

14 May 2018

Kathryn Hunt  
Napier City Council  
215 Hastings Street  
**NAPIER 4110**

Dear Kathryn

**S42 Report - Plan Change 11 (Park Island Reconfiguration) to the Operative City of Napier District Plan**

Thank you for providing us with a copy of the s42 report. We no longer wish to be heard at the hearing scheduled on the 29<sup>th</sup> May 2018, however we would be obliged if this letter could be presented to the Commissioner and tabled at the hearing, to provide clarity on the points below.

- As noted in the S42 report a replacement consent (CD180162A) is currently being assessed to replace the existing coastal discharge consent CD99050516Wa which is held jointly by NCC and HBRC. To avoid ambiguity it is necessary to highlight that HBRC are processing this consent at present, it has not yet been granted.
- We confirm that HBRC stormwater asset managers have had discussions as noted in Appendix 7 around stormwater runoff quantity and the stormwater computer modelling which is anticipated to be undertaken in the future, which will inform any decisions around the overland flow path from the Taipo Stream. As such we no longer hold concerns about stormwater quantity (as noted in our original submission).
- On page 21 of the s42 report reference is made to 'Chapter 3.9 Groundwater Quality', however Chapter 3.9 of the RPS is Groundwater Quantity (Groundwater Quality is Chapter 3.8). Clearly this is an error in the s42 report, however as a consequence there still remains no evidence to demonstrate how the conclusions were arrived upon in respect of Chapter 3.9 of the RPS for Groundwater Quantity.
- The s42 report states (page 22) that in regards to liquefaction the Plan Change need not predetermine the outcomes of the resource consents and building consents, however as per our original submission NCC should be following MBIE guidance, and in particular section 6.10 which states that in areas assigned a liquefaction category of high, it is recommended that a geotechnical engineer should provide input into the design of all buildings. This should include a site specific assessment of liquefaction issues, including assessment of new or existing subsurface ground investigations.
- Furthermore in Item 6 (page 26) there are two statements which do not reflect the MBIE guidance (September 2017) or accurately consider the HBRC submission.

At a zoning level, the proposed re-configuration does not materially change the element of risk in this regard or the impact/cost of potential implications on development. Specific regard to ground improvement works and foundation design of future buildings is applied at the subdivision stage during land development and the imposition of Consent Notices, which often (if required) require specific design by a geotechnical engineer.

It is unclear as to why reference is made to 'if required'? This is a recommendation of the MBIE Guidance given that this is a high category area and therefore a geotechnical engineer should provide input.

Generally speaking, rib raft foundation design has been the preferred means of mitigating the impacts of liquefaction on buildings, but as alluded to in the submission from the HBRC, MBIE may provide new guidance for future development, which would be applied at either subdivision or building consent stage.

The MBIE guidance came into effect in September 2017 and therefore should be applied.

As noted above we no longer wish to be heard on the 29<sup>th</sup> May 2018. We would appreciate if this correspondence could be tabled at the hearing.

Should you have any queries with regards to the above please do not hesitate to contact the undersigned.

Yours sincerely



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