

28 November 2013



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File ref: RAI 04 03
2013
LT/PT

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Team Leader – Governance and Civic
City Corporate
Palmerston North City Council
Private Bag 11-034
PALMERSTON NORTH

Emailed to submission@pncc.govt.nz

Dear Sir/Madam

HORIZONS FURTHER SUBMISSION TO PROPOSED PRIVATE PLAN CHANGE B – PIONEER CITY WEST

Pioneer City West - Stormwater

Horizons Regional Council (Horizons) supports in part the submission from Pioneer City West to introduce additional stormwater and natural hazard policies under Objective 2.

Horizons supports the reference made to ensuring that stormwater management measures limit adverse effects on the Taonui Basin flood storage capability. Horizons also supports the proposal to amend the Outline Development Plan to show the broad stormwater drainage details and location of retention ponds.

However, Horizons is not satisfied that the inclusion of additional policy will ensure that proposed stormwater management measures will be successful. Horizons seeks a copy of the "further work on stormwater management" referred to in the Pioneer City West Ltd submission.

As outlined in our original submission, Horizons seeks additional information that is necessary to ensure that the proposed retention ponds are constructed with sufficient capacity. Horizons does not support any increase in the rate of stormwater run-off from the site to roadside drains that would adversely impact on the flood flows within the Taonui Basin or other downstream watercourses

Please find attached photographs of the Pioneer City West Growth area taken on 15 October 2013. This shows ponding of stormwater in the location identified as a "potential localised ponding area" on the *Existing Site Plan* prepared by Engineering Design Consultants as part of the *Pioneer City West Stormwater Mitigation Report* dated 24 May 2013 (Appendix M of Private Plan Change B). This observed flood extent from the October 2013 event has been digitally represented on the attached aerial map, along with 0.5m elevation contours.

The observed flood extent is in the same location as shown in the Stormwater Mitigation Report, but the extent is greater than the "potential localised ponding area" shown on the plans. The October 2013 event was only a minor storm event, suggesting that without adequate stormwater mitigation the flood extent from a 0.5% AEP (200 year) flood event would be significantly greater. This reinforces the need to give greater consideration to flood risk from stormwater and overland flow paths for this Private Plan Change request.

- Education
- Environment
- Palmerston North
- Te Taihape
- Tairāroa
- Wairarapa
- Woodville

So-23 SOE Amanda Coats para [25]
in reference to the SOE Timi Preston
Paragraph 2-4 and 2.5.

From: Kevin Judd <KevinJ@resonant.co.nz>

Sent: Wednesday, 6 November 2019 8:36 AM

To: Jon Bell <Jon.Bell@horizons.govt.nz>; Veni Demado <veni.demado@pncc.govt.nz>

Cc: David Murphy <david.murphy@pncc.govt.nz>; Grant Higgins <grant.h@hfhl.co.nz>;

paul@thomasplanning.co.nz; Paul Mitchell (paul@mitchhydro.co.nz) <paul@mitchhydro.co.nz>

Subject: 214115 - Flyers Line Flood Modelling Report

Good morning Jon and Veni,

Thanks for attending the meeting yesterday. As requested please find attached a spreadsheet with the flows entering/exiting the property for the baseline and the Option 6 simulations. This information was extracted from a profile crossing the upper and southern parts of the property. We trust this information is to your satisfaction and we await your considered responses to the report in the next few days. Happy to answer any further questions you may have.

Regards,

Kevin Judd

Chief Executive Officer

p 06 356 7000 **d** 06 353 1685 **m** 027 491 2829

e KevinJ@resonant.co.nz **w** resonant.co.nz



Bringing places & spaces to life

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Missing document

A spreadsheet is referred to in the earlier email from Mr Judd.

"As requested please find attached a spreadsheet with the flows entering/exiting the property for the baseline and the Option 6 simulations."

