

IN THE MATTER of the Resource Management Act 1991

AND

a submission by the Hawke's Bay
Regional Council (**'Regional Council'**)

AND

Central Hawke's Bay District Council
proposed District Plan.

STATEMENT OF EVIDENCE OF GAVIN IDE

1 Introduction

- 1.1 My name is Gavin Ide. I hold a Bachelor of Resource and Environmental Planning (with Honours) gained at Massey University in 1996.
- 1.2 I am currently employed as Principal Advisor Strategic Planning at the Hawke's Bay Regional Council ('Regional Council'). I have been employed by the Regional Council since 2003. During that time I have held several senior positions all directly involved in resource management policy evaluation and plan preparation. Prior to being employed by the Regional Council, I worked at Napier City Council as a policy planner for seven years.
- 1.3 I have been a full member of the New Zealand Planning Institute (MNZPI) since 2010. I have over 25 years' experience in resource management policy option analysis, plan evaluation, plan writing and resource management issues in general.
- 1.4 I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and agree to be bound by it notwithstanding that this hearing is not an Environment Court hearing. In particular, I confirm that the evidence I am giving is within my area of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

1.5 I am authorised to present this statement on behalf of the Regional Council in relation to those parts of its submission relating to natural hazards in the proposed district plan ('the PDP').

1.6 This statement focusses on the following PDP topics in particular:

1.6.1 Natural Hazards & Climate Change Topic

1.6.1.1 Key Issue 6 – natural hazard mapping

1.6.1.2 Key Issue 3 – natural hazard rules.

2 Roles and responsibilities

2.1 For purposes of section 62(1)(i) of the RMA, chapter 8.4.4 of the Hawke's Bay Regional Resource Management Plan ('the RRMP')¹ sets out the respective responsibilities of the regional council and territorial authorities for for developing objectives, policies and rules relating to control of land use activities for the avoidance or mitigation of natural hazards.

2.2 For ease of reference, the respective responsibilities are summarised in chapter 8.4.4.5 of the RRMP as:

“Both the HBRC and the territorial authorities within the Hawke’s Bay region will be responsible for developing objectives and policies for managing the use of land for the purpose of avoiding and mitigating natural hazards. Territorial authorities will be responsible for developing methods controlling the use of land for the purposes of avoiding or mitigating natural hazards, except in relation to coastal hazards. In relation to coastal hazards, both the HBRC and territorial authorities may be responsible for developing methods controlling the use of land for the purpose of the avoidance or mitigation of coastal hazards.

To support the territorial authorities in developing and implementing their plan provisions in relation to natural hazards, the HBRC will be the key information provider. The HBRC will provide relevant, up to date and accurate data in an appropriate form for the territorial authorities to use. The HBRC will also use this information itself for natural hazard management and planning purposes,

¹ The RRMP includes the Hawke's Bay Regional Policy Statement.

and for Civil Defence management in accordance with the Civil Defence Act 1983.

The information and assistance to be provided by the HBRC will include the following, as it becomes available:

(a) Identification and distribution of information on those parts of the region at risk from flooding, earthquakes, tsunami, and volcanic eruptions...”

2.3 In section 2.2 of the s42A Report, reference is made to the ‘Hawke’s Bay Joint Hazard Strategy for Local Authority Land Use Planning’ published in 2011. I understand that this joint strategy, the regional policy statement, and a number of other factors have informed preparation of the proposed district plan thus far.

3 Natural hazard mapping (Key Issue 6), s9 of s42A Report

3.1 In relation to mapping of natural hazards, the Regional Council’s submission requested the following:

Submission Point	Summary of decision requested	Summary of s42A report recommendation (p61)
S11.017	Update the Flood Risk Area to Zone 1 and Zone 2 areas as provided by flood hazard maps developed by the HBRC Asset Management team.	Accept
S11.036	Amend maps to address the following near source tsunami extent areas identified on the Hazard Portal but excluded in the planning maps: Paerahi Rd and Makaramu Street in Porangahau, McHardy Place, Southern end of Pouterere Beach Road, a section of Pouterere Road, Okura Road, Mangakuri and an area around John Ross Place and Kapiti Place in Kairakau.	Accept

3.2 At paragraph 9.3.3 of the s42A report, the reporting officer recommends corrections to the tsunami maps as requested in the Regional Council’s submission. I agree with the reporting officer’s recommendation.

