

IN THE MATTER of the Resource Management Act 1991 ("RMA" or "the Act")

AND

IN THE MATTER of a submission in respect of the **PROPOSED WAIKATO DISTRICT PLAN** by **KIRRIEMUIR TRUSTEE LIMITED** pursuant to Clause 6 of Schedule 1 of the Act

SUMMARY STATEMENT OF BENJAMIN THOMAS FRASER PAIN ON BEHALF OF KIRRIEMUIR TRUSTEE LTD

Involvement in project

- 1.1 My full name is Benjamin Thomas Fraser Pain. I am an Associate Consultant Civil Engineer employed by Wood & Partners Consultants Ltd ("Woods"). I prepared a statement of evidence dated 16 February 2021 and provided rebuttal evidence dated 30 April 2021. The purpose of this document is to summarise that statement.
- 1.2 I outlined my qualifications, experience and commitment to comply with the Environment Court Expert Witness code of Conduct in my evidence in chief ("EIC").
- 1.3 Woods has been engaged by Kirriemuir Trustee Limited ("KTL") to complete a preliminary water supply and wastewater servicing assessments to support the rezoning application for several sites to the west of Tuakau on Geraghtys Rd, from Rural to Residential zoning.

2. SUMMARY OF EVIDENCE

- 2.1 The proposed 38 Ha KTL site consists of approximately 28 Ha of developable land which would provide water supply and wastewater demands of less than 2 Million Litres per Day (MLD), which is smaller in comparison other proposed developments within the rezoning area.
- 2.2 I reviewed the BECA reports completed as part of the rezoning and undertook engagement with Waikato District Council and Watercare

Waikato with relation to the rezoning and infrastructure upgrades proposed.

2.3 From that engagement, Watercare Waikato confirmed that upgrades to the transmission network and potentially treatment plan for water and wastewater would need to be completed in order for the development to be fully serviced, however interim measure may be available for part of the development and would require further investigation as part of any resource consent application.

2.4 Watercare Waikato confirmed that:

(a) The design had not been undertaken for the anticipated infrastructure upgrades.

(b) The design could consider this development when undertaken and any increased costs of infrastructure due to the development would need to be agreed as part of a developers agreement.

(c) Infrastructure works would be prioritized based on actual development.

3. **REBUTTAL EVIDENCE**

3.1 For the rebuttal evidence to the s42A Report by Chole Trenouth and the BECA reports by Mr R Seyb, I addressed concerns associated with Infrastructure Upgrade Design, Infrastructure Availability and Funding for Infrastructure.

3.2 Mr R Seyb indicated that further studies need to be completed to determine capacity within the treatment plants and networks to determine whether there is sufficient capacity to service this development. The report indicated that my provisions as part of my EIC were technically feasible. In response, and as indicated in my EIC, as the design for this infrastructure hadn't been undertaken and that actual development would be prioritized over imagined development, that this body of works should not hinder the rezoning of land,

3.3 Mr R Seyb noted that there was uncertainty on whether infrastructure was available for this development and therefore there was reason not to provide zoning. However, based on that same assumption, the adjacent Dromgools Road block also requires the same upgrades to occur in order to service development in that location and that has not hindered recommendation for rezoning to that land.

- 3.4 My rebuttal evidence indicates that there are interim solutions that can be explored in order to service the development or part of the development prior to infrastructure upgrades occurring and the level of that growth will be restricted based on available capacity in the existing networks.
- 3.5 Mr Seyb's report outlines that private development would need to bear some of the costs of upgrades and my rebuttal evidence outlines there are mechanisms in place such as infrastructure growth charges and developers agreements that can be utilised for this and therefore there should not be a restriction to rezoning due to available funding.

Benjamin Thomas Fraser Pain
14 June 2021