

## Proposed Plan Hearing – Natural Hazards 30 October 2024 – Bert Hofmans

### *Who are we?*

1. Thank you for the opportunity to speak to my submission again. The last time I spoke it was regarding the Noise Chapter and the implications of the Karamea Aerodrome Noise Overlay rules on our property at Flagstaff Rd, Karamea.
2. My wife and I have owned property at Karamea for over 20 years. Approx 6 hectares over 3 titles, we have leased the property to a neighbouring dairy farmer for more than 15 years. There are currently no dwellings on the property. Refer to Appendix A for our property location.
3. We have some simple aspirations for our property which are being significantly affected by the Proposed Plan.

### *What is my submission?*

4. I submitted on the:
  - a. Noise;
  - b. Coastal Environment;
  - c. General Rural Zone;
  - d. Airport Zone;
  - e. and Natural Hazards Sections of the Proposed Plan.
5. Today, I am talking to the Natural Hazards part of my submission, in particular the Flood Susceptibility Overlay in Karamea that includes our entire property as well as Rule NH-R13 which requires a resource consent for a Discretionary Activity for activities that do not meet conditions for a Permitted Activity.
6. In my submission, my main requests were that:
  - a. the Flood Susceptibility Overlay is removed from our property, and other properties in the same situation;
  - b. that Natural Hazard Rule 13 is amended from Discretionary to Restricted Discretionary Activity status. (S504.005 - This aspect of my submission was incorrectly summarised under Policy NH P-13)
7. The reasons for my objection is that there is insufficient justification for the inclusion of our property in the Flood Susceptibility Overlay, there is uncertainty as to how the

rules will be applied, and there are significant costs for property owners as a consequence. I also think that Restricted Discretionary Activity status for Rule N13 is sufficient.

8. I also lodged a further submission in support of the submission of Margret Montgomery who also argued 'Rule NH R13 should be a Restricted Discretionary Activity as Discretionary Activity allows for too much scope for a narrow failure which is limited to overland flow paths for water (S446.032 and 0.35).'

#### *The s42a Officers Report*

9. These requests were not supported in the section 42a report.

#### *Rebuttal Evidence*

10. I have only recently reviewed rebuttal evidence prepared by James Beban of the West Coast Regional Council dated 3 October 2024 so my comments may seem a little out of date given the officers recommendations have changed significantly.

#### *What are my concerns?*

11. I am concerned about the rationale for including our property in the Flood Susceptibility Overlay for Karemea. Page 82 of the 2022 Section 32 report states the Flood Susceptibility Overlay for Karemea is based on flood data held by the West Coast Civil Defence Team from previous flood events. There is no further detail on what this data looks like. Is it publicly accessible? Is it anecdotal written or photographic evidence? Is it comprehensive i.e. does it cover the relevant area or is it several photographs covering only some areas and requiring some significant assumptions and a 'join the dots' exercise? What level of detail does it contain? Does it provide sufficient detail on flood depths and flows?
12. I am concerned the flood data has not been peer reviewed by Council. This is particularly concerning in this situation where it is a significant imposition on a large number of properties within the overlay. In my view, rules that have significant implications should be peer reviewed out of caution. I don't think it is reasonable to rely on submitters to produce expert evidence to peer review the flood data as suggested in the S42a report.

13. I'm also concerned that non-compliance with the standards for Rule R10 elevates the activity to a discretionary activity rather than a restricted discretionary activity.

Discretionary Activity status broadens Council's consideration of resource consent applications to matters beyond natural hazards and beyond the reason for resource consent. The s42a report does not change my view on this and the example cited at the end of paragraph 568 of the S42a report can be accommodated through restricted discretionary activity status.

14. As I mentioned in my previous submission to the panel, the rules are onerous in the context of the wider suite of rules being proposed that affect our property. If adopted, we end up shifting from a planning framework where we are allowed to build up to two houses on each title without resource consent, to a planning framework where we will:

- i. need a resource consent if we do not build up the minimum floor level;
- ii. need a resource consent for all dwellings on our property because of the coastal alert overlay rules;
- iii. need a resource consent to build a second dwelling on a title (because the proposed rural density rules only allow for 1 dwelling /4ha);
- iv. need a resource consent because of non-compliance with the noise standards unless we spend significantly more on the build to meet the noise standards.

There are considerable compliance costs associated with each of these requirements.

15. While the rebuttal evidence prepared by James Beban justifies and supports my concerns about the Flood Susceptibility Overlay for Karamea, it is disappointing that:

- a. it has taken roughly 2 years after the s32 officer report and rules were first proposed to reach this conclusion;
- b. and disappointing that the section 42a report repeatedly discounted concerns about the overlays, relied on submitters to provide expert evidence to question the data, and did not see the need for it to be peer reviewed.