
IN THE MATTER OF: the Resource Management Act 1991 ('the Act')

AND

IN THE MATTER OF Proposed Plan Change 2: Pukehāngi Heights to the
Rotorua District Plan

STATEMENT OF EVIDENCE OF STEPHEN CRAIG HUNT

On behalf of

THE HUNT FAMILY

(Submitter 26)

Table of Contents

- Introduction.....2
- Nutrient Management3
 - Conclusions on nutrient management..... 3
- Proposed Plan Provisions – the limited notification issue4
 - Conclusions on the limited notification issue 4
- Stormwater5
 - Conclusions on stormwater 6
- Pre-intensification subdivisions6
 - Conclusion on pre-intensification subdivisions..... 7
- Summary of Conclusions7

Introduction

1. My name is Stephen Hunt and I am speaking today on behalf of the Hunt Family who are one of the landowners. I have had a 50-year personal relationship with the property having grown up on the farm and completing all my education in local Rotorua schools.
2. I have a first-class honours degree in law and a Bachelor of Social Sciences with an environmental and resource planning focus. I have had a varied work career initially in law and then for significant periods in local government. I am currently the Governance and Strategy Group Manager at the Thames-Coromandel District Council responsible for among other things engagement with iwi and the district plan.
3. The Hunt Family collectively own approximately 55.5 hectares in the proposed Structure Plan Area between Parklands and Matipo Avenue. The Hunt Family have farmed and cared for this land for the past 100 years after Neil Buchanan Hunt and his wife Emma Hannah (nee Darragh) purchased land at the top of Malfroy Road in 1920.
4. Neil Hunt was a long serving County Council Chairman and Rotorua choose to honour his service in the naming of Neil Hunt Park, in Tarawera Road, Rotorua. Neil and Emma had six sons and four of them farmed on the expanding Hunt's Farm for their working lives. The youngest son John and his wife Maureen, my parents, continue to reside on the farm along with members of the next three generations.
5. The Hunt Family have been active participants in the Proposed Plan Change and have worked collaboratively with the Rotorua Lakes Council, liaising with landscape architects, engineers, strategic planners and town planners over several years. This engagement pre-dates the Proposed Plan Change and has occurred with a view to realising the potential of the land to provide for the future growth and urban development of Rotorua.
6. In relation to Proposed Plan Change the Hunt Family made a submission, a joint submission with the other two landowners, a further submission and a further late joint submission again with other two landowners. Today I will thread the matters covered in both the submissions and further submissions together.
7. The Hunt Family and the two other landowners, whilst having differing interests and approaches, have to date worked together closely on the Proposed Plan Change and as I understand it intend to continue to do so.
8. The Hunt Family have had advice from Cheal Consultants Limited and our position is contained in the evidence of Rowan Little.

9. The Hunt Family supports the Proposed Plan Change and that residential development occur within the Pukehāngi Heights Development Area in a planned and integrated manner. This is the key point the Hunt Family would like to make.
10. The Hunt Family request that uncertainty is removed for the Proposed Plan Change by:
 - i. Undertaking nitrogen modelling for the entire plan change area and to investigate the use of the existing headroom in the Wastewater Treatment Plant to expedite development.
 - ii. Not amending the notification provisions as suggested. Or in the alternative amending the notification provisions to make them more certain and appropriate.
 - iii. Completing the stormwater modelling using sensible regularly used assumptions and make likely upstream and downstream attenuation clear in the plan.
 - iv. Amending the provisions to allow for pre-intensification subdivisions.

