

**BEFORE THE HEARING COMMISSIONERS
FOR THE WAIKATO DISTRICT COUNCIL**

Under the Resource Management Act 1991

In the matter of Variation 3 to the Proposed Waikato District Plan

Submission by **SYNLAIT MILK LIMITED**

REBUTTAL EVIDENCE OF NICOLA JOANNE RYKERS

19 July 2023

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INTRODUCTION

- 1 My name is Nicola Joanne Rykers.
- 2 I have previously provided Evidence in Chief to the Hearing Commissioners for Variation 3 on behalf of Synlait Milk Ltd (Synlait). I refer to that evidence for details of my qualifications and experience, and acknowledgement of the Code of Conduct.
- 3 This rebuttal evidence follows the outcomes of expert conferencing in relation to Stormwater, and more specifically the downstream effects of stormwater on land outside of the proposed Medium Density Residential 2 Zone.

EVIDENCE IN CHIEF

- 4 In my Evidence in Chief I identified that the removal of the Urban Fringe Qualifying Matter, and the consequential rezoning of land adjoining Synlait's site to Medium Density Residential 2, raised concerns regarding stormwater effects. Specifically, that the Synlait site, which is downstream of the Havelock Precinct, would potentially receive a greater volume of stormwater over a longer duration and at a greater frequency.
- 5 I also referred to a memo prepared by Babbage Consulting Engineers and attached to the Evidence in Chief of Mr Deadman for Synlait. This memo advises that while "the post-development peak flow rate would not exceed that of the pre-development scenario, the duration of which stormwater is flowing at the pre-development peak flow level would be extended". Babbage has now undertaken further assessment which has estimated that an additional 18,000m³ of secondary stormwater could be discharged onto the Synlait site; and that the frequency and duration of secondary flows would increase and potentially impact operations on the site. I understand that a representative of Babbage will be available to answer any questions on their calculations at the hearing.
- 6 In my Evidence in Chief I recommended an amendment to SUB-R19 to address the downstream effects of stormwater from subdivision in the Havelock Precinct. The amendment amended the wording of assessment matter SUB-R19(g) so that an application for subdivision within the Havelock Precinct includes consideration of "Ponding areas and primary overland flow paths within and adjoining the Precinct". The underlined words being additions to the assessment matter.

EXPERT CONFERENCING

7 I did not attend the expert conferencing on stormwater. I have however reviewed the Joint Witness Statements for stormwater and in particular, the Joint Witness Statement for Stormwater Constraints Overlay and Planning which considered amendments to SUB-R153(k). This is a General Subdivision Standard for the Medium Residential Density 2 Zone. The amended wording as discussed at the expert conferencing is recorded as:

(k) The ~~likely~~ effectiveness of the stormwater system to ~~avoid~~ manage flooding (including safe access and egress), nuisance or damage to other infrastructure, buildings and sites, including the rural environment.

8 If the Hearings Commissioners consider adopting this wording, I would recommend that it is expanded to also refer to the industrial environment, which is similarly impacted to the rural environment. I would also support the duplication of this assessment matter in SUB-R19(g) for subdivision in the Havelock Precinct. This would replace the wording that I recommended in my Evidence in Chief as referred to in paragraph 6 above.

9 In conclusion, the final wording in SUB-R153(k) and SUB-R19(g) would read as follows:

(k) The ~~likely~~ effectiveness of the stormwater system to ~~avoid~~ manage flooding (including safe access and egress), nuisance or damage to other infrastructure, buildings and sites, including within adjoining industrial and rural environments.

10 Finally, I refer to a Joint Witness Statement prepared by myself and Mr Tollemache for Havelock Village Ltd. This Statement records our agreement in respect of Reverse Sensitivity as a Qualifying Matter with the proposed Pokeno Industry Buffer, the 40dBA acoustic contour and the 8m height restriction within the acoustic contour as methods to manage reverse sensitivity. In addition, the Joint Witness Statement records our agreement that the effects of stormwater downstream of the Havelock Precinct is a matter that should be addressed through an assessment matter at the time of subdivision.

Nicola Rykers

19th July 2023