

**From:** Elliott Thornton s 9(2)(a)  
**Sent:** Wednesday, 8 February 2023 10:48 am  
**To:** Samantha Maxwell; Emma McLean  
**Cc:** Rebecca Perrett; Fast Track Consenting  
**Subject:** [COMMERCIAL][#CCL22983] 33 Main Highway , Ōtaki Application - Response to MfE RFI  
**Attachments:** RE: [#CCL22983] WW modelling proposal- 33 Main Highway Otaki

**MFE CYBER SECURITY WARNING**

This email originated from outside our organisation. Please take extra care when clicking on any links or opening any attachments.

Good morning Samantha,

Thank you for meeting with us the other week. Please find below in 'green' our response to your request for further information:

- Clarify the number of dwellings intended to be delivered by the project, as the project description refers to 150, the project staging refers to 100 and the economic assessment refers to 143. Clarity on the scope of the project being delivered by the applicant, including more detail relating to the cycle links through the site.

We can confirm the total number of dwellings is 143. Our client has advised us that the development will be delivered in three stages, of approximately 50 dwellings per stage.

The application will seek both subdivision and land use consent, which includes land use consent for the construction of the multi-unit dwellings (as per the architectural plans provided with the application), as well as land use consent for a standalone dwelling on each lot with a consented envelopment and conditions reflecting the Medium Density Residential Standards (or Plan Change 2 of the Kāpiti Coast District Plan) and confirmed driveway locations for each lot. The applicant is connected to [Jennian Homes Wellington](#), and through this connection, the applicant and associated companies will deliver the multi-unit dwellings and will most likely deliver all of the standalone dwellings as well.

As per Rule TR-R9 (controlled activity) of the Kāpiti Coast District Plan "*Cycle paths must be provided either as on-street cycle lanes, off-street shared paths or off-street dedicated cycle paths.*" As noted in the referral application, the applicant is not intending to provide dedicated cycle lanes which triggers the need for consent under TR-R15 (for a discretionary activity). It should be noted that cycle lanes were considered for the development, however the connecting roads (Moy Place and Sue Ave) do not have cycle lanes and there is no defined cycle route through the site. NZS:4404 specifies that when designing new roads which provide primary access to up to 200 dwellings, cyclists can be accommodated in the movement lane. In consultation with the applicant's traffic expert it was therefore deemed that dedicated cycle lanes were not necessary. It should also be noted that despite the discretionary activity status, it would be highly unusual for the Kāpiti Coast District Council to require a dedicated cycle lane within a road created by a new subdivision.

- The application mentions earthworks will involve a volume of approximately 20,000m<sup>3</sup> which may be cut to fill or cut to waste, however the application does not include any details in the 'minimising waste sections'.

The term "cut to waste" is an engineering term for material which cannot be utilised within the site boundaries, and so therefore needs to be taken off site. The historic use of the site as a market garden means that the top layer of material across the site will be rich in organic content, which needs to be removed before building slabs can be constructed. This surplus topsoil may have some levels of

contamination, associated with the former market garden activity and historic use of pesticides, but will be of high quality and therefore a valuable resource. Typically, this will be blended with non-contaminated soils on-site to ensure background levels of contamination are low and within acceptable levels and will likely be re-used on-site such as within the road berms. Remaining surplus good quality topsoil (non-contaminated) either be sold commercially or donated to local projects. Where it is not possible to blend, such as the levels of contamination are high, this will be disposed of at an appropriate facility. As such, for the purposes of determining if the proposal meets the purpose of the Act, in our view this material should not be considered “waste”.

- Consideration is needed of Section 104D of the Resource Management Act 1991.

