

IN THE MATTER OF the Resource Management Act 1991
(the 'Act')

AND

IN THE MATTER OF primary and further submissions
on the Proposed Kapiti Coast
District Plan 2012 (the 'Plan')

BY Kapiti Coast Airport Holdings
Limited ('Kapiti Airport')

STATEMENT OF EVIDENCE OF POUL ISRAELSON

2 August 2016

1.0 INTRODUCTION

1.1 My name is Poul Israelson. I am the Planning Manager for the Wellington Office of Harrison Grierson Consultants Limited. I hold a Masters of Regional and Resource Planning from the University of Otago and I am a full member of the New Zealand Planning Institute. I appear on behalf of Kapiti Coast Airport Holdings Limited ('Kapiti Airport') to support their submissions made on the Proposed Kapiti Coast District Plan 2012 ('the Plan').

2.0 BACKGROUND AND S42A REPORT

2.1 Kapiti Airport received notice of the hearing schedule for Chapter 3 'Natural Environment' and Chapter 9 'Hazards' on 22 June 2016. I have had the opportunity to review the primary submissions made by Kapiti Airport and cross-referenced the relief sought by these submissions to the discussion and recommendations contained in s42A Report Part B – Chapter 9 Hazards (the 's42A report').

2.2 Many of the recommendations contained in the s42A report either accept, or accept in part, the relief sought by the submissions made by Kapiti Airport. I do not intend to discuss these submissions further; however, I would like to speak specifically to submission 276.45. Submission 276.45 requested that Maps 11C and 11D in the Plan be amended to be consistent with stormwater and environmental management plans approved for the Airport to ensure that outdated information on flood hazards do not unduly compromise the operation and development of the Airport site.

2.3 In response to submission 276.45 the Council commissioned a report from Jacobs, which is included as Appendix 13 to the s42A report. The report from Jacobs confirmed that the flood mapping on the Airport was appropriate based on the information that was available at the time. The report also acknowledges that as data is collected for further stages of the Airport

development that the hydraulic modelling and maps could be updated to reflect the latest information. The conclusion of the report notes (bold text for highlight purposes):

*'Furthermore as a staged approach is being undertaken in the development of this area the completed stages may reduce or relocate the flood hazard and this may also need to be updated and remodelled and mapped. However, at this time, no changes are recommended to the flood hazard maps applying to the Airport land in the PDP. **Any subsequent updating of the flood hazard maps in the PDP, outside of the this submission process, would require a publically notified variation or plan change. The Council can however update the latest (not district plan) Flood Extent maps as required.***

- 2.4 The s42A report concurs with the Jacobs report and recommends that submission 276.45 made by Kapiti Airport be rejected.

3.0 FLOOD EXTENT MAPS

- 3.1 Kapiti Airport accepts the need for Council to manage flood hazards. It is not this principle that is in question, rather, it is the planning mechanism proposed by Council that is of concern. It is just as important to the Airport, as it is to Council, that the land being developed on its site has appropriate stormwater control and protection against flooding for commercial and operational reasons. Kapiti Airport does not contend the information contained in the hydraulic modelling and flood risk investigations undertaken by Jacobs, but note that it is district wide modelling based on Lidar survey and could be refined by more detailed survey data and modelling analysis.
- 3.2 Kapiti Airport is concerned with the process that the Council would need to follow in order to update the district wide modelling that has been undertaken and, more importantly, the Natural Hazard Maps contained in the Plan. There is the potential for unnecessary delays on development at the Airport site, or on other sites in the jurisdiction of Kapiti District, if a Plan Change is required to remove the flood hazards identified by the Planning Maps but which in reality no longer exist as mapped.
- 3.3 It is acknowledged that as it currently stands the Council would be required to go through the process prescribed by Schedule 1 of the Act to amend the Natural Hazard Maps in the Plan. However, as noted by the Jacobs report, the Council does have the ability to update the Flood Extent maps contained in its GIS as required. In order to avoid unnecessary delays to development it is considered important that the Plan acknowledges the existence of updated information on flood hazard risk and provides a process for parties to provide Council with specific and detailed information that can and should superseded the more general Lidar information.