From: Veni Demado <veni.demado@pncc.govt.nz>

Sent: 12 November 2019 15:00

To: Kevin Judd <KevinJ@resonant.co.nz>

Cc: David Murphy <david.murphy@pncc.govt.nz>; Grant Higgins (InTouch) <grant.h@hfhl.co.nz>; paul@thomasplanning.co.nz; Paul Mitchell <paul@mitchhydro.co.nz>; Jon Bell (InTouch) <Jon.Bell@horizons.govt.nz>

Subject: RE: 214115 - Flyers Line Flood Modelling Report

Hi Kevin,

I have had a look at the Flood Report and I am raising some of these points below. I couldn't get hold of Jon for a joint response, since Friday. This is just from PNCC:

- The DEM used for modelling has a vertical accuracy of $\pm 0.5\text{m}$ and was captured in 2005 making it both very coarse and outdated. As the land use has not changed much, probably this is acceptable, for this stage.
- I noted that Horizons latest flood model 2017-200yr flood depth (is less conservative) and extent of existing flooding line shown on District Plan used in the Concept Plan is quite different. Was Horizons latest model consulted vs the Mangone Stream and Taonui Basin – Floodplain Hazard Assessment, done by DHI 2007?



- Council would be cautious as to not allow any increase in discharge to the downstream network at Benmore Avenue. The recommended mitigation Option is acceptable for this stage and will be reviewed in detailed at submission level.
- Horizons to ensure the stopbank upgrade works along Benmore Ave will ensure the proposed increase in flood levels (+50mm) under this development is acceptable and has no adverse impact to the residential line along Benmore Ave.

Kind Regards,

VENI DEMADO | Activity Manager Stormwater

Palmerston North City Council | Private Bag 11034 | Palmerston North

P: +64 (6) 3568199 | www.pncc.govt.nz

Horizons region modelled wet extents from flood plain mapping analysis



November 30, 2016

 FPM Modelled 200yr wet extents

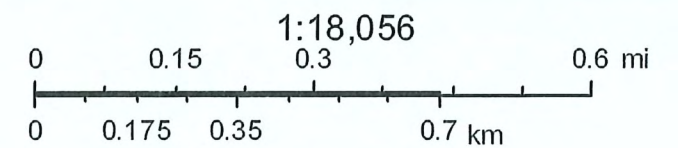
World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

