error);
- (4) Clause 9 of Schedule 5 requires the information in Clause 3 of Schedule 9. Clause 3 of Schedule 9 sets out information requirements for Complex FFAs. Those requirements are reflected in Checklist A2 of the EPA's application form. In summary:
 - (1) The Applicant accepts the Maitahi Village proposal includes a Standard FFA, per the definition in s4 of the FTAA;
 - (2) A Standard FFA does not require approval in and of itself, unlike a Complex FFA; and
 - (3) An application for a project involving a Standard FFA needs to include the information set out in Checklist A2 (see Attachment 2 to this further information response).

With respect to the information required for an application involving a Standard FFA, the Applicant confirms it is already before the Panel in the Application materials. Any omission in this regard is therefore a matter of form, not substance. It provides (as a separate document) Checklist A2 with cross-referencing to where the information required can be found.

The only other changes required are:

- (1) On pages 12 and 20 of the Application Form, a "tick" needs to be placed inside the boxes for a "standard freshwater fisheries activity"; and
- (2) On page 74 of the Application Form, instead of "N/A", cross-referencing to the Application needs to be inserted.

		13(4)(y)(vi), clause 2 of Schedule 9	 Standard or complex freshwater fapproval (1) The information required to be presented as the section 13(4)(y)(vi) is the following (a) whether an in-stream structure in (including formal notification of diversion structure) and the extern impede fish passage; and (b) whether any fish salvage activities are for the section of the section structure) and the extern impede fish passage; and (b) whether any fish salvage activities are for the section of the section
2	 Natural Inland Wetland 1 –National Environmental Standards for Freshwater (NES FW) 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. 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. 	Basis for the 'net-gain' of Activity status under the Robertson Environment 100 m of, Natural Inland potential to drain a weth the activity would defau Preliminary hydrologica The proposed earthwork more than 40 m from th Given this scale and se Wetland 1's hydrologica Contingency and furthe Should the detailed hy patterns, there is ampl planting) to strengthen the	conclusion e NES-FW tal Limited (REL) confirms that the pro- Wetland 1 and are therefore captured and). Should the hydrological assess alt to non-complying status under Reg Lrisk ks footprint is very small— < 0.5 ha wit e wetland margin. No preferential flow paration, the EcIA reasonably assume al regime, supporting the net-gain con- r enhancement vdrological assessment reveal any u e scope to implement additional res- wetland function and still achieve an o

fisheries activity	N/A	
e provided under ving:		
e is proposed of any dam or tent to which this may		
ties or other complex re proposed.		

roposed upslope works lie outside, but within ed by Regulation 45(3)(b) (earthworks have the sment indicate any unavoidable drainage risk, gulation 52.

ithin an \approx 8.9 ha upslope catchment—and sits w paths have been identified (see Diagram 1). nes the works will not drain or materially alter nclusion.

unavoidable change in water levels or flow estoration measures (e.g., expanded riparian overall net-gain outcome.



Figure above: Showing the catchment draining to the Natural Inland Wetland 1, as well as the proposed area of earthworks extending into the lower southern edge of that catchment. The approximate wetland catchment area is shown in brown, the earthworks in green, and the existing ground in grey. The insert shows the wetland area (orange) in relation to the lot boundaries as per the concept master plan.

Condition set and mitigation framework

Set B (Earthworks & Vegetation Clearance) of the volunteered conditions relates soil-disturbance activities and is the appropriate mechanism for NES-FW compliance. REL therefore proposes adding the following condition to V2:

Proposed Condition

1. Pre-works check

Before any earthworks occur within 100 m of Wetland 1, the Consent Holder (via a Suitably Qualified and Experienced Hydrologist) must submit to Council a brief Hydrological Assessment that:

(a) Assesses whether the proposed activity results, or is likely to result, in the complete or partial drainage of all or part of the natural wetland under NES-FW Reg 45; and(b) confirms either that drainage is unlikely, or sets out the mitigation required to maintain the wetland's existing hydrological regime.

2. Mitigation (if required)

If the Hydrological Assessment concludes the works will, or are likely to, drain all or part of Wetland 1, or otherwise adversely alter its hydrological regime, the Consent Holder must, before earthworks begin, implement the mitigation set out in the assessment (e.g. temporary bunds, cut-off drains, soakage or attenuation devices, staged earthworks) so that post-construction hydrology remains consistent with the pre-development regime.