4.0 SERVICE STATION EXAMPLE

- 4.1 As an example of the potential to create delays in the process, Kapiti Airport obtained resource consent for a service station on its site in October 2014 (Council reference RM140131). Conditions 25 to 31 of the consent specifically managed the effects of stormwater and flooding. Engineering works were undertaken on the site to ensure a service station development on Stage 2J could comply with conditions 25 to 31 of the resource consent. A building consent application was subsequently lodged with Council in early-mid 2015 for a new service station on the site (Council reference 150258).
- 4.2 In June 2015, the Council advised that it intended to issue a consent for the service station under Section 72 of the Building Act 2004 and indicated that a natural hazard of inundation was identified on the site from the Council's natural hazard guidance information. The consequence of this would be the potential for an entry to be made on the Certificate of Title of the property specifying that the site was subject to inundation, without recognising that the resource consent for the development required this hazard to be appropriately addressed by subsequent engineering works.
- 4.3 Kapiti Airport have been in discussions with Council officers at various times since June 2015 and it was recently identified and acknowledged that the Council's GIS mapping had not been updated to reflect approved engineering works. The consequence of the Council having outdated flood information contributed to a significant delay for the development of the proposed service station. There is the potential for this to be further exacerbated if the flood hazard areas shown by the Natural Hazard Maps are set in the Plan and the only way to update them is through a Plan Change. This is particularly the case in circumstances such as the Airport and as acknowledged explicitly by the Jacobs report, where future works may '*... reduce or relocate the flood hazard . . .*'.
- 4.4 It is an ineffective planning approach for flood hazards that are identified today to remain formally within the District Plan until such time as Council or a landowner commits to the time and cost of promoting a Plan Change to reflect the actual on ground situation post development works. Such an approach is not effective to manage potential adverse effects as this would have been done through the consenting process; however, it does generate uncertainty and costs as demonstrated in the above service station example.

5.0 RELIEF SOUGHT

- 5.1 The intent of submission 276.45 made by Kapiti Airport was to ensure that flood hazard information held by Council was regularly updated and did not unreasonably delay development. The submission requested amendments to Maps 11C and 11D in the Plan to ensure this could occur; however, the Airport understands that to amend these maps a Plan Change would be required.

- 5.2 As noted previously, flood hazards change as a result of a number of factors, including development, and it is considered appropriate that the Council is able to respond in an efficient and timely fashion without the need to go through a full Schedule 1 process. An alternative would be to remove the Flood Hazard information on the Natural Hazard Maps (including Maps 11C and 11D) in the Plan, or clearly note on the Maps that the information is indicative and that the requirements for consent in the Rules of the Plan are linked to the most up to date flooding information contained in the Council's GIS. This relief could be supported by an explanatory note in the Plan to acknowledge the need for Council to regularly update its Flood Extent maps in GIS. This wouldn't change or negate the requirement to obtain resource consent for any development in flood hazard areas, but importantly it would help inform the correct assessment of applications (both resource and building) with relevant hazard information.
- 5.3 I note that the latest updated provisions recommended by staff to the Hearings Panel of the Proposed Auckland Unitary Plan (the 'PAUP') contains a note of similar intent in the definition for Flood Prone area. This definition from the PAUP is included as Attachment 1 to my statement; however, I would like to specifically highlight the note from the definition for the purposes of these proceedings:

'Note: The Council holds publicly available information showing the modelled extent of Flood Prone areas affecting specific properties in its GIS viewer (Flood Prone map). The Flood Prone map is indicative only, although Council accepts its accuracy with regard to land shown on the map as being outside Flood Prone areas. If a party does not accept the assumptions made in the modelling then that in the event that a party does not accept the accuracy of the Flood Prone map with regard to a specific site, that party may discuss the issue with Council officers in an effort to agree the extent of the Flood Prone area. The party may provide the Council with a site specific technical report prepared by a suitably qualified and experienced person to establish the extent of the Flood Prone area.