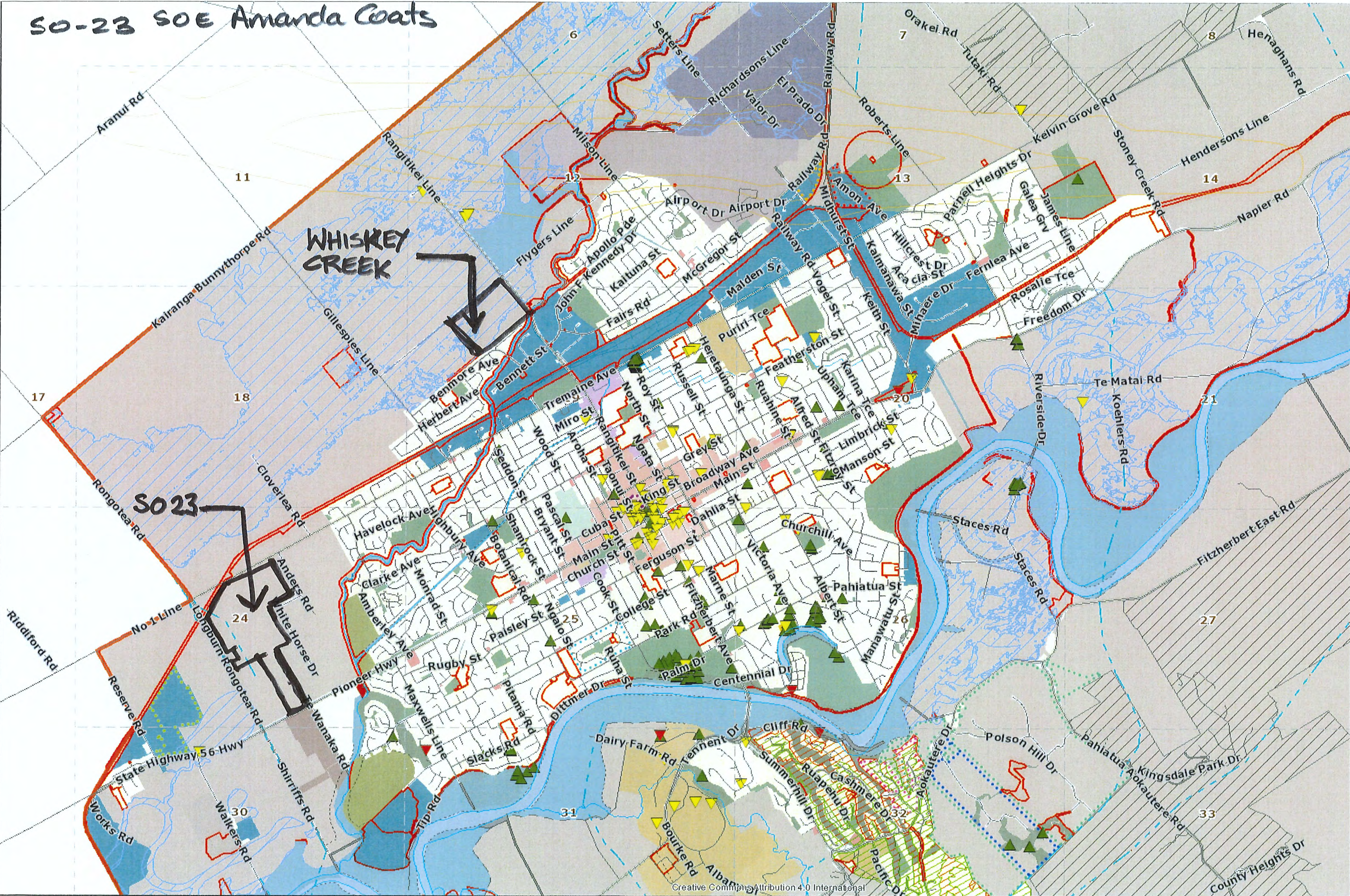
High Resolution 30cm Imagery

Citations



Land Information New Zealand, Eagle Technology
Horizons Regional Council
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

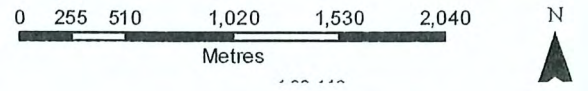
SO-23 SOE Amanda Coats



LocalMaps Print

3 June 2022

Disclaimer: Copyright and disclaimers apply. See www.pnc.govt.nz for details



SO-23

IN THE ENVIRONMENT COURT
AT WELLINGTON

IN THE MATTER of the Resource Management Act
1991 (Act)

AND IN THE MATTER of an appeal under Clause 14(1),
Schedule 1 of the Act

BETWEEN **PIONEER CITY WEST LIMITED and
HERITAGE ESTATES (2000)
LIMITED**

(ENV-2020-WLG-13)

**RACING AT AWAPUNI AND
TRENTHAM COMBINED
ENTERPRISES INCORPORATED
(RACE)**

(ENV-2020-WLG-11)

Appellants

AND **PALMERTON NORTH CITY
COUNCIL**

Respondent

**JOINT MEMORANDUM OF AGREEMENT AND REQUEST FOR CONSENT
ORDER**

Dated: 18 September 2020



Cooper Rapley Lawyers

227-231 Broadway Avenue

PO Box 1945

Palmerston North

DX PP80001

Nicholas Jessen



06 353 5210



06 356 4345



njessen@crlaw.co.nz

**JOINT MEMORANDUM OF AGREEMENT AND REQUEST FOR CONSENT
ORDER**

- [1] This joint memorandum is filed on behalf of the following parties, comprising all parties to these proceedings:

Appellants

- (a) Pioneer City West Limited and Heritage Estates (2000) Ltd ("**First Appellants**");
- (b) Racing at Awapuni and Trentham Combined Enterprises Incorporated (RACE) ("**Second Appellant**");

Section 274 Parties

- (c) Waka Kotahi New Zealand Transport Agency;
- (d) Milmac Homes Ltd, Dean Philpott; Neil Wright; and the Residents Group West Te Wanaka Road, collectively referred to in this memorandum as the "*Te Wanaka Road Residents*".

Respondent

- (e) Palmerston North City Council ("**Respondent**");

Together referred to as the "**parties**".