Nutrient Management

11. Since the close of further submissions, the landowners became aware of a change in the way nitrogen management at the time of subdivision is proposed to be treated by the Bay of Plenty Regional Council and the Rotorua Lakes Council ("the Councils").
12. The Hunt Family had understood that the amount of nitrogen produced from the existing rural use of land would be close to the nitrogen produced from the proposed residential use of land. A recent change in the method used to calculate nitrogen loss suggests a change to residential use will result in additional nitrogen which will need to be addressed via land use changes and/or financial measures.
13. The Hunt Family also notes that the Council has stated in its s42A report (para 6.63) that there is some 'head room' available for the next five to ten years in the Wastewater Treatment Plan mass discharge limit. The Hunt Family suggest its reasonable for Council to investigate the use of this head room to provide for and expedite development within the Pukehāngi Heights Development Area.
14. The Hunt Family suggest that this is a matter for the Councils to resolve for the entire district but do appreciate that the Pukehāngi Heights Development Area is one of the first to be considered since the change in method occurred.

Conclusions on nutrient management

The Hunt Family suggest that:

- *A Nutrient Management Plan for the entire Pukehāngi Heights Development Area is completed by or commissioned by Council.*
- *Council further investigate utilising the existing 'head room' in WWTP mass discharge limit to provide for and expedite development within the Pukehāngi Heights Development Area.*

Proposed Plan Provisions – the limited notification issue

15. Iwi and individual submitters have requested that the proposed notification provisions be amended to allow for limited notification to them.
16. The proposed provisions currently allow for several activities including subdivisions to be considered without public or limited notification or the need to obtain the written approval from other parties if what is proposed is consistent with the principles of the Pukehāngi Development Area Structure Plan.
17. The Hunt Family understand that the RMA provides the Council with a process it must follow in order to determine whether to publicly notify an application for a resource consent.
18. The intention of the proposed plan change was to allow the public to have their say on what the development should look like through the plan change process. Then once the plan change was operative developers/purchasers/landowners could have certainty to develop and build within the limits of the plan. So, what was proposed was deliberate and considered.
19. The Hunt Family is supportive of engagement with iwi but suggests care needs to be taken to get the balance right. The proposed changes to the provisions have introduced ambiguity and are vague because they do not say when engagement with iwi ought to occur.
20. It also seems likely that the proposed provisions in relation to matters of downstream water quantity, downstream water quality and Lake Rotorua quality fall outside the jurisdiction and functions of a District Council.

Conclusions on the limited notification issue

The Hunt Family suggests the existing provisions of the RMA and what was originally proposed provide adequate protection for adjacent individual landowners and iwi and requests that the proposed provisions remain unchanged.

If the above is not accepted the Hunt Family suggests that the proposed wording be amended to make it clear where the threshold for notification is, who determines if that

threshold has been met and be restricted to have regard to the matters a District Council can legitimately consider.

Stormwater

21. Stormwater From the outset of work on the Proposed Plan Change stormwater was identified as the most important issue to consider and resolve to enable development.
22. At the time of notification, there was a high level of uncertainty; particularly in relation to the provision of stormwater infrastructure, not only for the Pukehāngi Heights Structure Plan Area, but the wider environment. Uncertainty still exists as evidenced by the number of varying opinions provided in evidence and the sheer volume of evidence on this topic. As a landowner the Hunt Family feel stuck between two Councils that don't seem to be able to agree. This inability of the Councils to work together needs to be resolved as it may hinder the progress of development generally due to the uncertainty it creates.
23. The Hunt Family agree that finalising a stormwater management system for the development is constrained by incomplete information on the Utuhina catchment.
24. Development planning for the Pukehāngi Heights Development Area proceeded using interim assumptions about the level of attenuation needed to protect the proposed development and downstream areas from flooding. The preliminary design criteria set for stormwater management was to reduce the runoff for a 100-year event to 80% of the pre-development flows. This resulted in large areas that needed to be set aside within the development area for stormwater detention basins and they are shown to scale on the version of the structure plan that was notified.
25. The Hunt Family encouraged the Rotorua Lakes Council to delay this hearing for a few months to allow for the stormwater modelling to be completed. This did in part occur with the Rotorua Lake Council modelling stormwater based on a suggestion from the Bay of Plenty Regional Council to use a 72-hour nested storm. A 72-hour nested storm as I understand from discussions with Rotorua Lakes Council staff and experts, is a hypothetical event that will overestimate the stormwater attenuation required. If this is the case it seems unreasonable that it be used as the basis for the stormwater modelling. In addition, the Hunt Family understand that a 72-hour nested storm has not or is very seldom used for stormwater modelling, so to use it in this instance would seem unfair.
26. Regardless of the merits or otherwise of using a 72-hour nested storm as an assumption, the modelling has confirmed that stormwater can be managed on site. This is a good thing

and a key point as it shows clearly stormwater is not a constraint to progressing the Proposed Plan Change.