Council will continually update the Flood Prone map to reflect the best information available.'

- 5.4 The Plan as notified had a similar explanatory note to Policy 9.1 'Identify Hazards' that read:

'Policy 9.1 – Identify Hazards

The extent of flooding, seismic, slope instability and erosion hazards in the District will be identified on the District Plan Maps.

Explanation

Hazard risks have been identified in technical reports. The extent of flood, earthquake fault rupture, river erosion and slope instability hazard areas has been modelled to identify development control areas, which are identified on the district planning maps to provide

certainty to property owners. The identification of natural hazards is an ongoing activity carried out by District and Regional Councils as part of the monitoring of the environment. As more research is undertaken and the information about natural hazards changes, new hazard areas may be identified and existing areas refined. It is important that, where updated information becomes available about the nature and extent of natural hazard development controls, this is reflected on the planning maps.'

- 5.5 The s42A report recommends minor changes to the wording of Policy 9.1; however, it recommends the removal of the explanation in its entirety. The reason provided in the s42A report for removing the explanation was in response to submissions that generally sought to simplify the Plan. It is considered the explanation in Policy 9.1, or something similar modelled on the note contained in the definition of Flood Prone area from the PAUP, will provide acknowledgement and a process by which flood hazards can be regularly updated in Kapiti Coast District. Importantly, in the PAUP the definition of Flood Prone Areas refers to GIS plans and the Council's ability to update them. There are, however, no flooding maps incorporated as Planning Maps in the PAUP, they are instead a non-statutory layer. Accordingly, there is an ability to update Auckland Councils hazard mapping information without the need for a Schedule 1 process.
- 5.6 It is considered that a similar approach should be adopted here. The Natural Hazard Maps (including Maps 11C and 11D) in the Plan could be incorporated as either non-statutory or indicative maps that are clearly identified as being subject to change. The definitions relating to flood hazards could also be amended to acknowledge that the Natural Hazard Maps are indicative and to refer to the Council's GIS that is regularly updated (similar to the definition in the PAUP for example). This approach would avoid resource management issues being triggered by Planning Maps that may or may not be accurate, particularly where previous works have reduced or relocated hazards identified by the Councils own mapping and assessment processes.
- 5.7 Based on the above, it is considered appropriate that the following note (or similar) be added in the 'Flood' text box in the key for all Natural Hazard Maps contained in the Plan:

'Note: The flood hazard areas shown are indicative only. To apply the provisions contained in the District Plan relating to flood hazards please refer to the Council's Flood Extent Maps on GIS which are regularly updated.'

- 5.8 Amendments should also be made to Policy 9.1 'Identify Hazards' in the Plan by inserting the following explanation:

'Explanation

Hazard risks have been identified in technical reports. The identification of natural hazards is an ongoing activity carried out by District and Regional Councils as part of monitoring of the environment.

The Council holds publicly available information showing modelled Flood Extent maps on its GIS. If a party does not accept the assumptions made in the modelling then that party may discuss the issue with Council officers in an effort to agree the extent of the Flood Extent area. The party may provide the Council with a site specific technical report prepared by a suitably qualified and experienced person to establish the extent of the Flood Extent area.

Council will continually update the Flood Extent maps in its GIS to reflect the best information available.'

6.0 SUMMARY

6.1 Kapiti Airport appreciates the opportunity to present to the Hearings Panel and is pleased to note that the s42A report on Chapter 9 Hazards has accepted or accepted in part many of their submission points.

6.2 The main point of concern to Kapiti Airport is the apparent absence of a mechanism in the Plan to ensure that all parties are using the most up to date information to manage the potential effects of flood hazards. It is considered that by introducing a note in the 'Flood' text box in the key for all Natural Hazard Maps, together with the addition of an explanatory note to Policy 9.1 'Identify Hazards', would direct users to such an appropriate mechanism. Whilst such an approach is considered appropriate across the entire District, Kapiti Airport would accept a set of site specific controls reflecting the above concerns.