3. Certification

A Chartered Professional Engineer or Suitably Qualified and Experienced Ecologist must certify to Council, before earthworks start, that:
(a) drainage risk is negligible or
(b) all mitigation specified under clause 2 has been put in place.

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 NZS 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.	A specialist noise and vibration assessment is attached (Atta prepared by Styles Group, acoustic and vibration consultants This specialist assessment identifies that for the works within some careful management of works will be required to ensur making this assessment, Styles Group has identified the rele acknowledged the scale and nature of the construction work closest dwellings (receivers), and predicted the expected sou 6803:1999, Styles Group has determined that some mitigation standards. The mitigation recommended by Styles Group inv implementation of a Construction Noise and Vibration Manage On the basis of the recommended CNVMP being prepared an NZS 6803:1999, the Styles Group has concluded that the nois (within the maximum noise limits specified in the NZS 6803:1 consent conditions which will be incorporated into V2 of the In terms of procedures for dealing with neighbour's concerns information is to be set out in the CNVMP. It is normal practic available to neighbours, and to the Council's compliance tea
4	Roading - Timing of staging and off-site works What is the sequencing and timing of improvement works at the intersection of Maitai Valley Road and Nile Street, and Matai Valley Road and Ralphine Way, and has this been confirmed and secured in the subdivision related conditions?	management. Both the intersections of Ralphine Way/Maitai Valley Road, a and completed before titles are sought for Stage 1 of the sub- will confirmed and secured in Version 2 (V2) of the subdivisio within Section 3.2 and 3.3 of the Substantive Application.
		For clarification, the Ralphine Way/Maitai Valley Road interse infrastructure servicing works already consented. These serv are scheduled to commence following approval of the detaile already been submitted.

achment 3). This assessment has been s.

in 50-100m of the Ralphine Way Receivers, re the works comply with NZS 6803:1999. In evant noise limits within NZS 6803:1999, ks proposed, identified the location of the und levels. In terms of compliance with NZS on will be required in order to ensure the noise volves some careful management through the agement Plan (CNVMP).

nd implemented to ensure compliance with se and vibration effects will be reasonable 1999). Styles Group has also recommended conditions.

s and dealing with complaints, this ce for contact details for the contractor to be am, as a part of best practice and

and Nile Street/Maitai Road, will be upgraded odivision. The timing of these required works on conditions. This timing is also set out

ection is part of the shared pathway and vicing infrastructure/shared pathway works ed engineering plans, some of which have

5	Roading -Internal Road Geometry	Davis Ogilvie has clarified that:	
	Some carriageway long-sections (Attachment 13.5 - Maitahi Civils – Set 4 – Roading -Road 2, Road 4, Road 5, Road 10) indicate gradients as high as 1:5 in particular sections which are steeper than the stated	The average gradient (local roads and residential lanes) <u>com</u> Land Development Manual (shown below).	
	 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? 	The Integrated Transportation Assessment (A an assessment of the transportation relates	Attachment 6 to matters with a f
		do not comply. No further assessment of internal road geon the compliance with Table 4-8.	
		Table 4-8 Maximum Road Gradients	
		Road Hierarchy	Maximum C
		Arterial Roads	1-in-20 (5.0
		Principal Roads	1-in-15 (6.7
		Collector Roads	1-in-10 (10.0
		Sub-Collector Roads	1-in-8 (12.5
		Local Roads	1-in-7 (14.3
		Residential Lanes	1-in-6 (15.8
		* Gradients on bus routes will not be steepe	er than 1-in-15 (6
		The average gradient (local roads and resid (16.7%)	dential lanes) ov
		There are short lengths on Roads 2, 4 and 5 v however, but they comply with the footnote r 1:6. Specifically:	with grades stee requiring that th
		- Road 2 (residential lane) has a 6.9m len	gth at maximun
		- Road 4 (residential lane), has a maximu	m grade of 1:7 f
		- Road 5 (residential lane) has a maximum average for 50m	n grade of 1:5 fc
		- Road 10 (residential lane) has a maximu	Im grade of 1:7
6	Stormwater – Operational Phase - Arvida	The treatment method for areas B2 and B3 is a accommodated within the current civil design.	proprietary dev . No new wetlar
	Page 11 of the Arvida Mathai Servicing Report (Attachment 9.2) states that due to capacity and site constraints, stormwater catchments 'B2' and 'B3' are unable to be treated by the proposed identified wetlands 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.	The use of a proprietary device or rain garden in stormwater assessment, and in particular, the set out within Section 3.1 of the Morphum Envi	n areas B2 and l consideration o ironmental Wat
	Do any of the potential treatment methods, particularly in respect of any additional wetland, require additional consent, once its potential location and detailed design is complete?	5.2 to the Substantive Application). Morphum Environmental part of the catchment.	
		It is appropriate that the required use of storms specified in the consent conditions for the Cor within V2 of the volunteered conditions.	water treatmen nprehensive Ho