27. The Hunt Family has also consistently requested that Council clearly include attenuation in areas outside the Pukehāngi Development Area Structure Plan, such as Wright Park, Linton Park, and upstream from the development area. The logic behind these suggestions is that additional attenuation is very likely, and it makes sense to be transparent to all by including in the plan on what is both intended and likely.
28. As someone who has closely followed stormwater discussions, I suggest the way stormwater has been treated in the proposal has two flaws. They are:
- The use of a 72-hour nested storm as a key assumption in the modelling should be reconsidered. The joint witness statement – stormwater suggests the assumption is “appropriately conservative”, which is a change from the original stormwater evidence from WSP that is was “overly conservative.” Individual evidence from those who participated and agreed to the joint witness statement – stormwater still differs. I would suggest a 24-hour nested storm is more appropriate as it is likely to be consistent with a 100-year event (1% AEP event) and is the typical requirement for other new urban developments.
 - The management of stormwater for any development will clearly need to be comprehensive. The final solutions for stormwater if development proceeds will inevitably include attenuation in Wright Park, Linton Park and likely upstream from the development area. They should be included in the plan at the outset not folded in at the resource consent stage.

Conclusions on stormwater

The Hunt Family requests that the stormwater modelling using sensible regularly used assumptions is completed and forms the basis of the plan change and that the likely upstream and downstream attenuation ponds are made clear in the plan and factored into the stormwater modelling.

Pre-intensification subdivisions

29. The landowners seek the ability to be able to subdivide off development areas or blocks from the parent site to enable and facilitate development. By way of example, subdividing a 5-hectare block from the parent site solely for the purpose of being on-sold to a developer.

30. At present the proposed provisions do not provide for such 'pre-intensification' subdivisions to occur in a simple and efficient manner. For example, the proposed performance standards require, depending on the location, the following to support an application for a subdivision; a Landscape Concept Plan and Visual Assessment, a Stormwater Management Plan, a Natural Hazard Risk, a Traffic Management Plan and a Noise and Vibration Management Plan.
31. Arguably, for a subdivision which is intended only to 'break-up' the parent site into manageable areas for sale to developers the detailed technical reports and assessments should not be required.
32. In addition, as the provisions are currently proposed they would also require future small-scale subdivisions to be supported by significant detailed technical reports and assessments.

Conclusion on pre-intensification subdivisions

The Hunt Family requests that specific provisions be included to allow for 'pre-intensification' subdivisions and 'small-scale' subdivisions without the requirement for the full suite of technical reports. This request is laid out in full in the evidence of Rowan Little.

Summary of conclusions

33. The Hunt Family are supportive of the Proposed Plan Change.
34. The Hunt Family note that stormwater is not a constraint to progressing the Proposed Plan Change.
35. The Hunt Family request uncertainty is removed from the Proposed Plan Change by:
 - i. Undertaking nitrogen modelling for the entire plan change area and to investigate the use of the existing headroom in the Wastewater Treatment Plant to expedite development.
 - ii. Not amending the notification provisions as suggested. Or in the alternative the notification provisions are amended to make them more certain and appropriate.
 - iii. Completing the stormwater modelling using sensible regularly used assumptions and make likely upstream and downstream attenuation clear in the plan.
 - iv. Amending the provisions to allow for pre-intensification subdivisions.

DATED 22/9/2020

Stephen Craig Hunt