- [2] By Notices of Appeal dated 26 March and 19 March 2020 the First and Second Appellants appealed a decision of the Respondent on Plan Change C of the Palmerston North City District Plan.
- [1] The First Appellants sought relief, generally, in relation to the intersection at Te Wanaka Road / Pioneer Highway and stormwater effects from the Kikiwhenua Residential Area land to be rezoned by Plan Change C.
- [2] The Second Appellant sought relief in relation to a range of provisions in Plan Change C, including:

- (a) Policies and rules requiring all of the Race Training Zone be rezoned before subdivision of the Kikiwhenua Residential Area could occur;
 - (b) Policies and rules requiring the intersection of Te Wanaka Road and Pioneer Highway to be given a *full upgrade* prior to subdivision of the Kikiwhenua Residential Area; and
 - (c) Various performance standards relating to development of the Kikiwhenua Residential Area addressing minimum lot sizes, requirements as to pedestrian links between internal cul de sacs and requirements as to height limits on structures with Te Wanaka Road frontage.
- [3] On 29 July 2020 the parties engaged in court assisted mediation, reaching mediated agreement on most issues under appeal, subject to circulation and confirmation of Plan Change C provisions.
- [4] The issues that remained outstanding at the conclusion of mediation have subsequently been resolved by agreement between the affected parties.
- [5] The parties to this appeal have now reached agreement on all outstanding matters. The parties agree that the issues on appeal can be resolved by amending the provisions of Plan Change C, as summarised below and as set out in detail in the schedule to the draft consent order at **Appendix A** to this Memorandum:
- (a) Policy 2.8, Rule 7A.5.2.4, and Rule 7A.5.5.1 are deleted. These provisions required the remainder of Race Training Zone land to be rezoned, and the intersection between Te Wanaka Road and Pioneer Highway to be fully upgraded before subdivision of the Kikiwhenua Residential Area could occur other than as a Non-complying activity;
 - (b) New Policy 4.5 is included. This policy addresses the desired outcome in relation to the design and management infrastructure and management of stormwater runoff from Kikiwhenua;

- (c) R7A.5.2.2(f) is amended. This is a performance standard requiring the preparation of a Stormwater Management Plan for the Kikiwhenua Residential Area;
- (d) A Note to Plan Users is inserted at R7A.5.2.2(f), relating to the Council's Engineering Standards for Land Development;
- (e) Assessment Criteria for restricted discretionary subdivisions in the Kikiwhenua Residential area have been added or amended in relation to:
 - (i) Design of stormwater detention ponds (Assessment Criteria R7A.5.2.3 (xii))
 - (ii) The safety of the intersection of Te Wanaka Road and State Highway 56 (Assessment Criteria R7A.5.2.3 (xviii) and (xix));
 - (iii) The achievement of hydraulic neutrality (Assessment Criteria R7A.5.2.3 (xx)).
- (f) Notification Rule 7A.5.4. is amended to preclude notification of applications for subdivision within the Kikiwhenua Residential Area, except for Waka Kotahi, which requires notification.
- (g) Rule 10.6.1.5(b), restricting the height of buildings with Te Wanaka Road frontage is amended so that it only applies to a defined area;
- (h) The approach to ensure that design and management of stormwater runoff from the Kikiwhenua Residential Area avoids or substantially mitigates adverse effects on adjoining land with development potential; and
- (i) Other minor or consequential amendments to Plan Change C arising out of mediation as shown by highlighted changes to text in Appendix A.

[6] In addition to amendments to the provisions of Plan Change C, the mediated agreement includes a series statements and commitments given by the Council in relation to the development of its proposed Kākātangiata plan change in consideration of the agreement by the Te Wanaka Road

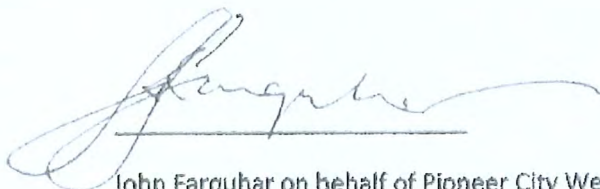
Residents to the Plan Change C amendments. The Council's statements are recorded at Appendix B of this Memorandum.

- [7] For the avoidance of doubt, all other points of appeal not addressed by amendments to the provisions of Plan Change C are withdrawn.

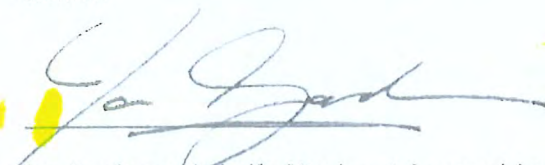
Conclusion

- [8] A draft consent order with a schedule of agreed provisions is attached as Appendix A to this memorandum.
- [9] The parties request that consent orders are made in accordance with the schedule of provisions at Appendix A, pursuant to section 279(1)(b) of the Resource Management Act, with no issues as to costs.
- [10] The parties are satisfied the consent order:
- (a) Is within scope of the appeal;
 - (b) Falls within the Court's jurisdiction;
 - (c) Conforms with the requirements of the RMA and, in particular, achieves the purpose the RMA under Part 2.