The project will be able to meet the ‘gateway test’ under section 104D. In our view, while the proposal represents a change to the existing environment, being the conversion of vacant land to residential consistent with its residential zoning and at a density that is enabled by Plan Change 2, the effects on the environment will be no more than minor, thereby passing the first of the ‘gateway tests’ (104D(1)(a)) as:

- The site has very limited or minimal scenic or environmental values. Visual effects are likely to be considered less than minor.
- Dwellings / Lots that are likely noise affected by the neighbouring industrial use, will be acoustically treated based on the recommendations of the noise consultant to manage reverse sensitivity effects to be less than minor;
- Traffic will be directed via Moy Place. While Moy Place will experience a greater amount of traffic than currently present, the roading network was designed with the expectation that it would provide a connection to the subject site at some point in the future. Based on the advice of the traffic engineer, traffic effects can be managed to be no more than minor;
- The owners / occupiers of the adjacent residential development will notice a change in character, this is consistent with the planned density enabled by Plan Change 2 and won’t result in development that is overbearing or significantly affect the existing activities on-site. The subdivision has been designed such that Lots 5, 7, 14-16 adjacent will be buffered from the development by the retention of an existing depression which conveys some stormwater, and the roading network. The most affected property is Lot 4 adjacent, which will have 3 dwellings on their western boundary. The effects on Lot 4 however, are no more than minor, and effects on the environment from the change in character, are less than minor.
- Management of earthworks and contaminated soils will be guided by expert input and managed in accordance with all relevant guidelines and standards to be less than minor.

While the proposal does not need to pass both ‘gateway test’ to meet section 104D, for completeness we also consider the proposal to not be contrary to the policies and objectives of the Kapiti Coast District Plan which provides for a consolidated urban form within existing urban areas and identified growth areas, and encourages higher residential densities in locations that are close to centres, and public open space, with good access to public transport which is or likely will be in the near future, the case with this site. It is our view that the proposal also passes the second of the ‘gateway tests’ (104D(1)(b)).

- In our meeting you advised that further work and engagement has occurred with KCD Council on acceptable solutions for wastewater to service the proposed development. Please provide detail of the intended infrastructure and any related documentation/approvals/assurances that the works can be undertaken. This is required to ensure timing of your project and the investment certainty objective of the FTCA is not impacted if the project is referred.

We have discussed the connections with neighbouring owners who have indicated it will be possible for connections through their site, provided certain conditions are met. The applicant is not *currently* in a position to meet these requirements, although it is highly likely this will be possible prior to application for resource consent. The current delay in providing this confirmation is due to either costly demands, or complicated management structures leading to a delay in the written confirmation. As we have been unable to obtain conclusive evidence that the connections through the adjacent properties will be facilitated, we have also sought confirmation from the Kāpiti Coast District Council that an on-site solution is feasible and have attached correspondence confirming this is the case (see attached email). Whilst this option is not preferable (in terms of network management), Council have agreed that it is a viable wastewater solution. It should be noted that the neighbour to the west has verbally indicated that they can facilitate the connection through their site, and that this is our preferred solution. In either case, as there are multiple options, including one option which does not require neighbouring approval, there is no impediment to the delivery of the project from a wastewater perspective.

I believe this addresses your information requirements. However, should have any other queries or questions, feel free to get in contact.

Kind regards,

Ngā mihi nui | Thank you

**Elliott Thornton** | Principal Planner | BUrbEnvPlan | MNZPI |

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**From:** Samantha Maxwell s 9(2)(a)

**Sent:** Thursday, 12 January 2023 8:10 am

**To:** Emma McLean s 9(2)(a)

Elliott Thornton s 9(2)(a)

**Cc:** Rebecca Perrett s 9(2)(a)

; Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>

**Subject:** [COMMERCIAL]Main Highway , Ōtaki Application

Kia ora Elliot and Emma,

Thank you for taking the time to meet with Rebecca and I regarding your FTCA referral application for Main Highway , Ōtaki.