<u>mplies</u> with Table 4-8 of the Nelson Tasman
o the Substantive Application) has provided focus on the components of the project that metry is considered to be necessary given
Gradient *
)%)
%)
.0%)
5%)
3%)
3%)
6.7%)
ver 50m will not exceed 1-in-6
eper than the maximum grade in Table 4-8, he average grade over 50m will not exceed
m grade of 1:6, being the steepest section;
for 21.4m, being the steepest section;
or 20.3m, but complies with 1:6 over the
so fully complies.
vice or rain garden as these can be readily and area is proposed.
B3 has been factored into the wider of Water Sensitive Design options. This is <i>ter Sensitive Design Report</i> (p8, Attachment addresses the spatial constraints within this
nt devices, as set out above, are also clearly ousing Development. This will be specified

7	Stormwater – Operational Phase – Maitahi	Tonkin & Taylor has clarified that:
	The Stormwater Management Plan (Attachment 5.3) refers to the provision of rain tanks on private lots within the overall stormwater management strategy to 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 to as 'where possible.'	Raintanks have been assumed for all medium density lots in the totaling an estimate of 90 lots with raintanks. No raintanks have catchment due to site constraints. Maintenance will be the responsent notice will be imposed to ensure this responsibility is
	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 notice or another alternative?	The requirement for the installation of raintanks on the medium of consent notice as set out in the subdivision conditions (v2 to be
8	Geotechnical Mitigations - General	Tonkin & Taylor has clarified that:
	What is the general location of the potential mitigations for the Western Valley slopes (Area 6) as referenced in Attachment 4 - Geotechnical Assessment (Page 38 - 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 landslides originating within the gullies, and potential to protect the road and downslope lats	The current rock roll risk comes from surface cobbles and sn to Gullies 5 & 6. These surface features will be mostly remov and are expected to present a significantly reduced post dev development. The remaining hazard risk will be from outside
	from boulder roll".) 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	In terms of the identified existing shallow landslide hazard (u excavation during subdivision earthworks. With the remainin development area.
	development area to 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	Where required to mitigate remaining hazards, the proposed within the associated open space strips (proposed lots 507 a debris barriers/fences will be determined at the time of detai relevant to this area (see T&T Geotechnical Assessment, App
	waterways including for any access tracks needed for maintenance?	Note: that the earthworks plan provides allowance for addition accommodate slope instability mitigation works. Existing rise be removed during earthworks.
		We do not envisage any additional land use consents being re bunds/barriers in either the western or eastern slope areas. F required if barriers are specified.
		Any maintenance tracks will be constructed as part of subdives established if required to ensure access.
		The mitigation measures downgradient of Gullies 5 and 5 will development area, within the associated open space strips (
1		

in the Western and Central sub catchment, have been assumed in the Eastern sub e responsibility of the property owner, and a y is clearly specified.

Im density lots will be imposed by way of be updated).

d small boulders on the slope in and adjacent noved as part of development earthworks development rock roll hazard to the side of the development area.

d (up to 2.0 m), this will be mitigated by subining hazard being from land upslope of the

sed debris barriers/fences will be located 07 and 515). The location and extent of the etailed. Cross sections S2 and S3 are Appendix A).

ditional excavation and filling to { risk posed by sidecast fill below the road will

ng required to construct the required debris as. However Building Consents may be

bdivision earthworks and easements

will need to be located within the os (proposed lots 507 and 515).