Dated September 2020



John Farquhar on behalf of Pioneer City West Limited and Heritage Estates (2000) Limited

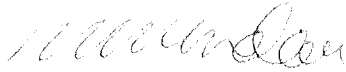


Ian Gordon on behalf of Racing at Awapuni And Trentham Combined Enterprises Incorporated (RACE)



Nicholas Jessen on behalf of Palmerston North City Council

Grant Binns on behalf of Milmac Homes Limited



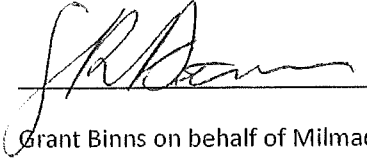
Nicky McIndoe on behalf of New Zealand Transport Agency

Dean Philpott

Neil Wright on behalf of the Residents Group West Te Wanaka Road

Neil Wright

Nicholas Jessen on behalf of Palmerston North City Council



Grant Binns on behalf of Milmac Homes Limited

Nicky McIndoe on behalf of New Zealand Transport Agency

Dean Philpott

Neil Wright on behalf of the Residents Group West Te Wanaka Road

Neil Wright

Nicholas Jessen on behalf of Palmerston North City Council

Grant Binns on behalf of Milmac Homes Limited

Nicky McIndoe on behalf of New Zealand Transport Agency



Dean Philpott

Neil Wright on behalf of the Residents Group West Te Wanaka Road

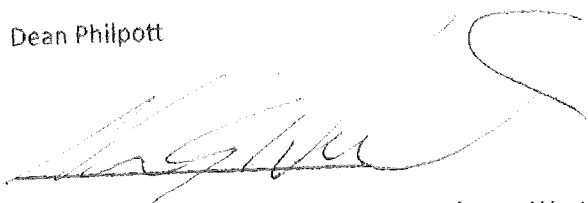
Neil Wright

Nicholas Jessen on behalf of Palmerston North City Council

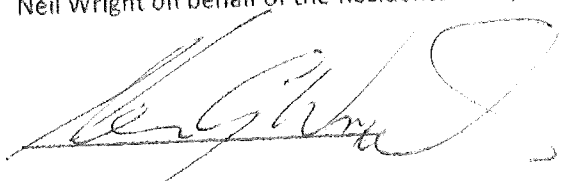
Grant Binns on behalf of Milmac Homes Limited

Nicky McIndoe on behalf of New Zealand Transport Agency

Dean Philpott



Neil Wright on behalf of the Residents Group West Te Wanaka Road



Neil Wright

16/9/2020

APPENDIX A – CONSENT ORDER

OMITTED.

APPENDIX B – STATEMENTS AND COMMITMENTS

In the course of mediation the parties made the following statements and commitments:

- [4] The parties discussed the impacts of the Kikiwhenua Plan Change on the remaining area of land zoned for race training purposes and PNCC's broader plan change for Kākātangiata. In consideration of the interested parties agreeing to the deletion of the rules and policy identified at [paragraphs not included], and, subject to the full consideration of the proposed Kākātangiata plan change under Schedule 1 of the RMA, PNCC states the following:
- (a) PNCC agrees that there are good planning reasons to support the inclusion of the remaining race training zone land at Te Wanaka Road and Pioneer Highway; and Pioneer City West Limited land (Private Plan Change B land) to enable urban development as part of the first stage of Kākātangiata.
 - (b) The Te Wanaka Road land is adjacent to the Kikiwhenua Residential Area to be rezoned as part of this plan change and the Pioneer City West Limited land (Private Plan Change B land) is held in single ownership.
 - (c) The Te Wanaka Road land is likely to benefit from infrastructure put in place to service Kikiwhenua.
 - (d) Development of the Te Wanaka Road land creates a balanced land use environment on Te Wanaka Road.
 - (e) Development of the Te Wanaka Road land will resolve issues as to how the current zoning provisions align with the development aspirations of some of the current landowners within the race training zone.
 - (f) PNCC commits to regularly updating the Te Wanaka Road residents and Pioneer City West Limited on progress of the Kākātangiata plan change. Such updates shall be provided every two months until notification of the plan change.