

26th January 2023

Marcia Christian
Consents Planner, BOPRC
Via email: marcia.christian@boprc.govt.nz

Section 92 response information – Enabling development for industrial activities within Te Puna Business Park – 297 Te Puna Station Road

Dear Marcia,

Following our correspondence on this matter throughout this year, please find attached the response to information requested pursuant to section 92 of the RMA in your letter dated 14th February 2022 on behalf of my client Te Puna Industrial Limited (TPIL). TPIL is the applicant in respect of enabling industrial development and use of the site at 297 Te Puna Station Road.

Introduction and Important Considerations

In accordance with the directions of the s.92 requests from both WBOPDC and BOPRC, development plans for the development of the entire site, and holistic consideration of effects and performance against the Te Puna Business Park Structure Plan ('the structure plan'), has been completed. This in-lieu of the previously-devised distinct staged approach to development of the site.

In light of the direction of holistic site-wide consideration, the original Assessment of Environment Effects (AEE) January 2022 has been updated to address the scope change and any additional effects not previously assessed. Updated text in the AEE has been **highlighted yellow** for ease of discernability of updates.

The below represents an over-arching s.92 response to the s.92 requests issued by BOPRC, and should be read in conjunction with the following documents which are relevant to the BOPRC s.92 RFI points:

- Revised AEE document, dated January 2023;
- Te Puna Industrial Limited Civil Engineering s.92 Response Report, prepared by WSP dated 23 January 2023 ('the civil engineering report');
- Te Puna Container Co – 297 Te Puna Station Road – Geotechnical Assessment Report, prepared by WSP dated 2 December 2022 ('the geotechnical report');
- Landscape Plan, Planting Palette and Outline Wetland Establishment Plan, prepared by Momentum Planning and Design dated December 2022.
- Outline Landscape Maintenance Plan, prepared by Momentum Planning and Design dated December 2022.
- Detailed Site Investigation prepared by Pennan and Co, dated December 2022.

- WSP drawings for project 2-9Z729.01 as follows:
 - C200 – Existing Contour Plan;
 - C201 – Finished Contour Plan;
 - C202 – Cut Fill Contour Plan;
 - C300 – Site Layout Plan;
 - C301 – Intersection Layout and Vehicle Turning Paths Plan;
 - C302 – Intersection Layout Plan;
 - C302 – Longsection Road 01 and Typical Sections;
 - C400 – Stormwater Layout Plan;
 - C600 – Water Supply Layout Plan.
- MPAD drawings as follows:
 - Landscape Plan (Dwg 001)
 - Proposed Site Plan (Dwg 002)
 - Workshop Plan (Dwg 003)
- Copies of consultation with Ngāti Hinerangi, Ngāti Ranginui, Ngāti Pukenga and Ngāti Te Rangī, and updated engagement with Pirirākau.

Below I respond below to all items within the request, using the same headings as per the items within the request. Where required, I refer to the relevant parts of the technical expert reports above.

Site Extent:

1. Development of the entire site is now proposed as directed by the s.92 requests from both Councils. Please see revised application plans (**Appendix 3** of revised AEE) confirming the whole site has been considered and is proposed to be developed.

Temporary Stormwater Discharge:

2. Please see revised sections 4.3 and 4.7 of the AEE. It is not anticipated that throughout the complete earthworks and construction timeframe (2-3 months prior to and post-preloading) that all conditions of Permitted/Restricted Discretionary Rules will be met. The WSP Civil Engineering Report (**Appendix 5** to revised AEE, page 18 at section 3.3) does confirm full retention during the 1 in 10 year, 10 minute event, however do advise temporary discharge consent will be required. As such, temporary stormwater discharge consent is sought.

Given compliance with the 10 year storm event, temporary discharge consent pursuant to Rule DW R8 is assessed to be required.

See section 3.3 of the WSP civil engineering report – no flocculants are proposed to be used.

Dust Suppression:

3. TPIL has access to 200m³ of water per day, based on the variation to resource consent for water take 20311 to allow use for dust suppression purposes (approved 31st March 2022). This will be used during earthworks for dust suppression purposes, likely by way of extraction to water cart utilised by the contractor, with maximum exposed/unstable area restricted so as to ensure 50m³/hectare/day is available. The final dust suppression methodology will be determined and detailed in an Earthworks and Construction Management Plan that can be conditioned and approved by BOPRC following detailed design and construction tendering. Chemical dust suppression is not proposed to be utilised.

Earthworks Matters:

4. Drawing from the WSP plan set and all engineering reports, the following earthworks volumes are estimated in the absence of completing detailed design which would not be progressed in advance of obtaining resource consents:
 - a. Earthworks to level majority of site to +/- 2.5m – 8654m³ of fill.
 - b. 2x stormwater ponds – 3849m³ of cut.
 - c. Swales and localised cutting in forming 2.5m ground level to lease areas, and planned wetland/overland flow path – buffer of 5000m³.
 - d. Bunds as required by Structure Plan to road and southern boundaries – maximum of 2500m³.
 - e. Pre-loading – required to a minimum of 6.5ha of the site. Height to be determined by engineers, however minimum is 300mm of fill. Average anticipated settlement is 800mm¹. Using this as a starting point, given the majoring if the 6.5ha needs filling rather than cutting, a further 52,000m³ of soil may be required to be imported for pre-load purposes.