-			
			GULLY 5
	9	Geotechnical Mitigations -Stormwater	Both the geotechnical and stormwater assessments have be integrated manner
		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	Tonkin and Taylor has clarified that:
		of the conclusions within the Stormwater Assessment Report (Attachment 5.1)?	The Stormwater Assessment has given appropriate conside recommendations with a closer review of the larger catchn management devices), as well as the debris bund and char stormwater by the proposed debris bund has been taken in and culverts, including an assessment of blockage risks.
	10	Geotechnical – Residential Lot viability	Tonkin & Taylor has clarified that:
		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?	We expect residential development will be located either at the access. Typically access onto Lots above the ROWs are flated bedrock is typically at shallow depth and piling or benching in development is feasible and fairly common practice in Nelso development at Coster St is shown in the photograph below. typically steeper than what is currently being proposed in this
			Specific geotechnical building development recommendation



1	11	Air Quality – Wastewater pump station	Davis Ogilvie has clarified that:
		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?	Odour will be dealt with at the source (wet well) creating a fan that discharges odorous air to a heated proprietary od control will mitigate any perceived effects, compliance we boundaries of the pump station. The discharge of odour is regulated by rule AQr.22.1(a) of the provided within item 12 below. As not out above, the propose
			odour unit to ensure the activity does not discharge offense of discharge consent.
			Of relevance in terms of the spatial opportunity to secure this agreed between the applicant and NCC to increase in size froupgrading works if need be (i.e. the potential to add to the odd in Items 12 and 14 of the RFI below.
1	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?	The volunteered consent conditions (V1) require (such as in A Plan (CMP) be prepared, with that including the management that the CMP identifies and describes the measures to <i>preven</i> beyond the site, including the equipment to be available for the construction activities. The Erosion and Sediment Control PL Substantive Application also contains a section (4.3.9) on du methods used to achieve the dust management objective. As (NAQP) only triggers the need for resource consent approval is objectionable i.e. some dust effects are anticipated. The approach of requiring dust effects to be managed as a pa Nelson, and is considered to ensure compliance with the relevance AQr.22 provided below.



a negative vacuum in the chamber by using a lour unit (carbon filter). As source odour ith the NAQP will be met within the

Nelson Air Quality Plan. A copy of this rule is ed pump station will include a proprietary or objectionable odour thereby requiring a

s outcome, the size of Lot 3000 has been om 243m² to 400m² to provide for future our control infrastructure). This is addressed

A(c3), B(c3)) that a Construction Management t of dust effects. These conditions require *nt_*fugitive dust and wind blown sediment the purpose of minimizing dust during lan provided in Attachment 7 of the test management, including identifying the tes set out below, the Nelson Air Quality Plan if the dust effects are offense or

art of earthworks is standard practice in evant rules of the NAQP, namely AQr.39 and

AQr.39.1 Dust from surfaces

the general conditions in rule AQr.22 are met. The discharge must not result in any offensive or objectionable odour to the extent that it causes an adverse effect beyond the boundary of the site of the discharge, and The discharge must not result in dispersal or deposition of particles, including smoke particles or dust, to the extent that it causes an offensive or objectionable effect beyond the boundary of the site of the discharge, and The discharge must not significantly impair visibility beyond the boundary of the site of the discharge, and The discharge must not cause any corrosion to any structure beyond the boundary of the site of the discharge, and The discharge must not result in effects beyond the boundary of the site that are noxious or dangerous.

The discharge of dust into air from any surface that does not expressly contravene any other rule in this Plan or the Nelson Resource Management Plan is permitted, if: а. The contaminants discharged from surfaces such as unsealed carparks, industrial sites, and construction sites are primarily soil particles. The particles are generally large (greater than 10 microns in diameter) and are unlikely to cause significant adverse health effects. Any adverse effects resulting from this discharge into air are likely to be limited to nuisance effects at relatively close proximity to the source. Note: Rule AQr.22 - General Conditions relates to smoke, dust, odour and other effects. In terms of compliance and enforcement of this rule, Council staff will be guided as appropriate by Appendix AQ9, Appendix AQ10 and Appendix AQ11. AQr.22 General Conditions All discharges The following general conditions apply to all discharges of contaminants to air, including those allowed as permitted activities in the Rule Table, excluding those allowed by a resource consent unless the consent states otherwise¹: а. b. с. d. e. ¹ In terms of enforcement and compliance with Rule AQr.22, Council staff will be guided as appropriate by Appendix AQ9, Appendix AQ10 and Appendix AQ11 in this Plan. Appendix AQ11 criteria for assessing offensive or objectionable dust AQ11.1 Nelson City Council, for the purposes of assessing compliance with permitted activity conditions,

resource consent conditions, or sections 17(3)(a), 314(1)(a)(ii) or 322(1)(a)(ii) of the Resource Management Act

will consider the following matters when determining whether or not a dust discharge has caused an objectionable or offensive effect:

