

Before Kaipara District Council

In the Matter of the Resource Management Act 1991 (**RMA**)

And

In the Matter of an application for Private Plan Change 84 (**PC84**) by **MANGAWHAI HILLS LIMITED** to rezone 218.3 ha of land between Tara Road, Cove Road, Moir Road and Old Waipu Road, Mangawhai from Rural Zone to the Mangawhai Hills Development Area.

Rebuttal Evidence of Steven Brent Rankin on behalf of Mangawhai Hills Limited

(Civil Engineering)

Dated 13 May, 2024

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Introduction

1. This rebuttal evidence is provided in response to the Statement of Evidence of Paige Pamela Farley dated 6 May 2024 on behalf of Berggren Trustee Co.
2. The purpose of this document is to respond to the matters raised in the above-mentioned evidence.
3. For the ease of cross referencing my responses will be number matched to the Statement of Evidence of Paige Pamela Farley.

Rebuttal Evidence

14. The updated Stormwater Management Plan is appended to provide consistency with the updated Flood Risk Assessment.
15. The stormwater provisions have been updated and aligned to the 100-year mitigation requirement; please refer to the Planning Evidence Appendix 3 DEV1-S15, dated 29 April 2024.
17. I agree, the 100-year mitigation can be problematic when looking at smaller development areas. Developers would need to consider how this requirement can be met and then demonstrated to the Council through the resource consent process. It is important to note that the current Kaipara District Council Engineering Standards 6.1.1 Minimum Requirements (b) already require this level of mitigation in urban areas. So PC84 is consistent with business-as-usual development requirements across the district.

6.1.1 Minimum Requirements

The following requirements shall be met:

- (a) Stormwater drainage in subdivision and land development shall:
 - (i) Comply with the permitted activity rules of the Regional Water and Soil Plan for Northland or have a resource consent from the Northland Regional Council;
 - (ii) Recognise and protect existing overland flow paths, ephemeral watercourses and natural wetlands, streams and rivers;
 - (iii) Protect buildings from flooding in accordance with clause 6.2.3 and 6.2.4;
 - (iv) Provide for any future increase in runoff from upstream catchment land zoned for development in accordance with the District Plan.
- (b) In Urban areas, on-site stormwater detention shall be provided to attenuate post-development peak stormwater flows to no more than pre-development peak flows for storm events of up to 100 year ARI (1%AEP).
- (c) In Residential and Business Zones all drains shall be piped except for Swale Drains designed in accordance with clause 6.4.3, natural streams (as defined in the RMA), contour cut-off drains and as provided for in clause 6.1.1(d).
- (d) Where a Drain requires a pipe in excess of 1200mm in diameter the Drain may remain open, provided that the channel is designed not to scour during design flows (e.g. by lining the sides or installing energy dissipating weirs). Adequate permanent access shall be provided for the Council to all Open Drains to allow maintenance to be carried out.
- (e) Stormwater systems shall drain by gravity unless pumping is specifically Approved by Council.

Figure 1: Extracted Requirement for the Kaipara District Council Engineering Standards 2011

18. The stormwater devices (quality and quantity) and the development scheme will have to respond to the site conditions including the geotechnical constraints. The geotechnical constraints do not preclude the construction of stormwater devices in these locations; they do increase the complexity and the cost but they do not remove the potential for these areas to be utilised.

I disagree with the idea of identifying the device locations at a plan change level specifically where the plan change area has multiply land owners. The identification of areas will result in the sequencing of development being contingent on the development of the downstream device which could be in separate ownership thus limiting development. The land and subsequently the landowners being identified by a plan change then have the inferred burden of constructing a device for the wider catchment which would likely remove any viable development option for their own land. This would then stall development for all parties involved.

24. I agree with the recommendation to rename the table for clarity.
25. I disagree with the recommendation as the minimum tank size is addressed in Table DEV1-2 and was noted by the author as being appropriated in paragraph 20.

27. No minimum lot sizes are proposed based on wastewater servicing by the applicant.

Conclusion

28. After the review of the expert evidence by Paige Pamela Farley I maintain my opinion that there are no engineering limitations within my area of expertise that prevent the re-zoning of PC84 in accordance with the proposed provisions.

Steven Brent Rankin

Dated 13 May, 2024