

Joint Witness Statement

Date: 1 April 2025

Parties:

The Property Group – Mishka Banhidi

Environment Southland (ES) - Marcus Roy

Background

1. Environment Southland (ES) have made submissions on the Gore Proposed District Plan, seeking changes to natural hazard management within the Gore District to provide greater alignment with the Southland Regional Policy Statement (RPS). ES have been undertaking a concurrent process of updating the flood modelling information that was made publicly available through the public hearing on the 10th March, and sought for this modelling to be incorporated within the PDP.
2. Through the Proposed District Plan Process Brett Osbourne as the Gore District Council (GDC) planner has made recommended amendments to the notified version of the Proposed District Plan (PDP) to incorporate, where appropriate, changes based on submissions to the PDP and provide for greater alignment with the RPS.
3. On 14 March 2025 the panel issued a minute, appended as Attachment A requesting a signed and dated joint witness statement that indicates where there is agreement and where there remain points of disagreement. These are laid out below:

Definition of Significant Risk

4. Mishka and Marcus both agreed that a definition of significant risk could be incorporated into the PDP that relies on both the RPS and expert input from Tonkin and Taylor. This definition includes areas categorised as Hazard category H4, H5 and H6 within the Australian Emergency Management Institute Guideline 2014 – Risk Categories, (AEMI) Guideline, as areas of Significant Risk. This refers to flood waters of 1.2m in depth and above as being unsafe for all people and vehicles.
5. Proposed definition of Significant Risk:

Significant Risk	<i>Significant Risk means flood hazard areas subject to inundation during a 0.5% AEP flood event where:</i> • <i>The water depth (metres) x velocity (metres per second) is greater than 0.6, or</i>
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	• The water depth (meters) is greater than 1.2, or • The velocity (meters per second) is greater than 2.0. <i>Note: Flood depth and velocity (hazard risk) information can be obtained from Environment Southland Flood Modelling.</i>
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6. The exception to the agreed definition is in relation to return period.

- In Marcus Roy's view a 1% AEP return period may reduce issues of scope
- In Mishka Banhidi's view a 0.5% AEP return period is current best practice and supported by expert evidence. Issues of scope remain with either return period.

Incorporation into NH Chapter:

7. Mishka introduced the Diagram 1 below, which illustrates the implication of the new definition to distinguish between sensitive activities and non-sensitive activities within the chapter framework. It includes the relevant policies and rules as they would naturally flow from the hazard risk and sensitivities (and relate to the subsequent direction from the panel to amend the objectives, policies and rules to incorporate the definition and distinction of sensitive and non-sensitive).

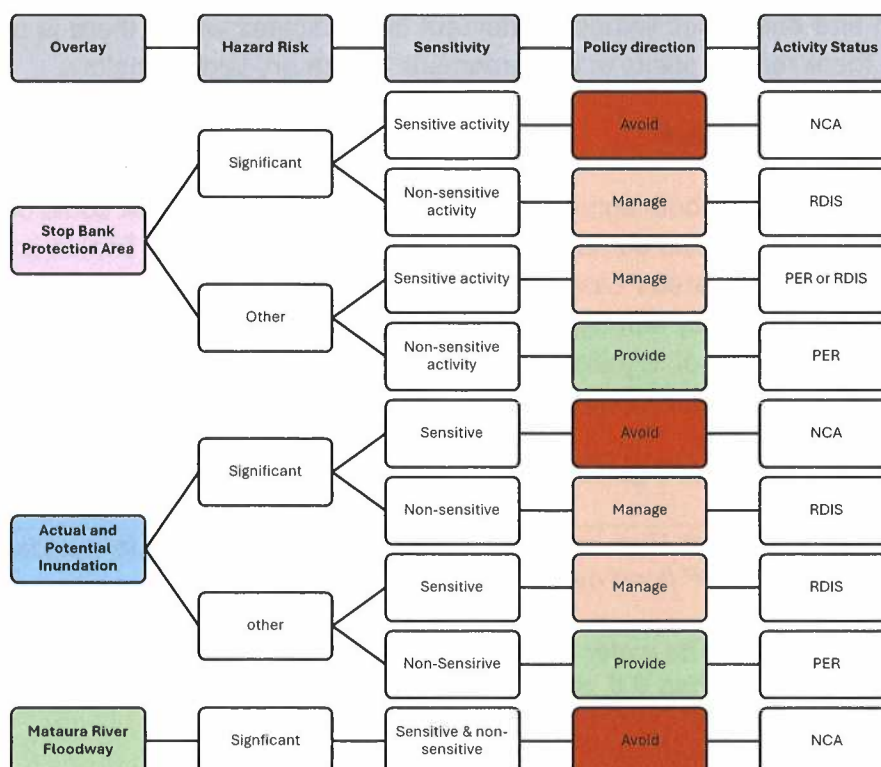


Diagram 1: NH Chapter incorporating requested amendments.

8. There is broad consensus on the above, with the exception of a separation between sensitive and non-sensitive activities.

- In Marcus Roy's view, the RPS specifically Policies NH.4 and NH.5, do not differentiate between non-sensitive and sensitive activities. Non-sensitive activities should be avoided unless there is an operational need or function need. This would mean Stop bank protection areas, and actual and potential areas that met the definition of significant risk, would be avoided and therefore require resource consent as non-complying activities for both sensitive and non-sensitive activities.
- In Mishka Banhidi's view the policy is less absolute, as demonstrated within the explanatory text of the RPS Policy NH.5:

"Some forms of development, residential for example, will be more at risk, and more inappropriate, than others, such as, agriculture or boundary adjustment subdivision"

This combined with the expert input from Tonkin and Taylor suggests non-sensitive activities within significant risk areas could be "managed" and therefore supports the proposal as outlined within diagram 1.

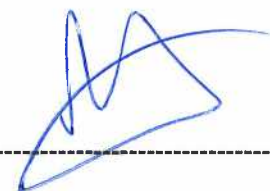
Execution



Mishka Banhidi

Consultant Planner

The Property Group



Marcus Roy

Policy and Government Manager

Environment Southland Te Taiao Tonga