- i. The frequency of dust nuisance events, and
- ii. The intensity of dust nuisance events, as indicated by dust quantity and the degree of nuisance, and
- iii. The duration of each dust nuisance event, and
- iv. The offensiveness of the discharge, having regard to the nature of the dust, and
- v. The location of the dust nuisance, having regard to the sensitivity (including reverse sensitivity) of the receiving environment.

13	Building Envelope – Wastewater pump station	Davis Ogilvie has clarified that:
	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	We attach a preliminary layout for the proposed pump sta and Storage Tank – Layout (<mark>Attachment 4</mark> of this further i
	structures and equipment within this lot. What are the approximate dimensions of any fencing, structures or equipment that are broadly expected	In terms of the scale of above ground structures, this wou supply connection, and low level odour treatment unit, n
	to form part of the wastewater pump station in relation to the requirements of rule OSr.42 of the NRMP?	Any external fencing will be a typical 1.8m high security for within the reserve to screen the pump station infrastructu landscaping design). Typically however, fencing is not a c this scale within Nelson City.
		Some examples are provided below to demonstrate the t
		Note: In response to item 14 of the RFI below, and also as a
		Feedback (3 April 2025), the size of Lot 3000 has been increa for future upgrading works (i.e. additional odour control etc).

ne proposed pump station. (See Tonkin & Taylor Plan (Pump Station nent **4** of this further information response)

nd structures, this would only involve an electrical cabinet, water dour treatment unit, none of which would be above 1.5m in height.

al 1.8m high security fence, with landscaping around the perimeter mp station infrastructure (to be finalised in detailed civil and rever, fencing is not a common requirement for pump stations of

to demonstrate the typical scale of what is proposed.





below, and also as a part of addressing the Council's draft 3000 has been increased in size from 243m² to 400m² to provide

14	Subdivision - Vesting of infrastructure	The landfill area (including encapsulation cell) is to remain on
	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?	The applicant and Council discussed the proposed vesting of I process and also in response to preparing this response. The and the position currently reached, also being the subject to the (v2) that is being prepared:
		1. <u>Reserve for Stormwater Management.</u>
		There are a number of Drainage Reserves that are proposed as system, including Lots 521 and 522 that would contain the deb agreed conditions, the Council has not opposed this land and
		2. <u>Wastewater Pump Station. Lot 3000.</u>
		Aside from an increase to the size of this allotment to cater for infrastructure, the Council has accepted this land and asset w
		3. <u>Roads.</u>
		The Council has accepted that the proposed roads would be v
		4. <u>Temporary Water Reservoir.</u>
		Given the temporary nature of this infrastructure, the applican asset should <u>not</u> be vested in Council. The land would remain Gross provided over right of way 'R' enabling Council access to maintenance. This change is being made to the application (d
		5. <u>Neighbourhood Reserve (Lot 505)</u>
		The Council has accepted that the neighborhood reserve (Lot this reserve would be the subject of a separate assessment an this Project.
		6. <u>Other Reserve for Recreation</u>
		There are a number of allotments proposed to be vested as Lo amenity purposes. The Council has accepted that those areas conditions.
		7. Esplanade Reserve (Kākā Stream Corridor)
		The Council has expressed its preference for all of the Kākā co including those land areas contained stormwater infrastructur change to the Application.

n land held in private ownership.

f land and assets in the pre-application following is an update to that collaboration the final set of agreed consent conditions

as a part of the stormwater management ebris bund on the eastern hillside. Subject to d infrastructure vesting.

or any future potential additional would be vested.

vested.

nt and Council have agreed that the land / n in private ownership with an Easement in to the reservoir for its operation and due 2 July 2025).

t 505) would be vested. Any development of and design exercise, not within the scope of

ocal Purpose Reserve for recreation / as would be vested subject to agreed

orridor trot be vested as esplanade reserve, ure. The applicant agrees to making this

