

and

An application by Horowhenua District Council for land use consent and discharge permits to facilitate the discharge of stormwater from the North East Levin residential area to a tributary of the Koputaroa Stream (Horizons Regional Council References ATH-2017201712.00, ATH-2017201713.00, ATH-2017201714.00)

REPORT TO HEARING PANEL ON PRE-HEARING MEETING HELD 27 NOVEMBER 2020

Pre-Hearing Venue:	Te Takeretanga o Kura-hau-pō (the Levin Library meeting room), Bath Street, Levin
Meeting Date and Time:	Friday 27 November 2020, commencing at 10.00 am (closing at 2.30 pm that day)
Attendance:	The persons who attended all or part of the pre-hearing meeting are listed in Attachment 1 to this report.
Facilitator:	Christine Foster (a consultant resource management practitioner)

1. Introduction

Horowhenua District Council (*HDC*) manages the reticulated stormwater network draining Levin. Stormwater from north-east Levin currently discharges to a tributary of the Koputaroa Stream via an outlet near the corner of Roslyn Road and Fairfield Road. Additional residential development is planned in north-east Levin and HDC plans to reconfigure the stormwater network to capture and divert stormwater flows from the additional future residential area to the same tributary of the Koputaroa Stream.

To manage peak flows and the volume of stormwater anticipated, HDC plans to increase stormwater pipe sizes and construct a series of detention ponds immediately downstream of the existing outlet. Four ponds are planned, with capacity of 9,000m³, 2,200m³, 5,000m³ and 1,500m³. The ponds will receive stormwater during rainfall events and slowly release stormwater to the tributary stream. HDC's intention is that the ponds will result in reduced peak stormwater discharge to the tributary and downstream environment compared to the current situation.

Additional mitigation works are also planned along part of the tributary downstream of Roslyn Road, to address the potential effects of the predicted increased stormwater flows.

Consents are required from Horizons Regional Council ('Horizons') for activities controlled by sections 13, 14 and 15 of the Act. The application was publicly notified and submissions closed on 23 October 2019.

I was contracted by Horizons to facilitate the pre-hearing meeting held on 27 November 2020.

2. Meeting Attendance

Section 99 (3) of the Act provides Horizons the discretion to *require* persons to attend a pre-hearing meeting. Horizons did not require any person to attend the meeting. All attendance was voluntary and not all submitters were present. Some of the submitters who were unable to attend the meeting forwarded their apologies (recorded in Attachment 1).

3. Without Prejudice Discussion

Section 99 (5) of the Act requires that this report '*not include anything communicated or made available at the meeting on a without prejudice basis*'. At the outset of the pre-hearing meeting all parties present agreed that discussion would proceed on a 'without prejudice' basis, and that nothing would be included in this report without the explicit authorisation of the persons present at the meeting.

The meeting proceeded and discussed a subset of the issues raised in submissions. Following a constructive discussion and further consideration of matters by the parties during a lunch adjournment, the parties agreed the outcomes set out in 4 below and agreed that these could be reported in this s. 9 (5) report.

4. Agreed Outcomes

- 4.1 The HDC Team will generate a succinct (one or two-page) summary describing the size of the stormwater contribution from the north east Levin residential area to the Koputaroa Stream tributary proposed by this application, including the following parameters:
- (a) a map showing the limits of the *geographic area* from which the stormwater is to be sourced; and
 - (b) estimates of the *stormwater volume* that will be generated from this mapped area from a range of foreseeable rainfall events; and
 - (c) proposed *stormwater pipe sizes* at critical points within the stormwater network (including at the input to the proposed attenuation pond #1, at the outlet from pond #1 (noting that multiple outlet pipes are proposed to operate in a range of foreseeable rainfall events), and at the inlet feeding into the Koputaroa Stream tributary; and
 - (d) estimated *rate of flow* of stormwater discharging from the reticulated network into the proposed attenuation pond #1, from the pond #1 outlet and, ultimately into the Koputaroa Stream tributary in a range of foreseeable rainfall events; and
 - (e) estimated *additional volume* of stormwater expected to drain from the north east Levin residential area into the Koputaroa drainage area in a range of foreseeable rainfall events; and
 - (f) the estimated *additional geographic area covered* by the additional stormwater ponding in the Koputaroa drainage area as a result of the proposed stormwater

