

**BEFORE A PANEL OF INDEPENDENT HEARING COMMISSIONERS IN THE
WAIKATO REGION**

I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHEKE WAIKATO

UNDER the Resource Management Act 1991 (RMA)

AND

IN THE MATTER of Proposed Variation 3 to the Waikato Proposed
District Plan (PDP)

**STATEMENT OF REBUTTAL EVIDENCE OF MATHEW TELFER FOR WAIKATO
DISTRICT COUNCIL
(WATERCARE)**

Dated 19 JULY 2023

TOMPKINS | WAKE

Bridget Parham (bridget.parham@tompkinswake.co.nz)
Jill Gregory (jill.gregory@tompkinswake.co.nz)

Westpac House
Level 8
430 Victoria Street
PO Box 258
DX GP 20031
Hamilton 3240
New Zealand
Ph: (07) 839 4771
tompkinswake.com

INTRODUCTION

1. My name is Mathew James Telfer and I am the Operations Manager – Waikato Contract at Watercare Limited.
2. My qualifications and experience are set out in my statement of evidence in chief (EIC) dated 16 June 2023.
3. I reaffirm the commitment in my EIC to adhere to the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023.
4. I have read the evidence provided by the submitters to the Independent Hearing Panel that is relevant to my area of expertise.
5. This statement of rebuttal will respond to the evidence of:
 - (a) Nicola Rykers and Jake Deadman on behalf of Synlait;
 - (b) Melissa McGrath on behalf of Pokeno Village Holdings Ltd;
 - (c) Mark Tollemache on behalf of Havelock Village Limited; and
 - (d) Warren Boag on behalf of Harrisville Twenty Three Ltd.
6. The fact this rebuttal statement does not respond to every matter raised in the evidence of a submitter within my area of expertise should not be taken as acceptance of the matters raised. I have focused this rebuttal statement on the key points of difference that warrants a response.

RESPONSE TO NICOLA RYKERS AND JAKE DEADMAN ON BEHALF OF SYNLAIT MILK LIMITED

7. Ms Rykers and Mr Deadman at paragraphs 24 and 10-15 respectively, state that wastewater capacity is a significant concern for the operation and expansion of the Synlait plant. Paragraph 23 of Mr Deadman's evidence expresses concern with the ability of the Bylaw to provide for adequate and timely planning and provision of critical infrastructure in

the medium density residential standards (MDRS) environment. At paragraph 24, Mr Deadman notes that it is important that industry needs for Three Waters services are factored into network modelling.

8. I confirm that network modelling does reflect industry discharges where these occur. There is no standard way of representing industry discharges (as there is for residential use) due to the variable nature of the discharge rates, composition and timing. Watercare provides for trade waste discharges by working with the discharger to assess their requirements. This would occur even in the absence of a relevant bylaw as the owner and operator of the network can accept or refuse trade waste discharges. The bylaw provides an avenue for compliance action, should it be required.

RESPONSE TO MELISSA MCGRATH ON BEHALF OF POKENO VILLAGE HOLDINGS LIMITED

9. Ms McGrath raises concerns with regard to network modelling and the ability to provide an infrastructure ready and well-functioning urban environment (paragraphs 2.14 and 2.15) and asserts that network capacity mapping should be carried out, requiring a restricted discretionary resource consent related to network capacity.
10. I would like to clarify that Watercare does carry out network modelling and is in the process of gathering data to refine our existing models. However, because network modelling is expensive and time consuming, and because infrastructure sizing needs to align with demand (for operational reasons as set out in the s32AA report) models are used to size the network for growth that is considered realistic. Growth scenarios are determined using a combination of council growth projections and discussions with developers. Economic analysis supporting Variation 3 has determined that the full MDRS development capacity will not be taken up. For these reasons, network modelling has not been carried out to show the pipe capacity required for full MDRS development potential.

11. If this modelling were carried out, all of the pipes would be shown as “red” or under capacity. A network model of this nature would not assist with designing new networks, nor would it assist with determining which developments require a resource consent and which do not.
12. I would also like to clarify that capacity assessments are intended to be carried out prior to detailed designs being carried out by applicants. This process will entail changes to current business processes and the provision of educational material to developers and house builders to alert them to the need for a pipe capacity assessment in advance of progressing development or house plans.
13. My view remains that water and wastewater connection matters can be addressed through the bylaws and no additional rules are required in Variation 3.

RESPONSE TO MARK TOLLEMACHE ON BEHALF OF HAVELOCK VILLAGE LIMITED

14. Mark Tollemache seeks clarification on whether or not the Pokeno Network Model masterplan allowance for 2,800 people takes into account the MDRS. For the reasons set out above, it does not. For all Pookeno and Tuakau proposals clarity is needed from Watercare (Auckland) on the ability of the Pukekohe wastewater treatment plant (WWTP) to accept flows from Waikato District Council’s future growth.
15. The Council have advised, based on the evidence of Ms Fairgray, that the overall population growth predictions are unchanged. The discussions to date regarding flows from Havelock Village’s land have not been based on minimum lot sizes smaller than 450m² so the potential for these to be smaller has not been fully assessed. From a water perspective, supply may be possible, but a booster pump station will likely be required due to the elevation of the development site and the reservoir levels.

16. Apart from WWTP capacity, the trunk network is being upgraded so capacity may be available, but without any detail on how the development will be connected, it is impossible to comment on any capacity constraints in the local network. Stormwater will also need assessment when appropriate information has been supplied.

RESPONSE TO WARREN BOAG ON BEHALF OF HARRISVILLE TWENTY THREE LIMITED

17. Mr Boag comments that there appears to be sufficient capacity in Council's networks for a 25 lot development on his client's site in Tuakau, where 7 lots are currently plan enabled (paragraph 2.6 (c)) at 223 Harrisville Rd. The report attached to his evidence is dated November 2022 but it is my understanding that it has not been shared or discussed with Watercare to date. I note that Appendix A Engineering Plans is missing from the report attached to Mr Boag's evidence. It would assist us to see these plans and, in order to undertake a proper assessment of their proposal, we would require more information. Based on the information we have on water and wastewater capacity in Tuakau, a 25 lot subdivision is unlikely to have a significant impact on the 150mm pipe they want to connect to. However I am aware of other developments and PDP appeals requesting residential zoning in the vicinity of the site, and depending on the outcome of those appeals, pipe capacity may need to be reassessed. Stormwater impacts would also require further assessment.

CONCLUSION

18. Network modelling can include industrial discharges, but the modelling will require specific information related to the industrial discharge. Network modelling is carried out for expected growth and not plan enabled growth to ensure it represents real-world scenarios and can usefully inform network upgrades and designs.

19. Bylaws are a useful tool for compliance but are not necessary to prevent network connections. It is our intent to assess network capacity prior to investment by a developer, home owner or builder on site development or house plans.
20. Further information is required to assess the specific development proposals discussed in the submitter evidence to determine whether network capacity is available.

Mathew Telfer
19 July 2023