15	Comprehensive Housing Development – Arvida	The JTB architects has clarified that:
	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.	Diagram 2 on page 22 of section 14.2 was included on the the garage is set back less than 1m from the wall of the dw a garage located in a front yard must be setback at least 1r unit. In this case the residential unit is in the front yard but situation is permitted and diagram 2 should be disregarded (GA PA GR SET BACK /Im FROM WALL OF UNIT) ////////////////////////////////////
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.	As part of the preliminary civil design the parameters of the specialist bridge designer. The bridge will have a span of the bridge abutments to be constructed outside the bed
	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?	With the bridge able to span the stream, and with the abutm considered that the proposed bridge is able to comply with p and fords' (nelson Resource Management Plan, Appendix 28 permitted activity:
		FWr.5.1
		a. The placement or erection of a bridge over the bed of a rive
		i. any abutments are stabilised and protected against eros
		<i>ii. the approaches to the bridge are constructed and maint and</i>
		iii. the bridge and its associated design structures is design 0.4m freeboard) in the following rivers: Reservoir Creek, Sa Creek, Poormans Valley Stream, Arapiki Stream, Jenkins C Stream, Oldham Creek, Todds Valley Stream, Wakapuaka





B - front yards 1 1:200

the bridge have been determined by the f ~15m between abutments, which allows for of the Kākā Stream channel.

nents located outside of the bed, it si permitted activity rule FWr.5 'Bridges, culverts 3 Freshwater Plan), which provides for as a

er or lake is a permitted activity if:

sion, and

tained to minimise the discharge or runoff,

ned to convey a 1:50 year flood event (and axton Creek, Orphanage Creek, Orchard Creek, York Stream, Maitai River, The Brook River and its named tributaries and

47 HAIL / Contamination	
 Confirm: Whether Attachment 8.1 - Remediation Action Plan v.3 (RAP) has been finalized 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 HALL Environmental and, if so, whether HALL Environmental are in agreement with the proposed approach to the see? 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 specialist, noting that Council does not appear to have an in house expert in 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? 	 Version 2 of the RAP was updated following comments undertaken by HAIL Environmental. Then version 3 was contained within the Application¹. The RAP (version 3) be updated following the additional investigation as der it is not a draft document. Any amendments to the RAI detailed in the response to question 3 below. For the sake of clarity, the investigation is not to ascerta with – because all contaminated soil is to be removed at to confirm all contaminated soil <i>has</i> <u>been removed and over time (as compared to the existing state), or at leas</u> HAIL Environmental has reviewed Envirolink's response Envirolink's RAP (Attachment 8.3). As detailed in Enviro anything with concentrations above the ecological rem (excavated) from the proposed riparian corridor (the st stream) to the proposed design levels (i.e. full depth of deeper, if necessary following further investigation. Re is the dominant remedial methodology. The remediation approach, as set out above and summ with HAIL Environmental: Excavate and remove contaminated soils from t b. Excavate and remove contaminated soils from t c. Achieve soil remedial criteria set (In the RAP) fo riparian corridor, in the wider esplanade reserver residential use. Ongoing groundwater monitoring to confirm a r contaminants in groundwater following soil sou HAIL Environmental is in agreement with this approach

¹ Some typos inside the front cover were identified that referenced v2. These have now been amended.

er rivers, the bridge and its associated design th 0.4m freeboard).

for resource consent, then a separate

from the independent technical review created. Version 3 is the version is a final working document; that is, it will tailed in Appendix F of the document, but P will follow the prescribed review process,

ain how contamination ought to be dealt to the standards specified in the RAP - but that groundwater quality is improving t is no worse.

to the HAIL Environmental review of the link's RAP v3, the contaminated soil (i.e. edial criteria set) will be removed ormwater attenuation pond and realigned the proposed invert of the stream) or moval of the soil source of contamination

arised below, has been discussed at length

- the planned esplanade reserve.
- he former homestead.
- r both arsenic and dieldrin, for soils in the and recreational reserves, and for future

eduction in concentrations of rce removal.

er taken by a SQEP and reviewed by an prior to being issued to NCC.

3. Erosion and sediment control measures will be in place to ensure there is no contaminant mobilisation during the remedial works. These are detailed in Envirolink RAP v3 Section 8.0. After the physical remedial works have been carried out, soil validation results will be collected to demonstrate that all contaminated soil has successfully been removed. A soil validation report will be provided to NCC and certified prior to works occurring for the Kākā Stream diversion and construction of the stormwater attenuation ponds in the vicinity. The risk of contamination mobilisation during the Kākā Stream diversion works is mitigated by staging the soil remediation (and requiring a certified Soil Validation Report) in advance of those works.

