

BEFORE THE HEARINGS COMMISSIONERS FOR THE WAIKATO DISTRICT COUNCIL

UNDER the Resource Management Act 1991

AND

IN THE MATTER of hearing submissions and further submissions on the Proposed Waikato District Plan

Hearing 25 – Residential Zone Extents

PARTIES REPRESENTED **POKENO WEST LIMITED (97)**

CSL TRUST AND TOP END PROPERTIES (89)

**STATEMENT OF REBUTTAL EVIDENCE OF
WILLIAM MOORE FOR POKENO WEST LIMITED, CSL TRUST AND TOP END
PROPERTIES**

3 May 2021

Counsel Instructed:

Peter Fuller
LLB, MPlan, DipEnvMgt, BHortSc.
Barrister
Quay Chambers
Level 7, 2 Commerce Street
PO Box 106215
Auckland 1143
021 635 682
Email: peter.fuller@quaychambers.co.nz

1. INTRODUCTION

- 1.1 My full name is William Edwin Lewis Moore. I am a Chartered professional engineer and a Director of Maven Associated Ltd. I have outlined my qualifications, experience and commitment to comply with the Environment Court Expert Witness Code of Conduct in my evidence in chief (“EIC”).
- 1.2 I have read the statement of evidence of Mr Dale Pace from Pokeno Village Holdings Limited (“PVHL”). I have also reviewed the s42A Framework Report prepared by David Mead and I generally support the approach adopted.

2. SCOPE OF EVIDENCE

- 2.1 This statement of rebuttal evidence does not restate matters addressed in my EIC but addresses Civil Engineering issues raised in the evidence of the PVHL witness that in my opinion warrant a response.
- 2.2 Specifically, I address the following:
 - (a) Mr Pace’s view on not finding direction, controls or guidance on where attenuation devices are to be located within the Tanitewhiora catchment in the Engineering documentation previously supplied.
 - (b) Mr Pace’s view on stormwater management plan should be prepared prior to rezoning.

3. LOCATION OF PONDS WITHIN TANITEWHIORA CATCHMENT

- 3.1 Mr Pace states that the engineering report and drawings show a development layout and proposed stormwater management infrastructure within Pokeno West that could manage stormwater runoff adequately for the proposed works. Location and concept sizes have been provided for “wetland attenuation ponds” and a concept layout for stormwater pipe and overland flow networks have been provided.
- 3.2 Mr Pace agrees that the general scale and layout of stormwater infrastructure proposed for Pokeno West is likely to be adequate, that the level of detail provided is good and the assessment provided is generally sound.
- 3.3 However, Mr Pace further states that the evidence, nor the engineering reports and drawings produced for the Pokeno West development, specifically consider

the position of the development and proposed attenuation ponds within the catchment and how that relates to other areas of development or proposed assets.

3.4 It is considered there is sufficient information within the engineering reports and catchment plans to show the location of ponds and how they relate to the overall Tanitewhiora catchment.

3.5 Mr Pace's specific concerns relate to:

a) How much land may be required to accommodate the ponds:

"My analysis of infrastructure requirements shows that approximately 6 hectares of land in the Tanitewhiora catchment may need to be set aside for centralised public attenuation devices", and

b) The incorrect location of the ponds within the lower catchment may actually worsen flooding in other parts of a catchment:

"A well known industry rule of thumb for this is that attenuation should be avoided in the lower third of the catchment and encouraged in the upper third"

3.6 The location and size of the ponds are shown on the engineering plans submitted in support of the Plan Change request. The overall site scheme has been designed around the sized footprint of the ponds and does not cause an issue in terms of developability of the overall site.

3.7 The site is located within the upper half of the Tanitewhiora catchment. The location of the ponds within the site is on a sub catchment basis with ponds for the areas of the upstream catchments located higher in the catchment. The separation of the development area into sub-catchments purposefully avoids larger pond(s) in the lower catchment of the site.

3.8 Further, as part of any resource consent process, other options will be considered for the catchment as to ensure the final solution represents the best practical option ('BPO').

4. TIMING OF STORMWATER MANAGEMENT PLAN

- 4.1 Mr Pace recommends that the stormwater management plan is prepared prior to rezoning largely due to the concerns in 3.5 above.
- 4.2 It is considered these risks are largely mitigated due to the high level of SW investigation undertaken in the Engineering Report.
- 4.3 I agree that there is a need to update the stormwater/catchment management plan for Tanitewhiora Stream, however, given the uncertainty around which areas will be zoned for residential development within the catchment it would be difficult to undertake this exercise until the plan change confirms the extent of zoned land, and the resulting impervious area requirements, within the zone.
- 4.4 I concur with the section 42A report - that the catchment management planning can occur once the overall consideration of the extent of the Residential Zoning of the western edge of Pokeno has been settled and that the catchment management plan can be addressed through the subdivision and development process. This will ensure there is a robust Catchment Management Plan in place prior to creating new impervious surfaces within the development area.
- 4.5 The stormwater management plan will enable the proposed residential development whilst ensuring there are no downstream significant adverse effects. In my view there are no stormwater issues, that cannot be addressed at the development/subdivision stage (including adopting BPOs), that preclude the land being rezoned for residential purposes as requested.



Will Moore
BE (Civil), MIPENZ, CPEng, IntPE(NZ)