

**FINAL RECOMMENDATION OF HEARINGS
COMMITTEE**

**NOTICE OF REQUIREMENT TO DESIGNATE A
ROUNABOUT, AN INFRASTRUCTURE CORRIDOR, AND
THREE STORMWATER INFILTRATION AREAS WITHIN THE
OMAHU NORTH INDUSTRIAL AREA**

Substantive Decision

(A) That pursuant to Section 168A of the Resource Management Act 1991, the Notice of Requirement, to designate: a roundabout, an Infrastructure Corridor and three stormwater infiltration areas for the proposed Omaha North Industrial Rezoning, is confirmed subject to conditions. This designation is to enable Hastings District Council to:

- Establish, operate and maintain a roundabout at the Henderson Road / Omaha Road intersection. Its purpose is to enable an efficient and effective roading network to be put in place to service the Omaha North Industrial zone proposed in Plan Change 57.
- Create an **infrastructure corridor** proposes a series of swales (shallow drains) to be established, operated and maintained within a 6.5m wide corridor which runs generally parallel with Omaha Road.
- Establish, operate and maintain **three stormwater infiltration areas** to service the Omaha North Industrial Area as proposed in Plan Change 57.

Conditions

That the works to give effect to the designation shall be carried out in accordance with the application as publicly notified on 17th October 2012.

Decisions on Submissions

- A. That the submissions of Josephine Anne Barley, Leighton Paul Curd, Stephen Alexander Greer (1 and 2 – RMA20120265), requesting an additional access off the proposed roundabout and that the round-about be relocated further to the opposite side of Omaha Road be **REJECTED** as no changes will be made to the roundabout as a result of this submission.
- B. That the parts of the submissions of Hawke's Bay Fruitgrower's Association (1 – RMA20120266) requesting that Hastings District Council be financially responsible for the loss of any land as a result of the Infiltration Basins be **REJECTED** in that any compensation will be negotiated with land owners through the Public Works Act.
- C. That the submission of Raupare Enhancement Society 2 – RMA20120266) requesting that the effects of storm-water discharge will impact negatively on water quality in the drains and the final receiving environment and that the design of the traps or interceptor systems to



treat stormwater from either road runoff or coming from the industrial area is the appropriate mechanisms or system be REJECTED, as that discharge consent has been obtained from the Hawkes Bay Regional Council, which has assessed the current proposal and considers that the Heretaunga Plains Unconfined Aquifer and Raupare Stream will be protected from contamination provided conditions of consent are met.

- D. That the parts of the submissions of:
- Josephine Anne Barley, Leighton Paul Curd, Stephen Alexander Greer – Submissions 1 and 2, RMA20120265
 - Campbell Bruce Kneale Ellingham - Submission 3, RMA20120266
 - K & K Bayley, the Bayley Family Trust, Rimu Hastings Ltd and Totara Hastings Ltd - Submission 1 RMA20120268
 - JR & VK Currie and SH & DM Currie & Hustler Equipment – Submission 2, RMA20120268

Requesting that land being taken for designating purposes be taken at industrial value rather than plains value be REJECTED; in so far as all land to be used for infrastructure purposes will need to be negotiated through the Public Works Act, and the final cost of land will be established through this process. It is not something that can be specified in a decision on a Notice of Requirement.

- E. That the parts of the submissions of Andrew Ayre (Submission 8 – RMA20120268) and Crasborn Group Ltd (Submission 9 – RMA20120268) requesting that the swales be piped rather than open, be REJECTED in so far as the swales, being stormwater attenuation areas, provide a key defence against groundwater pollution and the 1 in 50 year flooding event. The comprehensive solution for stormwater runoff from the rezoning area is dependent upon the use of open swales rather than piping.

That the parts of the submission of Crasborn Group Ltd (Submission 9 – RMA20120268) requesting use of the swales and infiltration basin for irrigation purposes, be REJECTED; insofar as the design of the swale and irrigation basin is to encourage infiltration of stormwater into the ground as part of the comprehensive stormwater solution which also mitigates a 1 in 50 year flood event. The proposed stormwater system does not prevent any separate application being made to take stormwater (directly from roofs for example) for irrigation purposes.

