

**Enquiries to:** Karla Putt  
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**Email:** [karla.putt@stratum.nz](mailto:karla.putt@stratum.nz)  
**Reference:** RM240001

16 February 2024

Tahua Properties Limited  
C/- SLR Consulting New Zealand Limited  
201 Victoria Street West  
AUCKLAND 1010

Attn: Samantha Redward

Email: [samantha.redward@slrconsulting.com](mailto:samantha.redward@slrconsulting.com)

Dear Samantha

**Resource Consent Application RM240001, Tahua Properties Limited – Request for Further Information (s92 RMA)**

Following a review of your application for the proposed restaurant activities at 69A Main Road, Tirau, we request the further information as outlined below to assist in assessing the potential environmental effects of the activity:

1. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS)

Under Regulation 6 the NES:CS allows for two methods to determine whether a property should be considered a 'piece of land'. Either, to use information that the territory authority holds on its dangerous goods records, property files, resource consent database or registers or has available to it from the regional council; or, the other method is to rely on the findings of a preliminary site investigation (PSI).

A PSI was not submitted with the application. The Waikato Regional Council listed land use register (LUR) record for the property was also not provided. Given that the property file records indicated residential activities, SLR has considered that there were no HAIL activities and that the site is not a 'piece of land' under the NES:CS. SLR therefore concluded that the regulations of the NES:CS do not apply (Section 4.5). However, we request that the following information is provided:

- a) A copy of the LUR for the site;
- b) Consideration of potential impacts to the site from surrounding land uses, for example the BP service station to the south-west; and
- c) Evaluate the potential presence of lead-based paint impacts to soil from the old school house.

2. Building Plan

Please provide a floor plan for Burger King so the location of the kitchen and restaurant activity can be determined and assessed.

3. Traffic Effects

Please update the ITA and provide assessment of the following:

- a) Location and number of staff parks and effects on surrounding network;
- b) Mitigation of conflict of vehicles reversing out of first two parks at site entry and vehicles entering site from SH1.
- c) Delivery and refuse vehicles:
  - i) Rationale for delivery and refuse vehicle hours of operation. It is not anticipated that deliveries and refuse collections should be occurring between 10pm and 7am.
  - ii) Plans demonstrating on-site manoeuvring and exiting from the site in a forward manner. Identification of mechanism/s to ensure deliveries and refuse collections are undertaken on the subject site, and not from Main Road/SH1.
  - iii) Identify the requirements for deliveries and refuse collections, for example, if forklifts or specific truck type are required.
  - iv) Frequency of deliveries and refuse collections for each restaurant activity.
- d) NZ Transport Agency comment and the alignment of site access and design with any NZTA assessment and/or approval.

4. Noise

a) Section 4.4 of the application indicates that the proposed activities are able to comply with the District Plan noise requirements however Section 5.1 indicates that the activities are unable to comply. Please advise if compliance is achieved.

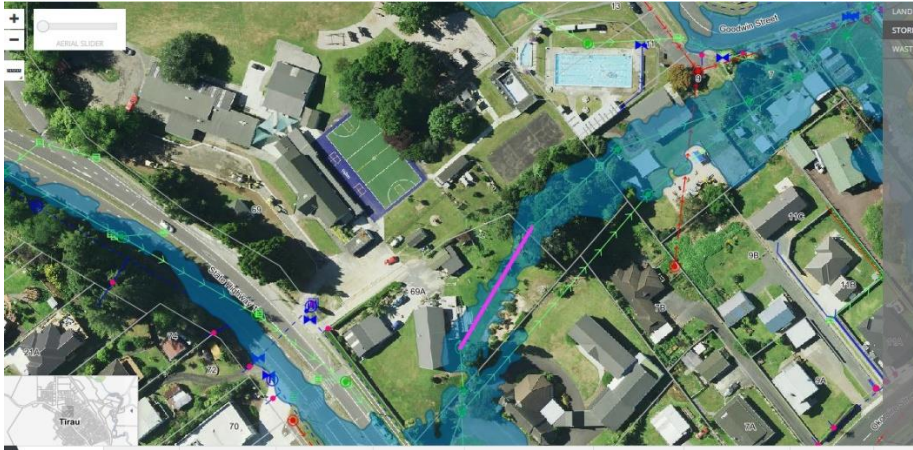
b) It is unclear how the source data (Table 7 of SLR noise report) has been used to calculate the predicted noise levels provided in Table 8. In particular, how source levels of 98 dB LAmax (light vehicles) and 113 dB LAmax (delivery truck) equates to a predicted noise level of 53 dB LAmax at R4 (the nearest residential property at 7B Okoroire Street) whose site boundary is less than 10 m away. Assuming effective screening provides a 10 dB reduction, an additional 25 dB reduction is still required after distance correction. Please can the following be provided:

- i) a breakdown of contributions at R1, R6 and R4;
- ii) what the LAmax reference distance is;
- iii) distance between source and assessment locations;
- iv) confirm if the LAeq predicted values are based on peak traffic volumes; and
- v) the modelled location of the sources

- c) Please provide a condition which limits the volume of the external speakers when used at night (10pm to 7am), i.e. a maximum sound level at a specified distance and how this maximum will be set. Reason to manage potential disturbance at residential properties at night.

## 5. Stormwater Management

Please provide details on the management of the stormwater flooding on the site and the realignment of the 450mm stormwater pipe on site.



## 6. Landscaping

Please update the Landscape Plan with the following changes:

- i) Libertia: Recommend 0.5-0.6m spacings being grasses.
- ii) Nikau palms do better in the shade and are frost tender, so may not be successful in Tirau. Please re-consider and update plans.
- iii) Hebe cultivars are suitable, although rather than alternative planting, planting in groups of three will give more impact when flowering, ie block of white, block of pink.
- iv) Pratia ground cover is suitable, however may die back in winter in periods of cold weather.
- v) Plant palette shows Rengarenga (Arthropodium) which is not on Landscaping Plan/schedule. Please amend.
- vi) Corokia 'Genty's Green' is suitable, (although palette picture shows one of the grey- leafed Corokia cultivars) however consideration of Corokia 'Sunsplash' as an alternative, whose yellow/green coloured foliage will provide a point of interest with the greenery of the Libertia, Lomandra and Hebes, and will tone in with the yellow flowering spikes of the Lomandra 'Lime Tuff' plantings.



7. Planning

Please provide an assessment of the cumulative effects of the proposed development to the Tirau community.

8. Waste Management

The application notes rubbish collection will occur by way of a "small private rubbish truck between 2am and 5am; and will be stored inside each of the buildings for storage prior to collection". Please advise

- i) the capacity of the 'small' rubbish truck which will be servicing two premises, as well as the frequency of removal from these premises and whether there is sufficient space within the layout to allow for stored rubbish.
- ii) The ability for cardboard or other recycling to be undertaken and how and where these materials will be stored prior to collection.
- iii) Servicing of grease trap or other devices including frequency of maintenance.

Please update the ITA to reflect waste management requirements and if waste management contribute to changes to parking spaces.

Once we have received all information necessary to assess the effects of your proposal on the receiving environment, we will continue to process your application. We acknowledge that you wish the application to be processed in a publicly notified manner and will instigate notification upon the s92 matters above being satisfied.

Please note that Council has the ability to seek additional information upon receipt of any submissions to the application.

Please feel free to contact the processing planner regarding the requirements of this letter, on 07 347 7840 ext 222 or via [karla.putt@stratum.nz](mailto:karla.putt@stratum.nz).

**When and how should I respond?**

In accordance with section 92A(1) of the Resource Management Act 1991 (RMA), you must respond to this request within 15 working days. You may either:

- (a) provide the required information;
- (b) write to us stating that you will supply the required information, but require a longer period in which to do so; or
- (c) write to us stating that you refuse to provide the required information.

**What happens if I do not respond or refuse to provide the information?**

If you do not respond within 15 working days, or respond indicating your refusal to provide the requested information, then under section 92B(2) of the RMA, we must continue to process your application but your application is likely to be declined.

Additional Information

Please note the following information is not part of the s92 request but may assist with future design:

- i) Page 10 of the Infrastructure Report indicates that Council will calculate the capacity/pressure of the water connection however, it is the Applicants responsibility to measure the pressure to ensure the pressure meets development requirements.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'K Putt', with a long horizontal stroke extending to the right.

Karla Putt  
**Consultant Planner**

**for South Waikato District Council**