

Before Palmerston North City Council

Under the Resource Management Act 1991

In the matter of a proposed plan change to rezone
land at 611 Rangitikei Line to establish
the Whiskey Creek Residential Area

**STATEMENT OF EVIDENCE OF KEVIN BARRY JUDD
IN SUPPORT OF FLYGERS INVESTMENT GROUP LIMITED
SERVICES AND EARTHWORKS
18 MAY 2022**

Counsel Acting
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INTRODUCTION

1. My full name is Kevin Barry Judd. I am a Land Surveyor based in Palmerston North.

Qualifications and Experience

2. I hold a tertiary qualification of Bachelor of Surveying with Credit, from the University of Otago which I obtained in 1984. I am a Full Member of the New Zealand Institute of Surveyors and am also a Registered Professional Surveyor.
3. I am one of the three Directors of Resonant Consulting Ltd who presently employ over 40 staff. Our company offers consultancy services with respect to Civil and Structural Engineering, Surveying and Resource Management Planning.
4. Since graduating from the University of Otago, I have worked in the greater Manawatu area in the field of surveying, planning, project management and civil engineering. I therefore have over 37 years' experience in subdivisional developments in this region.

Involvement in Proposed Plan Change

5. My initial engagement commenced in 2014 where I was asked to assist the, then, client's management team with the development of the land for residential purposes. My work included:
 - liaising with Council officers,
 - preparing concepts,
 - discussions with stormwater engineers,
 - preparing submissions to Council,
 - meetings with NZTA and Horizons.
6. In 2017 the landowner and applicant, namely, Flyers Line Investment Group Ltd, decided to proceed with a rezoning application.

7. Since that time I have assisted in:
- Appointment of consultants,
 - Site surveying,
 - Modelling of land contours,
 - Preparation of earthworks consents applications,
 - Obtaining relevant reports,
 - Communication with Council, NZTA and Horizons,
 - Preparation of concepts,
 - Liaising with relevant parties,
 - Open day presentations,
 - Design of Benmore Avenue roundabout,
 - Reviewing consultants' reports,
 - Assessing flood modelling reports.
8. In preparing my evidence I have read and reviewed:
- Correspondence with PNCC,
 - The submissions,
 - The application including my services and earthworks assessment,
 - The Section 42A report and attachments.

Code of Conduct

9. I have read the Code of Conduct for expert witnesses in the Environment Court Practice Note 2014 and I have complied with it when preparing this evidence. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Scope of Evidence

10. In this statement I:
 - (a) discuss matters relating to water, wastewater, and earthworks;
 - (b) respond to relevant matters raised by submitters; and
 - (c) respond to relevant matters raised by the Section 42A report.

EXECUTIVE SUMMARY

11. Wastewater from the development area can be accommodated within Council's present downstream systems.

A suitable water supply to this area is not available at the present time. Council have scheduled upgrading works that will provide a compliant water supply in the future. Rezoning of the land, with suitable rules around the supply of water prior to completion of any development, is an acceptable solution. Council have existing rules in the District Plan that already cover this situation in the Pacific Drive area.

Earthworks consent is presently being sought to mitigate the flood path. The final finish levels of the site have been carefully considered to ensure that no flooding occurs from the Mangaone Stream and that no adverse effects are created on the neighbouring residential properties which front Meadowbrook Drive and Benmore Avenue.

WATER SUPPLY

12. in the initial process of this rezoning request, discussions were held with Council officers over the ability for land to be serviced from the existing water supply in the area.

At that time Council advised "water and wastewater services will be available". It was not until the release of the Section 42A report and, in particular, Mr Miks' report that we were made aware of the state of the present water supply system in this area.

13. Nearly 20 years' ago PNCC rezoned land in the Aokautere area at the eastern end of Pacific Drive, from Rural to Residential. Due to a similar circumstance around the standard of the water supply system, Council introduced rule 7.6.1.1 (g) to the District Plan which states:

(g) Pacific Drive Extension Area

All subdivisions in the Pacific Drive Extension area shown on Map 7.1B Pacific Drive Extension Area, with a lot size below 3000m² shall ensure that a water supply is able to be connected to, which at the time of subdivision is able to provide and maintain an adequate supply of potable water that:

- i. Makes provision for firefighting requirements for residential areas;*
 - ii. Accommodates the anticipated flows and demands on the supply; and withstand the anticipated pressure and loads;*
 - iii. Is able to service each lot to be created;*
 - iv. Is compatible with other utility systems;*
 - v. Avoids the likelihood of potable water contamination;*
 - vi. Permits appropriate access for firefighting;*
 - vii. Has a design life of at least 70 years;*
 - viii. Avoids the likelihood of leakage.*
14. By including the above Rule into the District Plan, the land was able to be rezoned to residential prior to there being a suitable water supply available. Since that rezoning was approved, Council have upgraded the water supply system and the developer has created over 300 sections.
15. We believe that a similar worded rule to that of Rule 7.6.1.1 (g) would allow the rezoning to proceed while also facilitating future residential development. When considering Rule 7.6.1.1 (g), we would expect that any necessary water supply system would be in place prior to Council issuing the Section 224 RM Act Certificate.

16. Outside of this rezoning process we plan to meet with Council officers to review the present system and work on possible solutions. Alternative solutions may include booster stations, rainwater harvesting, fire hydrants fed by water tanks and temporary reservoirs installed on the balance land. It may also be possible to stage any development to lessen the stress on the present system.

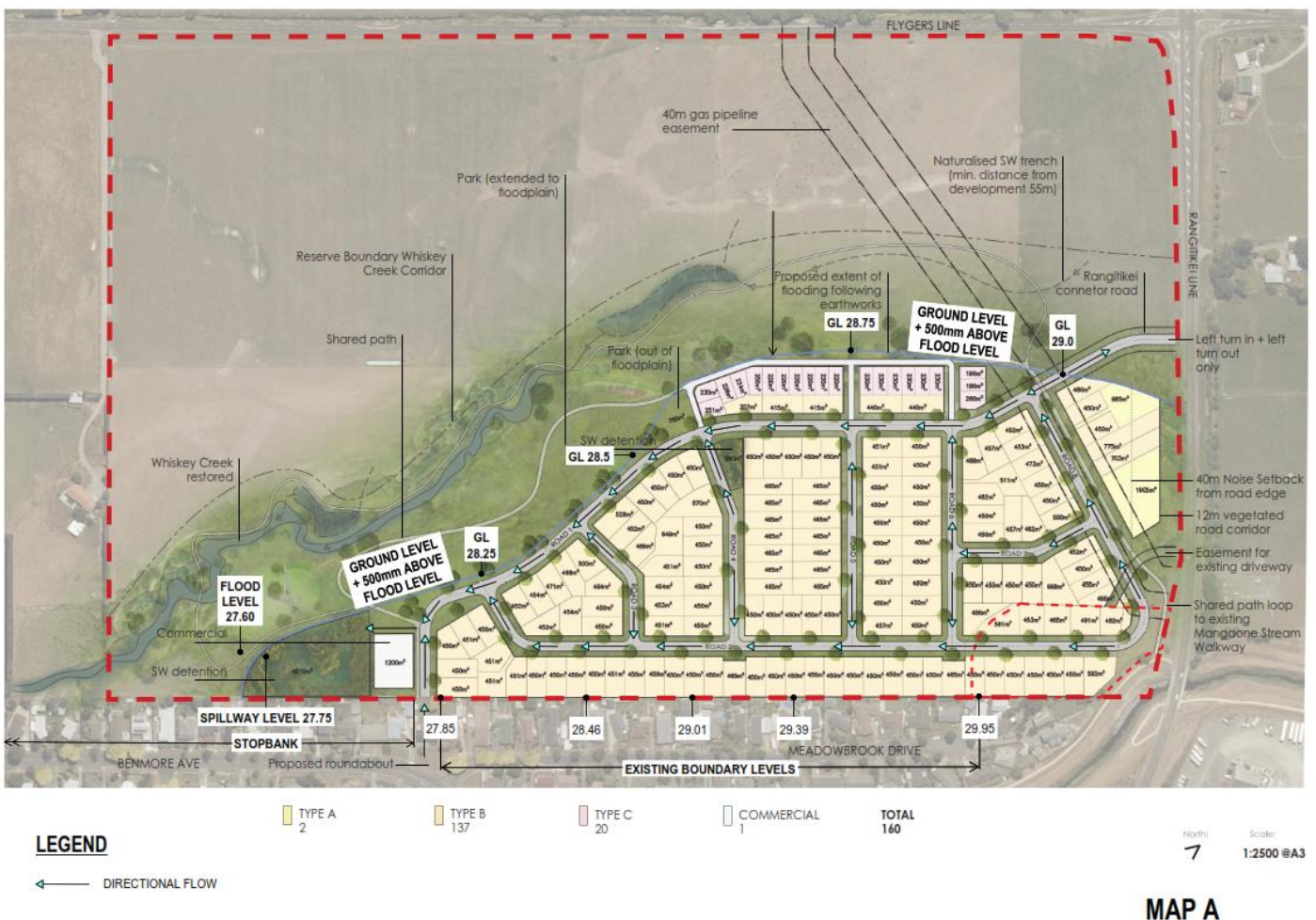
WASTEWATER

17. We concur with Mr Miks' report with respect to wastewater. We see no planning issues arising from the area being serviced by a pressure sewer network.

EARTHWORKS

18. The landowner and applicant for this rezoning has also made land use applications to Horizons and PNCC for the required earthworks consents to create the flood free areas proposed. These applications are at various stages with further information required by both Councils before they proceed further.
19. The purpose of these earthworks are to ensure that the proposed residential area is free of flooding potential and that any filling of the site will not cause adverse effects elsewhere.
20. To ensure no expected flooding event enters the development, it is proposed that the ground level at the extent of the residential boundary which abuts the flood path will have a freeboard of at least 500mm above the calculated flood level. This work will essentially create a continuous freeboard along the northern and western sides of the residential areas. The effect on water levels created by the earthworks within the flood path and especially the change in downstream flood levels is being reported by Mr Philip Wallace.
21. Ground levels were taken along the rear boundaries of the adjacent properties which front onto Benmore Avenue and Meadowbrook Drive.