The above volumes are approximate estimates totally +/- 72000m³. Final volumes to be determined at detailed design phase with engineering advice regarding the re-usability of site-won soils.

Please further see Stormwater Layout Plan, Drawing No. C400. This details the permanent stormwater solution, however the swales and stormwater ponds will be firstly formed and then utilised during the construction and earthworks period as diversion channels and sediment retention ponds, providing a treatment train prior to discharge. The former methodology relying on decanting earth bunds for smaller stages has been replaced with WSP's advice in respect of utilising larger sediment retention ponds, which are sized for runoff from the entirety of the site to be subject to earthworks (and eventual permanent runoff).

Further erosion and sediment controls and methods are detailed in section 3.4 and 7.10 of the AEE. The civil engineering report at **Appendix 5** also demonstrates the feasibility of achieving the outcomes within the BOPRC Erosion and Sediment Control Guidelines for Land Disturbing Activities. Given the preliminary stage of the project, a Detailed Erosion and Sediment and Control Plan has not been prepared at this time – rather, information is supplied to give confidence that adverse effects in this regard can be suitably mitigated. It is then recommended

¹ Table 2, WSP geotechnical report.

that a detailed ESCP be prepared and submitted to BOPRC for approval prior to any earthworks occurring on the site, particularly once an earthworks contractor is appointed.

The applicant requests a condition is included in the earthworks consent to enable winter earthworks to occur with appropriate erosion and sediment control measures in place. These details will be provided to BOPRC in advance of the winter earthwork period each year.

Permanent Stormwater Management:

Effects on neighbouring properties

5. Please see section 7.2 of the revised AEE and 3.2.1 - Areas Affected by Flooding Levels, of the WSP civil engineering report (**Appendix 5** of AEE) detailing distribution, nature and extent of floodwater/ponding displacement effects. A maximum of 22mm of possible additional floodwater would be generated in the existing floodable area as a result of displaced storage capacity by fill. When dispersed across contiguous floodable areas (over 80ha), this effect is greatly reduced owing to the extent of floodable areas north, east and south of the site.

The application is premised on the functioning of the planned overland flowpath within the Te Puna Business Park Structure Plan. This will be constructed by TPIL where within their control, and will improve floodwater relief from the current situation (assuming the property at 245 Te Puna Station Road similarly constructs the overland flowpath as required by the Structure Plan).

Based on the above, the risk of flooding affecting other persons and properties as a result of the proposed development is considered to be less than minor and acceptable based on the expert advice received.

Further detail in stormwater management design

The stormwater management design has been updated to address the matters raised in the bullet points in your s.92 request (page 2) as follows:

6. (First and third bullets) The WSP civil engineering report confirms at section 3.2 that storage requirements (100% of volume) in the 10% AEP event (1 in 10 year storm) will be achieved, and 80% of pre-development peak discharge during the 1% AEP event (1 in 100 year storm) will be achieved, by the proposed design of swales and stormwater ponds.
7. (Second bullet) Permeability of the site would be increased, as detailed under section 3.3 of the WSP civil engineering report. The existing runoff coefficient is assessed to be 0.35, which will be increased in the delivery of the landform as proposed to between 0.4-0.5 (see pages 19-20, WSP Civil Engineering Report, **Appendix 5** to revised AEE).
8. (Fourth bullet) Please see point 5 above in respect of off-site flooding effects. On-site, a minimum ground level of 2.5m has been adopted. It has been determined by WSP that the

current 1 in 50 year 2% AEP / 1 in 50 year storm reaches a level of 2.39m. For the 1% AEP / 1 in 100 year storm, the level is 2.72m².

Development in this proposed manner at 2.5m translates to the lettable areas being above the 2% AEP / 1 in 50 year storm level, and only subject to 220mm of flooding in the 1% AEP / 1 in 100 year storm. This degree of flood risk is considered manageable for yard-based tenants that would be readily provided for by the development proposed. See section 7.2 of the revised AEE for further assessment, however residual flood risk is considered acceptable for planned industrial use.

