

# Memo

**To:** Damien McGahan – Aurecon

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**From:** Iain Smith – Beca **Date:** 11 December 2025

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**Subject:** Private Plan Change 17 – Te Rapa North Industrial – Supplementary Technical Information

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**Technical Area:** Stormwater

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**Version:** Final

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## Purpose

1. This supplementary memo has been prepared to:
  - a. provide clarifications to the stormwater statements made by the Applicant’s experts at the hearing, and
  - b. Make my recommendations for selected final amendments to the stormwater provisions.

## Introduction

2. My name is Iain Smith I am a Stormwater Technical Director with Beca. My qualifications and experience were set out in the PPC17 – Te Rapa North Industrial - Technical Specialist Memorandum for Section 42A Reporting dated 9 September 2025 which I authored on behalf of Hamilton City Council ('HCC' or 'the Council').

## Code of Conduct

3. I reconfirm that I have read and am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and I agree to comply with it.

## Comments

4. I note that most of the following points reiterate those made in the S42A Stormwater Memo and the S42A Addendum Stormwater Memo.
5. The main issue relates to how the stream erosion resilience works are implemented as opposed to issues of technical conjecture. The resolution of which directly relates to the wording of the provisions.
6. The following references the version of the provisions attached to Mr Grala’s Summary Statement of Expert Evidence dated 2 December 2025.

## **ICMP Status**

7. I note that the ICMP is with WRC as a “final” version for certification. HCC advise WRC are not expected to request material changes as part of this sign-off as they have been consulted on it in detail as part of the ICMP preparation.

## **Stream Erosion Resilience Works**

8. I note HCC has not yet agreed the in-stream works is the preferred option for stream erosion resilience. Therefore, both options under the ICMP remain possible.
9. At this stage, the ICMP prefers the piped option. There is no ongoing work under the ICMP that will change this prior to its certification by WRC. However, this does not mean the in-stream works cannot be adopted in the future.
10. HCC have said they could support the in-stream option, but that more information is needed for HCC to do this.
11. In my opinion, the information provided in the Applicant’s evidence does not fulfil this. More developed designs and costings than those used for the ICMP are needed.
12. Once the preferred option is agreed, a plan is needed to implement and fund the full erosion works (not just a part thereof). The various responsibilities for leading, funding, staging, delivery and ownership/maintenance of each element of the works will be defined under this Plan.
13. If it is confirmed that the in-stream works option is the preferred, then a risk-based approach to the implementation should be used. What Mr King proposes as being the first part of the stream addressed aligns with this. The in-stream works would need to be done as part of any stage of the development that drains to the stream.
14. The in-stream works can be staged with development subject to an agreed Implementation Plan.
15. The Information Requirements provisions 1.2.2.30 g. and h. address the above issues.

## **Proportion of Erosion Works Attributed to PPC17 Land and Cost Estimates**

16. I do not agree with the method used by the Applicant to derive a percentage of the erosion works attributed to PPC17 land.
17. However, this is an issue that will be resolved by negotiation between the Applicant and HCC as part of a Private Developer Agreement and not directly by the provisions of PPC17. Therefore, I make no further comment on this issue.
18. Similarly, there remains a cost risk given the estimates referenced in the Rebuttal Evidence are based on conceptual designs and costings that are several years old and so I consider these to be out of date.
19. The Information Requirements provision 1.2.2.30.h. with its refined design, updated cost estimate and agreeing a funding plan addresses this issue.

## Amendments to the Provisions

20. It is my opinion the following changes are needed to the provisions attached to Mr Grala's Summary Statement of Expert Evidence dated 2 December 2025. This is to better reflect the above issues and these changes are:

a. Staging Table 3.9.3.3, Enabling Works:

Preparation of the Infrastructure Plan for the full stream erosion resilience works should be included in the enabling works row of this table. This Plan will then determine what works are done for each stage and the timing of the works.

b. Staging Table 3.9.3.3, sub-blocks:

The physical works for any stage would then be implemented in accordance with the Infrastructure Plan.

The Applicant's proposed wording references rip rap to "Area 1" and so should not be adopted as this directly relates to the in-stream works option and this is not yet confirmed as preferred. If the pipe option proceeds, then including this term will be misleading.

Therefore, to cover both options the phrase "Te Rapa Stream erosion resilience works in accordance with the Infrastructure Plan" should be reinstated against each of the stages/sub-blocks that drain to the Te Rapa Stream.

This is not therefore, needed for Fonterra South, Fonterra North and Meadow View East sub-blocks as these do not drain to the stream.

c. Information Requirements 1.2.2.30.e. parts i. to v.

These unnecessarily duplicate 1.2.2.30.g. and h. and also mentions "Area 1" similar to that noted under item b. above.

Therefore, parts i to v. should be deleted and clause e. should just read:

"Must demonstrate how it is consistent with the Te Rapa Integrated Catchment Management Plan."

I also note the ICMP document identifies "means of compliance" within it for developers to use to demonstrate compliance with the ICMP and so these do not need to be repeated in the provisions.

21. Based on the above items, I therefore support the provisions proposed by HCC as attached to Mr McGahan's Addendum Section 42A Summary Report.