22. A stopbank exists on our property which is directly behind the odd numbered houses from 101 to 125 Benmore Avenue. This stopbank presently prohibits drainage from these lots onto our site.

23. The sections which contain the odd numbered houses from 1 to 49 Meadowbrook Drive have no drainage restrictions onto our subject site. To allow for continuation of any drainage onto our land, we propose not to raise our land above the present boundary levels. From the levels taken, the lowest ground level at this boundary occurs at the rear of 1 Meadowbrook Drive. The ground level is RL 27.85m (in terms of Wellington 1953 Datum). This level is important as the spillway level at the outlet of the attenuation pond must be lower than this to ensure that water from our development and the neighbouring land will be able to continue to drain into Whiskey Creek, especially at the time of any flood event.
24. Mr Philip Wallace and Mr Paul Mitchell's evidence details the flood level at the spillway (RL 27.6m) and the top of the spillway (RL 27.75m).
25. The below Map A details the critical factors described above.



SUBMISSIONS

26. I have summarised the earthworks and servicing topics included in the submissions and provide comments on each topic below.

Topic	Submission Points	Comment
Noise, dust, and vibration during construction	S1/5, S2/5, S11/1, S12/4, S20/13, S22/5	Conditions of the Land Use Consent will be imposed to mitigate these effects.
Flooding along interface to residential boundaries	S3/2, S15/4, S26/1	No earthfilling is proposed along the boundary with the existing housing. Neighbouring land will continue to drain onto the subject land.
Earthworks Consent	S18/1	Earthworks consents are presently being sought from Horizons and PNCC.
First Gas Main	S18/4	First Gas requirements will be met by way of conditions set by First Gas.
Wastewater Servicing	S20/19, S22/9	Pressure sewer systems will not overload the downstream Council System.
Water Supply	S20/19, S22/9	Development will not occur until a suitable water supply is in place. Conditions of consent will require this.

SECTION 42A REPORT

27. If any rules regarding the water supply are required then my preference is to use a site specific version of the existing Rule 7.6.1.1(g) to ensure compliance with Council's water supply standards. This rule has been effective for nearly 20 years in ensuring compliance prior to the completion of any subdivision in the Pacific Drive area.

The proposed rule 7A.5.2.1(h) I believe is workable and will allow development of the land as water supplies permit. It should be noted that all the requirements of the proposed Rule 7A.5.2.1(h) are presently covered within the PNCC's 2021 Engineering Standards for Land Development.

A handwritten signature in black ink, appearing to read 'Kevin Barry Judd', is positioned above the printed name.

KEVIN BARRY JUDD

18 May 2022