9. (Fifth bullet) As per section 3.3 of the WSP report, the swale system is to be constructed within raised ground so as to work as calculated and not constrained by the high groundwater table at the site. See WSP drawing C302 for information regarding final swale ground levels.
10. (Sixth bullet) The wetland has been designed in terms of area, to meet (and exceeds) the spatial requirements of the Structure Plan. It is has been designed in terms of function and planting treatments to meet the BOPRC Wetland Restoration Guide. Given this is in the lower half of the relevant stormwater catchment, pursuant to section 7.1.3 of the BOPRC Stormwater Management Guidelines it is considered complete attenuation of the area as suggested in this RFI point is not strictly required. Rather, the net discharge from the wetland (attenuated to 80% of pre-development peak discharge) as calculated by WSP in accordance with the BOPRC Stormwater Management Guidelines is considered appropriate.
11. (Seventh bullet). The only overland flowpath to be created, and to which the site drains to, is the exact path expected by the Te Puna Business Park Structure Plan within the WBOPDC District Plan. This is expected to carry water in storm and flood events. Whilst it is acknowledged theoretical displacement of floodwater storage space occurs (amount to 22mm of water), this is firstly to the planned overland flowpath and beyond that is to a very large (over 80ha) are at the same or a lower level. When spread over this area, any flooding or ponding experienced currently at land in that catchment would not be materially altered.
12. (Eighth bullet) The multiple mediums of treatment through swales, ponds and wetlands is expected to ensure discharge quality meets that specified in rule DW R21(a), (b) and (h). Discharge would not be from any timber preservation site or where chemically treated timber is stored. Given discharge is to a planned overland flowpath to be formed across multiple properties, the discharge is not expected to induce erosion. The discharge would not contain hazardous substances or trade wastes, with the repair workshop discharge being subject to regular testing and proprietary treatment prior to discharge into the swale network. Discharge would not be to water classified as Water Supply – the Hakao Stream, where the overland flowpath ultimately directs water to, is classified as Regional Base Line. Therefore the conditions of Rule DW R21 are considered to be met.
13. The landscaping of stormwater management features is detailed in Appendices 15-16 of the revised application, as prepared by a suitably qualified landscape architect, reflecting engineering advice provided by WSP. Surface stabilisation will be via grass, plants, or

² See page 44, WSP civil engineering report at **Appendix 5**.

compacted metal to industrial areas. Swales, ponds and the wetland provide a permanent treatment train to minimise sediment runoff once the site is operational. The conceptual design presented provides for clear flat bases which are devoid of planting to allow periodic dredging/removal of accumulated sediment and therefore optimum functioning of these devices.

14. Maintenance of the landscaping is outlined at **Appendix 16** to the revised AEE.
15. Silt traps will not be established. There will be no further lots as no subdivision is proposed. Silt/sediment runoff once operational will be mitigated by the stabilised surfaces draining and filtering through the treatment train to the end discharge point within the wetland.
16. The wetland planting plan has been prepared by a suitably qualified landscape architect (Tom Watts, MPAD) in collaboration and reflecting advice from a similarly suitably qualified stormwater engineer (Sarah Millar, WSP).
17. Combined with the re-location and improved planting within the roadside drain, the degree of stormwater treatment is considered to deliver a net improvement in terms of quality of discharge to the Hakao Stream and onwards to the Wairoa River and Tauranga harbour.

Contaminated Land:

18. A DSI has been completed by Pennan and Co, see attached (**Appendix 11** to revised AEE). This confirms that consent from BOPRC for disturbance of contaminated land is not required pursuant to Rule DW 25 of the BOPRC Regional Natural Resources Plan³. This is owing to the nature of contamination detected at the site not posing any immediate or long-term hazard to human health or the environment⁴.

Effects on Cultural Values:

19. Please see attached correspondence as requested with other hapū and iwi. The outcomes of ongoing engagement efforts are addressed at section 7.11 of the revised AEE. All tangata whenua groups who have responded, including mana whenua Pirirākau, have placed utmost importance on water quality and ecological effects. The importance of positively addressing these potential impacts is shared by the applicant, and therefore significant effort has been made to ensure the requirements and outcomes of the structure plan are achieved and delivered in this regard, with further positive ecological benefits being delivered in terms of exceeding wetland and planting requirements through which water will be treated. This has a positive effect in terms of water quality in the taonga and ecosystems of the Hakao Stream.
20. Complete and up-to-date written records of engagement with all hapū and iwi groups are attached as additions to **Appendix 8** of the revised AEE.

³ Section 9.3 of the DSI, see **Appendix 11**.

⁴ Being required to meet the definition of contaminated land under the BOPRC RNRP.

21. The outcomes achieved by way of engagement with hapū and iwi groups is progression towards a partnership agreement with mana whenua, which is ongoing with a view towards hui to consider the project and partnership outcomes in the near future. This is progressing continually as at January 2023 as evidenced in the engagement records attached as additions to **Appendix 8** of the revised AEE.

National Policy Statement for Freshwater Management 2020 (NPS-FM):

22. An expanded assessment against the objective of the NPS-FM has been included at section 10.1.2 of the revised AEE. An assessment against all policies of the NPS-FM has also been included in the same section as requested.

Next steps:

We respectfully consider that all s.92 points have now been proportionately and adequately responded to. Confidence in the mitigation of effects of concern to BOPRC has been intended to be provided by way of this response. Should there be any further clarification required, please do not hesitate to contact me at the earliest possible opportunity.

I look forward to BOPRC's assessment and processing resuming and progressing this consent to completion.

Yours sincerely



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