IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Proposed Plan Change 29 to the Nelson Resource Management Plan

SUMMARY STATEMENT OF TOBY FELIX KAY ON BEHALF OF NELSON CITY COUNCIL

1. INTRODUCTION

1.1 My full name is Toby Felix Kay. I have prepared a Statement of Evidence, dated June 2024 and will briefly summarise key points from this statement in a presentation to the panel: 'Flood hazard overlays – mapping for Plan Change 29' (PC29).

1.2 I am the Activity Engineer – Stormwater and Flood Protection at Nelson City Council ('Council'). My experience, qualifications and involvement in this project is set out in my primary evidence.

1.3 I reconfirm that I have read the Code of Conduct for expert witnesses contained in the 2023 Environment Court Practice Note and that I agree to comply with it.

1.4 I attended expert conferencing concerning PC29 - flooding.

2. MINOR CORRECTION TO PRIMARY EVIDENCE

2.1 Please note that in the Section 3.2 of my primary evidence I refer to the evidence of Alec Louverdis, Group Manager Infrastructure at Nelson City Council. This is an administrative error. It should have stated Philip Ruffell and Rhys Palmer at Nelson City Council.

3. SUMMARY OF EVIDENCE

3.1 The key points from my primary evidence are as follows:

3.2 The flood overlays included in PC29 primarily relate to river and stream overflows. Further work is needed to incorporate other flood overlays within the Nelson Resource Management Plan (NRMP), including for stormwater overland flowpaths and coastal inundation. These are expected to eventually supersede the operative NRMP flood overlays included in PC29.

3.3 Infrastructure upgrades to increase stormwater, stream and river channel conveyance capacity have the potential to progressively reduce flood risk over time. Whilst the new flood overlays added to PC29 allow for projected sea level rise and increases in rainfall intensity over the next 100 years, no allowance for future infrastructure upgrades is reflected in the flood mapping. Instead flood mapping is updated periodically to take into account changes within the catchment, including completed stormwater and flood protection works.

3.4 A key issue in relation to flooding and urban intensification is the potential for the intensification of development to increase the risks of flood hazard to people, property, and infrastructure. There are some residential areas which are not proposed to be enabled for intensification through PC29. These include residential areas within the 2130 coastal flood extent and certain areas assessed as having high river or stream flood hazard in present day or future events. The proposed new natural hazards provisions will apply within these areas.

3.5 Council has a number of processes in place to ensure that new development is flood resilient and does not exacerbate flood risk to existing development. Progressively updating flood overlays within the NRMP is expected to assist in ensuring that new development is appropriately assessed for flood risk, as well as enable Council to more effectively plan for stormwater and flood management.

Toby Kay

23 August 2024