

**BEFORE THE KAIPARA DISTRICT COUNCIL'S HEARING PANEL**

**IN THE MATTER OF**

the Resource Management Act 1991 (**the Act**)

AND

**IN THE MATTER**

An application for Private Plan Change 85 (**PC85**) -  
**MANGAWHAI EAST** by Foundry Group Limited  
(formerly Cabra Mangawhai Limited) and Pro Land  
Matters Company to rezone approximately 94  
hectares of land at Black Swamp and Raymond Bull  
Roads, Mangawhai

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**STATEMENT OF EVIDENCE OF EVAN ALEXANDER PETERS ON BEHALF OF THE**

**APPLICANTS**

**(Stormwater)**

**16 December 2025**

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Jeremy Brabant

Barrister

Level 7, 50 Albert Street, Auckland Central

PO Box 1502, Shortland St, Auckland 1140

M: 021 494 506

E: [jeremy@brabant.co.nz](mailto:jeremy@brabant.co.nz)

## **INTRODUCTION**

### **QUALIFICATIONS AND EXPERIENCE**

1. My full name is Evan Alexander Peters.
2. I am a Chartered Civil Engineer and Director of Aspire Consulting Engineers (Aspire).
3. I completed my New Zealand Certificate in Engineering (NZCE) from Unitec in 2003. I completed my Bachelor of Construction Management in 2009. I am a Chartered Member of the Institute of Professional Engineers of New Zealand (Engineering New Zealand) and a Chartered Engineer (CPEng) in Civil Engineering.
4. After gaining my NZCE, I have worked as a Civil Engineer in various roles in both design and construction within New Zealand, Australia and the Pacific. In 2014 I co-founded Aspire Consulting Engineers specialising in projects within New Zealand. I have completed the investigation, design and supervision of many land developments around New Zealand. I have worked on multiple residential development projects and have a good understanding of land development.
5. I have been involved with the Foundry Group Limited and Pro Land Matters Company application for a private plan change to the Kaipara District Council to rezone 94 hectares at Black Swamp Road, Mangawhai from Rural to a mix of residential, business and rural lifestyle zones, since 24/10/2024.

### **EXPERT WITNESS CODE OF CONDUCT**

6. Although this is not a hearing before the Environment Court, I record that I have read and agree to and abide by the Environment Court's Code of Conduct for Expert Witnesses as specified in the Environment Court's Practice Note 2023. This evidence is within my area of expertise, except where I state that I rely upon the evidence of other expert witnesses as presented to this hearing. I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed.

### **PROJECT INVOLVEMENT**

7. My evidence is presented on behalf of Foundry Group Limited and Pro Land Matters Company and relates to stormwater and flooding matters associated with PC85.

8. My evidence should be read in conjunction with the Engineering Infrastructure Design (**EID**) report dated October 2024 and the Stormwater Management Plan (**SMP**) dated October 2024.

### **SCOPE OF EVIDENCE**

9. I was initially engaged to prepare an assessment of potential urban development on stormwater quality and quantity for the PC85 area.
  - a. I have visited the site on a number of occasions prior to lodgement of the Plan Change submission. I personally undertook investigations along Black Swamp Road to identify overland flow areas and a review of existing infrastructure.
  - b. I have also had discussions during this time with both Northland Regional Council representatives and Kaipara District Council representatives regarding the current stormwater and flooding constraints within the Mangawhai area.
10. In summary – Stormwater runoff from the development will need to be carefully managed to mitigate any impacts on the downstream receiving environment.
  - a. Stormwater from public roads, carparks and roofs will need to be treated to mitigate contaminants from the PC85 area. I refer you to Mr Senior's evidence for support of this approach.
  - b. A Stormwater Management Plan (**SMP**) has been submitted as part of the plan change application. The **SMP** provides an adaptive toolbox of stormwater solutions which will be used for future Resource Consent submissions within the PC85 area. Mr Senior's evidence supports this approach.
  - c. The **SMP** also identifies areas within the PC85 site which are sensitive to hydraulic changes, such as flows to existing streams or recharging groundwater where sensitive soils are located. The Stormwater Management Plan (**SMP**) identifies these areas and provides guidance on how to mitigate these effects.
  - d. The **SMP** concludes that larger storm events will not require on-site attenuation due to the location of the PC85 area next to the harbour meaning there is no flood risk to properties lower in the catchment. I agree that staged development may require

some on-site attenuation in certain circumstances, but that this is best addressed through detailed design. I refer you to both Mr Senior and Mr Blackburn's evidence to support this conclusion.