6.3 I would be pleased to respond to any questions from the Hearings Panel.

Dated: 19 August 2014



Poul Israelson
Planning Manager

Attachment 1

Proposed Auckland Unitary Plan Closing Statement - Definitions

- 13.3 The Council agrees with this change.

Flood Prone

- 13.4 Dr Timothy Fisher (on behalf of the NZTA) has suggested the following amendments to this proposed definition in his evidence (Supplementary Statement 13 July 2015) (**our emphasis**):

Flood prone area: The extent of land within a topographical depression **and outside the floodplain** that water will pond in a 10 per cent AEP rain fall event, assuming the primary drainage outlet to the depression is blocked, unless the council has undertaken a site specific assessment has been undertaken of a flood prone area which has determined a lesser area or depth of water, based on a probable blockage scenario for a combined probability of rainfall and blockage of 1% AEP. **If a site specific analysis has not been** undertaken the flood prone area can be indicated by Council maps for the extent of land within a topographical depression and outside the floodplain that water will pond in a 10 percent AEP rain fall event, assuming the primary drainage outlet is blocked.

- 13.5 The Council considers that Dr Fisher's proposed changes have some merit but notes that the Council will undertake combined probability assessments for the areas outside of floodplains over the next two years. This means that the non statutory maps will be updated as this work proceeds. The definition should therefore reflect the outcome of this work.
- 13.6 The Council proposes the following amended definition in response (proposed further amendments shown in **green highlight**):

Flood Prone area

The extent of land within a topographical depression **that where** water will pond **in a 10 per cent AEP rain fall event, assuming the primary drainage outlet to the depression is blocked, unless a site specific assessment has been undertaken of a flood prone area which has determined a lesser area or depth of water, based on a probable blockage scenario** for a combined probability of rainfall and blockage of 1% AEP.

Topographical depressions occur either naturally or as a result of man-made features which act as dams when stormwater outlets are blocked, provided that the following areas are excluded:

- a. topographical depressions that are less than 300mm deep, have a water surface area of less than 500m² or a water volume less than 50m³
- b. man made depressions or pits within special purpose quarry zones
- c. containment facilities required as part of an ITA consent.

Note: The Council holds publicly available information showing the modelled extent of Flood Prone areas affecting specific properties in its GIS viewer (Flood Prone

map). The Flood Prone map is indicative only, although Council accepts its accuracy with regard to land shown on the map as being outside Flood Prone areas. ~~If a party does not accept the assumptions made in the modelling then that~~ ~~In the event that a party does not accept the accuracy of the Flood Prone map with regard to a specific site, that~~ party may discuss the issue with Council officers in an effort to agree the extent of the Flood Prone area. The party may provide the Council with a site specific technical report prepared by a suitably qualified and experienced person to establish the extent of the Flood Prone area.

Council will continually update the Flood Prone map to reflect the best information available.

Flood Tolerant

13.7 Submitters have requested that the definition be amended as follows:

Flood tolerant activities

- informal recreation and leisure
- organised sports and recreation including park fields structures
- public amenities
- farming and intensive farming
- forestry
- artificial crop protection structures and crop support structures
- mineral extraction
- parking and loading areas
- buildings for network utilities, road network activities, marina activities and electricity generation

13.8 The Council does not want to add network utilities and related activities to the definition, as it does not consider those additions necessary and is concerned that it will create confusion as to which rules apply. The Council's provisions have a separate policy for infrastructure and a separate heading in the activity table for "network utilities, road network activities, marina activities and electricity generation".

13.9 The Council agrees to the addition of a reference to "artificial crop protection structures and crop support structures" in response to Horticulture NZ's evidence to the initial Topic 022 hearing.

Overland flow path

13.10 Submitters sought a similar exclusion for quarry activities as they have for floodplain and flood prone areas as follows:

Low point in the terrain, excluding a permanent or intermittent river or stream where surface run off will flow, with an upstream contributing catchment of greater than 4,000m² .

Excludes the following areas:

- i. man made depressions and pits within Special Purpose Quarry Zones