

BEFORE THE INDEPENDENT HEARING PANEL

APPOINTED BY HUTT CITY COUNCIL

**IN THE MATTER** of the Resource Management Act  
1991

AND

**IN THE MATTER** of Submission 516 on the  
Proposed District Plan: 104 Upper  
Fitzherbert Road, Wainuiomata -  
Rezoning to Medium Density  
Residential Zone

**HEARING TOPIC** Hearing Stream 3: Residential /  
Rural

---

**OPENING STATEMENT OF DANIEL MCMULLAN**

**FLOODING EVIDENCE IN RELATION TO SUBMISSION 516**

**18 June 2026**

---

## **1. INTRODUCTION**

- 1.1. My name is Daniel Hayden McMullan. I provided a statement of evidence in relation to flood hazards in support of Submission 516, dated 4 June 2026. My qualifications, experience and commitment to complying with the Expert Witness Code of Conduct 2023 are set out in my primary statement of evidence.
- 1.2. Submission 516 relates to the 4 ha site at 104 Upper Fitzherbert Road, Wainuiomata and seeks to rezone the site from the Rural Lifestyle Zone to the Medium Density Residential Zone (MRZ) under the Proposed District Plan. No changes are sought to flood hazard overlays.

## **2. SUMMARY OF EVIDENCE**

- 2.1. My evidence addressed flood hazards in relation to the site. This evidence concluded that the flood hazard at this site can be managed through appropriate mitigation measures (subject to detailed design as part of a future resource consent) such that the site can be rezoned to the Medium Density Residential Zone.
- 2.2. These mitigation measures may include:
  - a. Diverting flows entering the site across the northern boundary around residential lots to a central stormwater management area.
  - b. Conveying flows entering the site across the eastern boundary along an existing channel not subject to earthworks at the back of residential lots.
  - c. Undertaking earthworks to lift the site so that flows originating from the upper catchment are kept off the roading network and residential lots in the 1% annual exceedance probability flood event including the effects of climate change. Minimum floor levels of new dwellings will be set based on the 1% annual exceedance probability flood level, including the effects of climate change, plus freeboard.
- 2.3. These mitigation measures would be designed to ensure that off-site effects are acceptable (i.e., no consequential increase of flood risk to neighbouring properties and / or their access).

### **3. COUNCIL OFFICER'S EVIDENCE**

- 3.1. In the Council officer's s42A report for Hearing Stream #3, Mr Bellamy noted a review by Matt Aitchinson, Council's consultant Civil Engineer, who advised that there are practical engineering solutions to overcome the site's constraints.
- 3.2. They noted that stormwater mitigation (i.e., flood hazard) will be required, but that it would be feasible to develop the site by protecting current flow paths and creating a dedicated stormwater management area that will attenuate flows to ensure that current flood levels are not worsened.
- 3.3. Both Mr Bellamy and Mr Aitchison note that the effects on the flood hazard can be managed through the resource consent process.

### **4. RESPONSE TO REBUTTAL EVIDENCE**

- 4.1. I agree with both Mr Bellamy and Mr Aitchison that there are practical engineering solutions to manage flood hazard on site which can be managed through the resource consent process.
- 4.2. I do note that a possible alternative to protecting current flow paths is to divert those flow paths around residential lots such that the site could be developed more effectively.

### **5. CONCLUSION**

- 5.1. Overall, it is my opinion that, subject to detailed design as a part of a future resource consent, both on and off-site flood hazards can be feasibly managed, and that there is no reason why from a flood management perspective that the rezoning of 104 Upper Fitzherbert Road should not proceed.