The key points discussed that we require further information on:

- Clarify the number of dwellings intended to be delivered by the project, as the project description refers to 150, the project staging refers to 100 and the economic assessment refers to 143. Clarity on the scope of the project being delivered by the applicant, including more detail relating to the cycle links through the site.
- The application mentions earthworks will involve a volume of approximately 20,000m3 which may be cut to fill or cut to waste, however the application does not include any details in the 'minimising waste sections'.
- Consideration is needed of Section 104D of the Resource Management Act 1991.
- In our meeting you advised that further work and engagement has occurred with KCD Council on acceptable solutions for wastewater to service the proposed development. Please provide detail of the intended infrastructure and any related documentation/approvals/assurances that the works can be undertaken. This is required to ensure timing of your project and the investment certainty objective of the FTCA is not impacted if the project is referred.

Ngā mihi nui,

**Samantha Maxwell (she/her)**

*Analyst | Kaitātari*

*Fast Track Consenting Team*

Ministry for the Environment | Manatū Mō Te Taiao

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*Ministry staff work flexibly by default. For me this means, you may receive an email from me outside of usual working hours. Please respond at a time that is convenient for you.*



## Jacob Paget

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**From:** Thushan Heenkenda s 9(2)(a)  
**Sent:** Friday, 3 February 2023 8:13 am  
**To:** Nick Taylor  
**Cc:** Jamal Rautao; Will Caccia-Birch; Ramesh Pillai; Isaac Cant  
**Subject:** RE: [#CCL22983] WW modelling proposal- 33 Main Highway Otaki

Hi Nick,

The Riverbank Road Pump station and gravity main upgrade are not in LTP. However, there is an allocation for a Riverbank pump station storage upgrade in LTP. To facilitate public wastewater network availability for this development, the upgrade of the pump station and gravity main is feasible. KCDC can work to facilitate this in partnership with the developer in a cost-share agreement.

As mentioned in your email, if the developer cannot obtain approval from the required landowners for connection through the adjoining land, a centralised pump station with a downstream gravity main upgrade from the discharge point is a possible solution (not preferred). The pressure sewer system is only considered if no other alternative solutions are available.

Thanks and Regards

**Thushan Heenkenda**  
Senior Network Engineer Water & Wastewater  
Te Kaipūkaha Whakamahere Matua: Wai me te Whakapai Wai

Kāpiti Coast District Council  
Tel 04 296 4620  
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**From:** Nick Taylor s 9(2)(a)  
**Sent:** Wednesday, 1 February 2023 3:38 pm  
**To:** Thushan Heenkenda s 9(2)(a); Brian Robinson  
s 9(2)(a)  
**Cc:** Jamal Rautao s 9(2)(a); Will Caccia-Birch s 9(2)(a)  
**Subject:** RE: [#CCL22983] WW modelling proposal- 33 Main Highway Otaki

Kia ora Thushan & Brian,

As discussed we have received a request for further information from MfE and one of the items relates to the wastewater solution. MfE would like *"assurances that the works can be undertaken. This is required to ensure timing of your project and the investment certainty objective of the FTCA is not impacted if the project is referred."*

We are still working with the land owners to facilitate connection through the adjoining land parcels (as you have modelled). Thushan, can you please come back to me with a confirmation that provided we obtain this approval, KCDC will work to facilitate this in partnership with the developer. We note that there is funding allocated in the long term plan to achieve this upgrade, but anticipate that there could be a cost share arrangement to be addressed through a development agreement.

If we are unable to obtain approval from the land owners for a connection through the adjoining land, we believe there are two further solutions:

- Centralised pump station (with storage capacity) to discharge to either Moy Place, or Main Highway networks;
- Pressure sewer solution, whereby buffer storage is provided at each of the individual pump units.

I note neither of the above two scenarios are ideal from a network management perspective, however can you please confirm that they are feasible solutions, meaning the development can be adequately serviced for wastewater? We will then work towards the optimal solution prior to the consent application being lodged with the EPA.

In addition to the above, there are several points below which we have not yet had a response to. I note that we have been working on this since September last year so would really appreciate it if you can come back to me as soon as possible. If further discussion on these points is required then please let me know, but in the first instance we would really appreciate an email confirming there is a viable wastewater solution for this site.