- F. That the parts of the submissions of JR & VK Currie and SH & DM Currie & Hustler Equipment (Submission 2 – RMA20120268) Eleanor Rachel Sherratt (Submission 5 – RMA20120268), John Paul Flynn (Submission 6 – RMA20120268) and JA Barley & LP Curd & 2 others (Submission 7 – RMA20120268), K & K Bayley, the Bayley Family trust, Rimu Hastings Ltd and Totara Hastings Ltd (Submission 1) and Gregory Phillip Honner (Submission 10) requesting relocation of the infrastructure corridor be REJECTED; insofar as changing the alignment to satisfy individual submitters has downstream consequences, whereas the proposed alignment allows for an effective and efficient comprehensive stormwater solution to support the future industrial development provided for by Plan Change 57.

WITH THE REASONS FOR THIS DECISION BEING:

1. That the proposal is likely to have only minor adverse effects on the environment, in that, once constructed the utility services will be at or below natural ground level and the effects of construction will be minor in the context of earthworks required for industrial subdivision.
2. That the individual requests by submitters regarding the costs of any land to be purchased is outside the scope of decisions on the Notice of Requirement and will be dealt with through the Public Works Act.
3. The use of designations to ensure access to utility services to enable subdivision and industrial development of the Omaha North area in a timely manner is more efficient and effective than other alternative methods of providing access to such services.
4. The Discharge Consent obtained from Hawkes Bay Regional Council, demonstrates the proposal can be appropriately serviced for stormwater without effecting the Raupare stream or Heretaunga Plains Unconfined Aquifer.
5. That any changes to the infrastructure corridor have been carefully considered in conjunction with associated submissions to the Plan Change to extend the width of the industrial zone. The requested changes are inappropriate as they would necessitate the relocation of the infiltration basins due to the fall of the land. Any new location of the infiltration basins would be required to be further away from the proposed zone (due to the fall of the land) and would therefore affect landowners by the removal of additional land, or having dwellings within close proximity to the basins who were not previously notified of the affects.
6. Alternative options of individual onsite servicing of stormwater is not considered to be technically feasible as:
 - Proprietary systems are readily available to treat and dispose of limited volumes of stormwater on-site however, high flows have the ability to by-pass the treatment device during large rain events. When sites are appropriately designed these systems are capable of treating stormwater in events of up to the 10 year Annual Return Interval (ARI) at a reasonable cost and without an undue impact on the operation of the site. This becomes increasing more difficult to achieve in events beyond the 10 year ARI.
 - Full on site detention will limit the use of the entire site as areas will need to be set aside for stormwater storage, therefore reducing the amount of land available for industrial development.
 - If an on-site solution is utilised, overland flows to downstream catchments and/or on-site ponding should be anticipated in all events up to the 50 year ARI.
 - The on-going effectiveness of these systems is reliant upon each individual operator keeping maintenance up to date.



- Developed runoff rates will be greater than the pre-developed greenfield flow rates.
 - There is risk that sites which slope towards Omaha Road, will discharge to the roadside drain that is already at capacity. Flooding of Omaha Rd is likely to result.
 - HBRC has indicated they are unlikely to support this individual on-site servicing and that an integrated and collective solution is more appropriate.
7. Piping of stormwater within the proposed industrial zoning or proposed infrastructure corridors was not considered to be technically feasible as:
- due to the required depth of the pipeline (over 4m deep in places)
 - cost of installed infrastructure (if piping was back to Omaha Road),
 - existing capacity constraints in the Southland Drain (if piping was back to Omaha Road) and in the Raupare catchment,
 - limited ability to provide treatment options to improve the quality of discharge without the filtration function that the swales provide,
 - limited pipe capacity, would not be able to convey all runoff from large storm events so an overland flow system would still be required.
8. The proposal is consistent with the objectives, policies, and other provisions of the District Plan.
9. That the designations resulting from the Notice of Requirement are necessary to ensure the efficient, effective and timely implementation of that physical infrastructure necessary to service the rezoning of land at Omaha Road North proposed by Plan Change 57.
10. That adequate consideration (both prior to and in assessing the points made by submitters) has been given to alternative methods of providing physical infrastructure to service the industrial rezoning, but none of these methods are as effective and efficient in providing a comprehensive servicing solution as those included in the notice of requirement.
11. The application is consistent with Part 2 of the Resource Management Act 1991, in that:
- a. The designation results in an efficient use of the land resource to enable the future development of industrial zoned land.
 - b. The adverse effects of the designation will be no more than minor.

Chairman:



Date: 7th June 2013