

**BEFORE A HEARING PANEL  
CONSTITUTED BY NELSON CITY COUNCIL**

*IN THE MATTER*

of an application by **CCKV Maitahi Development Co LP** and **Bayview Nelson Limited** for a change to the Nelson Resource Management Plan (Plan Change 28)

*IN THE MATTER*

of Part 5 and Schedule 1 of the Resource Management Act 1991

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**STATEMENT OF REBUTTAL EVIDENCE OF DAMIAN  
VELLUPPILLAI**

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*Name, qualifications and experience*

- [1] My full name is Damian Nathan Velluppillai. I have a Bachelor of Engineering with Honours from the University of Canterbury. I am a Water Resources Engineer with 20 years of experience, currently employed by Tonkin & Taylor Ltd (T+T).

*Expert Code*

- [2] While this is not an Environment Court hearing I have met the standards in that Court for giving expert evidence.
- [3] I have read the Code of Conduct for expert witnesses issued as part of the Environment Court Practice Note 2014 (Part 7). I agree to comply with the Code of Conduct. I am satisfied that the matters addressed in this statement of evidence are within my expertise. I am not aware of any material facts that have either been omitted or might alter or detract from the opinions expressed in this statement of evidence.

*Reference documents*

- [4] I prepared a Statement of Evidence with respect to Flooding as part of the evidence for the hearing of the PPC28 application, dated 13 June 2022. I have since been provided with and read the following documents:
- (a) Section 42a Addendum documents, notably Planning Addendum Report (dated 29 June 2022) and Appendix I – Stormwater and Flood Risk, containing a Memorandum by Ms. Kate Purton titled “PPC28 Maitahi Bayview – Addendum K Purton Stormwater and Flood Risk” (dated 27 June 2022).
  - (b) Evidence of Mr. Dali Suljic for Save the Maitai Inc – Stormwater, dated 27 June 2022.
  - (c) Indicative Masterplan as attached to Mr. Hugh Nicholson’s rebuttal evidence.

*Rebuttal to the Section 42a addendum reporting*

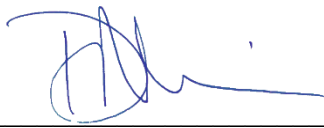
- [5] I note that the s42A Planning Addendum Report agrees with the memorandum by Ms. Purton (attached as Appendix I to the report), and therefore the focus of my rebuttal evidence is on this memorandum. The memorandum covers stormwater (quantity and quality) and flood risk matters. Most of these matters are addressed in the evidence of Mr. Maurice Mills and Mr. Stu Farrant. The scope of my evidence covers the assessment of the effects of the development off-site on flood hazard to adjacent and/or downstream properties.
- [6] In my Evidence (paragraphs 25 and 27), I provided my opinion that it is feasible to develop PPC28 area without causing adverse effects on flooding beyond the plan change area. This was on the basis that post-development catchment runoff can be managed within the site to ensure that post-development peak flows will not exceed pre-development peak flows in events up to the 1% annual exceedance probability (AEP), in the present day and future (2130 SSP5-RCP8.5) scenarios, as described in the SMP. That is, while the proposed development may increase total runoff volumes during storm events, so long as the peak flow rates are not increased, then there will be no increase in flood hazard to downstream/adjacent property. This was demonstrated by modelling an extremely conservative runoff hydrograph, the results of which showed no volume-related off-site effects. This scenario was based on an assumed (preliminary) earthworks footprint as indicated in the Stormwater Management Plan (SMP) and on the new Masterplan. My opinion regarding the likelihood of effects has not been challenged in Ms. Purton's memorandum.

*Rebuttal to the Evidence of Mr. Dali Suljic dated 27 June 2022*

- [7] In his evidence, Mr. Dali Suljic challenges whether the potential effects of the proposed development on peak flows following rainfall has been adequately assessed. This is addressed in the rebuttal evidence of Mr. Maurice Mills.

- [8] Mr. Suljic also challenges whether the effects of any increase in frequency and/or duration of flow events have been sufficiently assessed. He identifies potential effects on stream erosion rates, and on the water quality/ecology of the receiving environment. This is addressed in the rebuttal evidence of Mr. Mills and Mr. Farrant.
- [9] I note that Mr. Suljic has not challenged my assessment of the effects of the development on downstream flood hazard. He has also not challenged my opinion that if post-development runoff is managed on-site (i.e. through detention/attenuation measures) so as not to exceed pre-development peak flows discharged downstream, then there will be no increase in flood hazard off-site due to the proposed development.

Dated 5 July 2022

A handwritten signature in blue ink, consisting of stylized, overlapping loops and a trailing horizontal stroke.

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Damian Velluppillai – Water Resources Engineer