

**BEFORE THE HEARINGS PANEL
FOR PROPOSED PLAN CHANGES 28, 29 AND 30 AND PROPOSED
DESIGNATIONS CHAPTER TO THE MACKENZIE DISTRICT PLAN**

UNDER the Resource Management Act 1991 (RMA)

IN THE MATTER of Proposed Plan Changes 28, 29 and 30 and Proposed Designations Chapter to the Mackenzie District Plan

**STATEMENT OF EVIDENCE OF NICHOLAS DAVID ROBERT GRIFFITHS
ON BEHALF OF THE
CANTERBURY REGIONAL COUNCIL**

NATURAL HAZARDS

09 May 2025

SUMMARY STATEMENT

- 1 The Canterbury Regional Council (**Regional Council**) sought amendments to various chapters proposed under Plan Change 28 (**PC28**) to the Mackenzie District Plan (**MDP**). These amendments were sought in order for the provisions to better give effect to the Canterbury Regional Policy Statement (**CRPS**) and to ensure that the Regional Council can continue to undertake its statutory functions and responsibilities.
- 2 I have reviewed the Section 42A (**S42A**) report for PC28 written by Meg Justice for Mackenzie District Council (**MDC**). My evidence presents my opinion on the recommendations. Specifically, these are in relation to the Natural Hazards chapter.

INTRODUCTION

- 3 My full name is Nicholas David Robert Griffiths.
- 4 I am employed by the Regional Council as a natural hazard scientist and have been in this role since September 2011.

QUALIFICATIONS AND EXPERIENCE

- 5 I hold a Bachelor of Science with Honours degree in Geography and Geology obtained from the University of Canterbury in 2005.
- 6 My role involves assessing and providing advice on natural hazards and associated planning provisions.

CODE OF CONDUCT

- 7 I can confirm that I have read and am familiar with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and I agree to comply with it while giving any oral evidence during this hearing. Except where I state that I am relying on the evidence of another person, my evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 8 Although I am employed by the Regional Council, I am conscious that in giving evidence in an expert capacity that my overriding duty is to the Hearings Panel.

SCOPE OF EVIDENCE

- 9 I have prepared my evidence on behalf of the Regional Council.
- 10 My evidence primarily relates to how the recommended provisions of PC28 give effect to the natural hazard policies of the CRPS.

11 In preparing my evidence I have reviewed the following documents:

- (a) The PC28 notified provisions;
- (b) The Section 32 report for PC28 prepared and notified by MDC;
- (c) The Regional Council's submission on PC28;
- (d) The Regional Council's further submissions on PC28;
- (e) The summary of decisions requested on PC28;
- (f) The S42A report prepared by Ms Justice on behalf of MDC and associated appendices;
- (g) The relevant provisions of the CRPS;
- (h) The evidence of Ms Tutty on behalf of the Regional Council;
- (i) The evidence of Ms Jack on behalf of the Regional Council; and
- (j) The evidence of Ms Irvine on behalf of the Regional Council.

FLOOD HAZARD PROVISIONS

12 I broadly support the recommendations of the S42A report in relation to flood hazard management. These recommendations largely address concerns raised in the Regional Council submission.

13 I support the recommendation to retain the Flood Hazard Assessment Overlay (including the minor refinement at Lake Tekapo) and associated provisions.

14 I also support the recommended amendments to the 'high flood hazard area' definition and 'ARI' abbreviation.

15 I disagree with the S42A report recommendation to exclude attached garages from the definition of 'natural hazard sensitive building'.

16 Garages attached to modern residential units often have the same potential for flood damage as the rest of the building, are integral to the structure and use of the building, and contain items of value that could be damaged or destroyed during a flood.

17 I consider that attached garages should be captured by the definition (and therefore associated rules), noting there is a resource consent pathway that could enable them to be built with lower floor levels in certain

circumstances. This would give the council a mechanism to impose other mitigation measures that help to reduce flood damage.

DIVERSION AND DISPLACEMENT OF FLOODWATER

- 18 I disagree with the S42A report recommendation to not insert a rule that manages diversion and displacement of floodwater, as requested in the Regional Council submission. I note that the recommended provisions do attempt to manage diversion and displacement effects, but only in limited circumstances. This is at odds with the S42A report author's view that this issue is appropriately addressed in the regional plans administered by the Regional Council.
- 19 I support the view of Ms Tutty that diversion and displacement effects are best managed through district plan provisions. I consider that a rule such as that presented in the submission of the Regional Council is the most effective way of managing effects resulting from diversion and displacement of floodwaters.

Dated this 9th day of May 2025



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Nicholas David Robert Griffiths