#### **S42A Report**

11. Stormwater Quality and Quantity have been reviewed by an external specialist on behalf of KDC, Mr Carey Senior of AWA consulting and then addressed in the s42A report by Mr Johnathan Clease, Consultant Planner on behalf of KDC.
12. The S42a report concludes at paragraph 506 (f): "*Stormwater quantity and quality is capable of being appropriately managed on-site via the subdivision, NES-FM, and regional consenting processes in accordance with the SMP.*"

#### **Stormwater Volume and Flood impacts**

13. The s42A Report addresses stormwater at paragraphs 157 – 165.
14. The s42A Report states at paragraph 159: "*The stormwater solution in the SMP does not require on-site attenuation due to proximity to the harbour i.e. post-treatment, stormwater can discharge directly to the harbour and does not need to be detained in order to manage flood risk to properties lower in the catchment as the plan change site is itself at the bottom of the catchment*". Refer to Mr Senior's and Mr Blackburn's evidence supporting this conclusion.
15. The s42A Report goes on to say at paragraph 159: "*The submission by the landowners in Windsor Way (S56) in particular raised concerns regarding the lack of detailed engineering designs or hydraulic analysis at this point in the process. Mr Senior recognises that further analysis is likely to be necessary as part of subsequent detailed design and consenting processes. He is however satisfied that the risk that staged development within the plan change area itself will generate stormwater issues relating to the need for on-site attenuation and flow path design is a matter of detailed design that is able to be resolved via subdivision and regional consenting processes.*" Refer Mr Blackburn's and Mr Senior's evidence supporting this conclusion.
16. I concur with Mr Senior's assessment and agree with his conclusions. Although on-site attenuation may not be required because the site is at the bottom of the catchment, I agree there is the possibility that staged development might create a need for some

attenuation by reference to other parts of the site itself if higher parts are developed first. This is best addressed through detailed design at the time of subdivision and consenting.

17. A Coastal and flooding assessment was completed by Mr James Blackburn from Hawthorn Geddes Engineers and Architects limited on behalf of Kaipara District Council.
18. The s42A Report at paragraph 100 refers to Mr Blackburn's conclusions and states "*If the flood-prone land is filled to create the required building platforms, Mr Blackburn identifies that such filling will not result in the displacement of flood water onto adjacent properties as the water is a function of the tide level (and therefore is in effect of unlimited volume), unlike stormwater where the volume is capped by the size of the rainfall event. In short, land that is at a level where it will be initiated by a storm tide will be inundated regardless of whether or not the adjacent land has been filled.*"
19. I concur with Mr Blackburn's assessment and agree with his findings.

### **Stormwater Quality**

20. The s42A Report at paragraph 160 refers to stormwater quality: "*The SMP requires water quality treatment to be considered for all likely contaminated surface runoff (excludes private driveways) and allows for a wide range of treatment solutions such as wetlands, swales and raingardens, to promote a design that is appropriate to the development impact. This provides overarching principles for consideration at the resource consent stage, and thereby protects water quality outcomes, while still allowing flexibility to ensure efficient and practical future solutions. Mr Senior is satisfied that the SMP water quality solutions are appropriate.*"
21. Mr Senior's assessment agrees with my findings.

### **CONCLUSION**

22. My conclusions and that set out at paragraph 506 (f) are aligned – namely that: "*Stormwater quantity and quality is capable of being appropriately managed on-site via the subdivision, NES-FM, and regional consenting processes and in accordance with the SMP.*"

23. I conclude that the Stormwater Management Plan is appropriate and provides enough detail to support the PC85 plan change.

**Evan Alexander Peters**

**16 December 2025**