Stormwater Pond

The stormwater attenuation pond invert level at this location is shown on Davis Ogilvie's Attenuation Pond and Stream Section Drawing (Ref: 39470-DOP-00-ZZ-DR-SK-0101-P2) (Attachment 5). As detailed in Morphum Environmental's Water Sensitive Design report, Section 2.2, the stormwater ponds in this location will be lined to prevent drawdown of the ponds to ground and to provide a barrier to groundwater ingress during periods of elevated groundwater. The liner details will be confirmed at detailed design stage.

Given the proposed removal of contaminated soils, the low likelihood of natural groundwater connectivity given the recorded groundwater elevations, and the addition of a liner, the risk of contaminant mobilisation into the attenuation pond via groundwater ingress following the works is considered highly unlikely. Given this, downstream effects are considered highly unlikely.

Proposed Kākā Stream Tributary

The proposed Kākā stream tributary is further from the source of contamination (>10m), as shown on Davis Ogilvie's Attenuation Pond and Stream Section Drawing (Ref: 39470-DOP-00-ZZ-DR-SK-0101-P2). Soil sampling results in this area reported concentrations of arsenic and dieldrin at orders of magnitude below those that were reported in the source area.

As shown on Davis Ogilvie's Attenuation Pond and Stream Section Drawing (Ref: 39470-DOP-00-ZZ-DR-SK-0101-P2), the proposed Kākā Stream tributary could be in connectivity with groundwater. This is not anticipated to be the dominant source of water and will make up only a proportion of total flow, more so in summer when water levels in the stream are lower.

As detailed in the RAP, soil remediation will occur across the riparian corridor, with the objective of meeting the ecological remedial targets set.

Following contaminant source removal, and soil validation to confirm no contaminants remain in concentrations about the ecological remediation criteria, the ecological risk to the proposed tributary is considered to be minor.

To ensure groundwater quality does not deteriorate and, in fact, improves, groundwater monitoring is proposed. This will be done via additional groundwater monitoring bores to be installed in the proposed location of the Kākā Tributary. The monitoring will be undertaken to

		enable trends in groundwater quality to be established groundwater are decreasing following soil remediation. soil source removal is considered to be the most effective
		Ongoing monitoring may be recommended following fin to confirm that concentrations of contaminants in groun be detailed in an ongoing site management plan (a reco
		5. The landowner will be responsible, and those responsibiliti conditions and a consent notice. This land will not be vested i
		6. Firstly, there will not be a need for any ongoing monitoring o would be monitored.
		Encapsulation cell
		For the encapsulation cell, the landowner will be responsible responsibilities will be clearly defined by the consent conditio monitoring will be directed at the maintenance of the encapsu Plan. This will be set out in V2 of the conditions.
		HAIL site
		For the remediated HAIL site (shearing shed), the Consent Ho timeframe deemed necessary or appropriate by the Consent A Management Plan as set out in the RAP. This will be set out in
18	Servicing - Water Supply	David Ogilvie has clarified that:
	Section 4.0, Page 11, of Attachment 9.1 - Maitahi Servicing Report states 'Pipes will be no smaller than DN150 in line with the NTLDM.' 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).	The report, when referencing pipe sizes, refers only to wate DN150, consistent with the NTLDM. It does not account fo than DN150. Greater clarity could have been provided with water mains and sub-mains. This distinction is evident in t show sub-main pipe sizes DN63 and laterals at 320D.

l and to confirm concentrations in . Given dieldrin is strongly bound to soils, ive risk mitigation strategy.

indings of initial groundwater monitoring, undwater are reducing over time. This will ommendation of the RAP).

ties will be clearly defined by the consent in Council.

of soil contamination. Only groundwater

e for ongoing monitoring, and those ons and a consent notice. Ongoing sulation cell and in the Ongoing Management

older will be responsible for monitoring over a Authority, and detailed within the Ongoing 1 V2 of the conditions.

ter mains and assumes a minimum size of for sub-mains, which are typically smaller thin the report by distinguishing between the preliminary water servicing plans, which