- project, from a range of foreseeable rainfall events in combination with foreseeable Manawatū River flows; and
- (g) the estimated *time* it will take for the entire ponded area, and the additional ponded stormwater, to drain from the Koputaroa drainage area, following a range of foreseeable rainfall events in combination with foreseeable Manawatū River flows; and
- 4.2 The HDC Team will circulate the above summary statement to all submitters and Horizons **no later than 4 December 2020**; and
- 4.3 A Working Group of the parties present will be convened, comprising:
- two representatives of HDC (Brent Maguire + one other); and
 - three submitters who are farmers within the Koputaroa drainage area affected by the HDC proposal; and
 - one representative of Horizons River Management Group (preferably Ramon Strong); and
- 4.4 HDC will invite this Working Group **plus** a representative of the Water and Environmental Care Association on a **site visit to be held before Christmas 2020** (the purpose of which is to convene on site and view the key features of HDC's proposal and be able to ask the HDC Team questions about the proposal); and
- 4.5 The Working Group will determine **no later than 20 December 2020** whether it accepts the contents of the summary statement generated by HDC under 4.1 above and whether the Working Group intends to enter into discussions on the questions set out in 4.6 below;
- 4.6 If agreement is reached on the contents of the summary statement prepared under 4.1 above, the Working Group will convene to discuss the following questions:
- (a) What measures could be implemented to mitigate the anticipated ponding and tributary stream flow effects of the *additional stormwater flow* from the north east Levin residential area (defined in the summary statement under 4.1 above) and would those mitigation measures resolve the affected submitters' concerns?
 - (b) What would that mitigation cost?
 - (c) What resources or funding is HDC able to contribute to implement those mitigation measures?
- 4.7 If the members of the Working Group are unable to reach agreement on, or do not accept the contents of, the summary statement at 4.5 above, the parties accept that the application will proceed to a hearing.

The expectation is that the Working Group will report the outcomes of each of the above steps to Sara Westcott at Horizons Regional Council, to assist Horizons' administration of the application and for further reporting to the Hearing Panel.



Christine Foster (Meeting Facilitator)

4 December 2020

ATTACHMENT 1**LIST OF PERSONS WHO ATTENDED THE PRE-HEARING MEETING
HELD 27.11.20**

For the Applicant (Horowhenua District Council):

- Brent Maguire (Group Manager, Infrastructure Development, HDC)
- Annette Sweeney (Planning Consultant, Good Earth Matters Ltd)
- Neil Hammer (Infrastructure Engineer, HDC)
- Joe Fletcher (Infrastructure Engineer, HDC)

Submitters:

- Leone Brown (on behalf of Water and Environmental Care Association)
- Geoff Kane
- John McErlean
- Murray Moxham
- Geoff Webb
- Wilf Vickers
- Barry Coupland (on behalf of submitters John and Pauline Coupland)
- Bob Slade (on behalf of submitters Robert and Janet Slade)
- Ramon Strong (on behalf of Horizons Regional Council River Management Group) (until 11.30 am)
- Peter Kernohan (until 1.45 pm)
- Matthew Kernohan (until 1.45 pm)

For Horizons Regional Council:

- Sara Westcott (Senior Consents Planner)
- Dr Jack McConchie (Consultant Technical Principal (Hydrology and Geomorphology), WSP Opus)
- Kyle Christensen (Consultant Adviser (River and Stormwater Engineering), Christensen Consulting Ltd)

Other Attendee (not being a submitter) Invited by Submitters:

- Graeme Gore

Apologies:

- Mike Cottle
- Mary Kilsby
- Coralie Matena (Federated Farmers NZ – not a submitter but invited by some farmer submitters)