

**BEFORE THE HEARINGS PANEL
FOR THE PROPOSED TIMARU DISTRICT PLAN**

UNDER the Resource Management Act 1991 (RMA)
AND
IN THE MATTER of the Proposed Timaru District Plan
AND
IN THE MATTER of Hearing I: Natural Hazards Further Submissions

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

Hearing I: Natural Hazards Further Submissions

16 September 2025

SUMMARY STATEMENT

- 1 I have carried out more detailed mapping at Blandswood and identified an area that could be removed from the revised overlay for the Proposed Timaru District Plan (**revised overlay**).
- 2 As per my Hearing F evidence, I consider that the revised overlay strikes a reasonable balance between the potential costs associated with 'over-capture' and 'under-capture' of areas subject to flooding, and the potential costs of avoiding any over-capture through detailed modelling and mapping.
- 3 Canterbury Regional Council (**Regional Council**) staff have suggested wording that could be used to accompany district plan natural hazard overlay information on Land Information Memoranda.
- 4 I support the amendment to the definition of 'Flood Assessment Area' recommended in the Section 42A report.

INTRODUCTION

- 5 My full name is Nicholas David Robert Griffiths.
- 6 I provided evidence on the Flood Assessment Area Overlay for Hearing F, dated 09 April 2025.
- 7 I hold a Bachelor of Science with Honours degree in Geography and Geology. I have been employed by the Regional Council as a natural hazard scientist since September 2011. This role involves assessing and providing advice on natural hazards and associated planning provisions.
- 8 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.
- 9 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

- 10 I have prepared my evidence on behalf of the Regional Council.
- 11 My evidence relates to Further Submissions on the revised overlay.
- 12 I have reviewed the following documents and evidence in preparing my evidence:
 - (a) The Section 42A report prepared for Hearing I;
 - (b) The supplementary evidence of Mr Kevin Kemp on behalf of the Timaru District Council (**TDC**);
 - (c) The Further Submissions on the revised overlay; and
 - (d) The evidence of Ms Deidre Francis on behalf of the Regional Council.

BLANDSWOOD FURTHER SUBMISSIONS

- 13 Three Further Submissions were received seeking that properties in Blandswood be excluded from the revised overlay.
- 14 Aaron Carson (8FS) seeks that Lots 3 & 7 DP 46155 be excluded from the revised overlay.
- 15 Scott Jensen (67FS) seeks that Lots 13 & 14 DP 6214 be excluded from the revised overlay. I assume the Further Submission intends to refer to refer to Lots 13 & 14 DP **8**214, as Lots 13 & 14 DP 6214 do not appear to exist.
- 16 Christine Purdie (290FS) seeks that Lots 1 & 2 DP 10398 be excluded from the revised overlay.
- 17 I have carried out more detailed mapping of the Blandswood area at a finer scale than used to create the revised overlay. I have identified an area that could be removed from the revised overlay, which includes the properties identified in these three Further Submissions (Appendix 1).
- 18 The Further Submission of Greg and Vivienne Wilkinson (144FS) raised questions about the implications of the property at 6A Lookout Road (Lot 7 DP 3381) being included in the revised overlay. The Further Submission does not seek that this property be removed, but for completeness, I consider that it is potentially subject to flooding and should remain within the revised overlay.

- 19 The only other Further Submission specifically relating to Blandswood was from the Blandswood Residents Associated (292FS) which also seeks clarity on the implications of the revised overlay.

OTHER FURTHER SUBMISSIONS

- 20 Other Further Submissions seek that the revised overlay is not adopted or that it is refined to be made more accurate.
- 21 I consider that not adopting the revised overlay (and instead relying on the original notified overlay) will ultimately lead to some situations where hazard sensitive buildings are constructed with a standard of flood mitigation below that required by the Canterbury Regional Policy Statement.
- 22 The revised overlay could be refined to be made more accurate, and potentially exclude some areas that are currently included. However, this would come at significant additional cost, the value of which would only be realised if substantial development was proposed in excluded areas.
- 23 As outlined in my Hearing F evidence at [23 – 33], I consider that the revised overlay strikes a reasonable balance between the potential costs associated with ‘over-capture’ and ‘under-capture’ of areas subject to flooding, and the potential costs of avoiding any over-capture through detailed modelling and mapping.

LAND INFORMATION MEMORANDA

- 24 Some concerns were raised in Further Submissions regarding the revised overlay being identified on Land Information Memoranda.
- 25 The ‘Local Government (Natural Hazard Information in Land Information Memoranda) Regulations 2025’ come into force on 17 October 2025. Among other things, the regulations will require that a Land Information Memorandum (**LIM**) must ‘note whether the territorial authority’s district plan contains any information about a natural hazard that affects, or has the potential to affect, the land concerned’.
- 26 I (and other Regional Council staff) have been working with district council staff to prepare for the new regulations coming into force. This work has been focussed on providing natural hazards information that the Regional Council holds to the district councils, with accompanying LIM wording as

required by the regulations. However, Regional Council staff have also developed suggested wording to accompany some district council hazards information, with the aim of regional consistency.

- 27 As part of this work, Regional Council staff have suggested the following wording to accompany district plan overlay information provided on LIMs:

*'District plan hazard overlays are generally intended to identify areas that **may** be susceptible to a given hazard, rather than areas that are known to be susceptible. They are used to define areas where a site specific hazard assessment is warranted before new hazard sensitive buildings or activities are established. The [X] District Plan includes provisions that apply to some new activities within the overlay(s) to reduce the effects of natural hazards.'*

FLOOD HAZARD AREA OVERLAY DEFINITION

- 28 I support the amendment to the definition of 'Flood Assessment Area' recommended in the Section 42A report, as the current definition is inaccurate and misleading.
- 29 I consider that the recommended amendment to the definition (along with the suggested LIM wording above) may help to alleviate concerns raised in some Further Submissions about the meaning of the overlay, or it being misconstrued by others.

Nicholas David Robert Griffiths

16 September 2025