Feel free to give me a call to discuss.

Ngā mihi nui | Thank you

Nick Taylor | Director | RPSurv | BSurv (Dist) | MS+SNZ |

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**Holiday period:** We close at midday on **Thursday, 22<sup>nd</sup> December 2022** and reopen on **Monday, 9<sup>th</sup> January 2023**.

I will be on annual leave throughout January. Have a safe and enjoyable break and Meri Kirihimete from the team at Cuttriss.

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**From:** Nick Taylor

**Sent:** Tuesday, 13 December 2022 11:53 am

**To:** Thushan Heenkenda s 9(2)(a)

Brian Robinson

s 9(2)(a)

**Cc:** Jamal Rautao s 9(2)(a)

; Will Caccia-Birch s 9(2)(a)

**Subject:** RE: [#CCL22983] WW modelling proposal- 33 Main Highway Otaki

Kia ora Thushan and Brian,

Thank you for sending through the report, which I understand is still in draft (apologies for my earlier message Thushan). To assist us with our understanding of the report, we have a couple of questions/comments:

- As per the scheme supplied prior to modelling, the proposed residential development is for 143 lots, can you please update the report to reflect this?



- We understood the pump capacity at the Riverbank Road pump station is 10l/s, whereas it has been modelled at 9l/s. It is important that we understand the actual pump capacity, Thushan can you please advise how we can verify this existing rate, and if there is any opportunity to get more out of the existing pump(s)?
- Figure 6-1 shows the modelled pre-development and post-development flows at OSP00004. The post development flows seem very high during the middle of the night. As an example, the pre-development flow is approx. 0.09l/s at 3am but shoots up to almost 9l/s post-development – a 100 fold increase. Can you please clarify how this was calculated?
- Can you please break down the storage deficit that results from each of the scenarios if the pump is upgraded to 11l/s?
- We note the previous modelling completed in 2020/1 determined that an additional 25m<sup>3</sup> would be required to accommodate future growth, without any upgrades to the pump. The recommended 90m<sup>3</sup> storage with pump upgrades therefore seems very high in comparison. Can you please provide detailed comments on the reason for this difference? Does the 90m<sup>3</sup> allow for future growth?
- Please confirm that as per your report that you are working to the SDPR requirements (4 hour storage).

I trust the above makes sense, please let me know if you need any further clarification.

Ngā mihi nui | Thank you

Nick Taylor | Director | RPSurv | BSurv (Dist) | MS+SNZ |  
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**From:** Thushan Heenkenda s 9(2)(a)  
**Sent:** Friday, 2 December 2022 2:20 pm  
**To:** Nick Taylor s 9(2)(a)  
**Subject:** FW: WW modelling proposal- 33 Main Highway Otaki

Hi Nick,  
 I have attached HAL WW model report for your information.

Thnaks  
 Regards

**Thushan Heenkenda**  
 Senior Network Engineer Water & Wastewater  
 Te Kaipūkaha Whakamahere Matua: Wai me te Whakapai Wai

Kāpiti Coast District Council  
 Tel 04 296 4620  
 s 9(2)(a)

**From:** Brian Robinson s 9(2)(a)  
**Sent:** Friday, 2 December 2022 10:34 am  
**To:** Thushan Heenkenda s 9(2)(a)  
**Cc:** Sherine Sathiasothy s 9(2)(a)  
**Subject:** RE: WW modelling proposal- 33 Main Highway Otaki

Morning Thushan,

Apologies for the delayed response on this one.

Please find attached raft report for the 33 Main Highway / Riverbank Road developments.

Please let me know any comments/queries/changes, otherwise I'll leave you to pass onto to the developer.

I'll respond to your other queries separately.

Cheers

Brian

**Brian Robinson**

*Principal 3-Waters Engineer  
Managing Director*

**Hydraulic Analysis Ltd**

Level 1, 547 Parnell Rd,  
Parnell, Auckland 1052

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