3.3 Having said that, I note that what is recorded in Appendix B of the s42A Report is ambiguous. Appendix B records that the officer recommends accepting the Regional

Council’s submission point, but “No” is recorded in the column titled ‘Amendments to Proposed Plan?’ If the Regional Council’s submission point is accepted to correct the tsunami extent areas, then there should indeed be amendments to the proposed plan.

- 3.4 At paragraphs 9.3.4 to 9.3.13 of the s42A report, the reporting officer provides a good analysis of the Regional Council’s request for updating the Flood Risk Area. In his evidence for the Regional Council, Mr Craig Goodier provides his expert statement about the methodology used for delineating the new areas requested in the Regional Council’s submission. No model is perfect. Every model has assumptions and degrees of accuracy. I agree with Mr Goodier’s expert opinion that the flood map modelling work he has done and supplied to Central Hawke’s Bay District Council is commensurate with the data and resources available.
- 3.5 In my opinion, that flood hazard mapping work by Mr Goodier is superior to the much earlier work that was the basis of flood hazard areas identified in the operative district plan and in the notified version of the PDP.

4 Land use activities in Flood Risk Area ‘Zone 2’ (Key Issue 3), s6 of s42A Report

- 4.1 In relation to natural hazard rules, the Regional Council’s submission requested the following:

Submission Point (topic)	Summary of decision requested	Summary of s42A report recommendation (p31)
S11.039 (NH-R2)	<p>[HBRC] support[s] the proposal to restrict permitted activities to only BIC-1 category buildings in the high risk flood area (Zone 1).</p> <p>It may be appropriate for building importance category restrictions to apply in Zone 2 that would restrict sensitive activities, or buildings that have the ability to house large numbers of people.</p> <p>Or alternatively, Zone 2 could work as an alert layer without any additional rules other than the existing natural hazards matter of control in the Subdivision chapter, supported by a policy framework in the Natural Hazards chapter for other land use activities.</p>	Accept

- 4.2 I note Kainga Ora (Submission S129.054) sought an amendment to Rule NH-R2 to delete all clauses relating to the Flood Hazard Area. Kainga Ora's submission is that *"the spatial identification of flood hazard areas should be made publicly available through a set of non-statutory flood hazard maps which sit outside of the PDP."*
- 4.3 I disagree. Even though some areas at risk of flooding have been identified and that information is made available in the Hawke's Bay Hazards Portal, it is my opinion that it is appropriate for some land use activities to be restricted by district rules more than others in flood hazard areas. Rule NH-R2 in the proposed district plan goes some way to doing just that.
- 4.4 As consequence of the reporting officer recommending adoption of updated flood hazard maps developed by the Regional Council, the reporting officer goes on to state (at para 6.3.12) *"that it is appropriate to differentiate between 'Zone 1' and 'Zone 2' flood areas within Rule NH-R2 accordingly."* I agree that differentiation is appropriate.
- 4.5 In my opinion, managing the risks arising from flooding of some land use activities involving the gathering of larger numbers of people ought to be subject to different restrictions than say, a typical residential dwelling. I do not consider it appropriate for a district plan to apply a 'one-size-fits-all' approach to restricting all land use activities, building and structures within an area identified as being at risk of flooding.
- 4.6 At paragraph 8.3.1 of the s42A Report, the reporting officer comments that there is *"considerable support for Appendix NH-APP1 and the use of building importance categories (BIC) as a way of managing risk from natural hazards in the PDP."* Indeed if the proposed district plan is to retain BICs, then I concur with the amendments to Rule NH-R2 as recommended and described by the reporting officer at paragraphs 6.3.15 and 6.5.1 of the s42A report.

Gavin Ide

Dated 24th August 2022