



Form 5

Submission on Proposed Natural Hazards Plan Change

To: Kaikoura District Council

Name of submitter: **Kaikoura District Council**

This is a submission on the following proposed policy statement (or on the following proposed plan change)

Proposed Natural Hazards Plan Change

1. *select one: I could or I could not gain an advantage in trade competition through this submission.

2. *select one: I am or I am not directly affected by an effect of the subject matter on the submission that –

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition

The specific provision of the proposal that my submission relates to are:

[give details]

Page #	Section	
All	All	Use of semicolons; The current planning structure uses multiple lists to determine the status of activities and matters of direction. These lists include semicolons to separate the matters which should be considered. The semicolons can relate in either an ‘and’ or an ‘or’ situation. Often the list in the last semicolon includes either an ‘and’ or an ‘or’.
6/25	Chapter 4 – Definitions	Lack of definition of non-critical infrastructure
19/25	8.5.8	New infrastructure, or upgrading of infrastructure and critical infrastructure where: a. The activity does not result in permanent raising of the ground level
Maps	3, 7, 8, 11, 12, 15, 16, 20, 21, 22, 25, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48,	The maps listed are the maps which contain either ‘Landside Debris Inundation Overlay’ and ‘Debris Flow Fan Overlay’

	49, 50, 51, 52, 53, 54, 56, 57, 58 and 59.	
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My Submission is: include

- *Whether you support or oppose the specific provisions or wish to have them amended; and*
- *Reasons for your view*

This may be provided on a separate sheet of paper if you need more space

Page #	Section	
All	All	Use of semicolons; As all semicolons do not include an ‘and’ or an ‘or’ it may become confusing to the reader if all matters apply for example ‘and’ or if only one of the matters applies for example ‘or’.
6/25	Chapter 4 – Definitions	Include new definition of non-critical infrastructure. The plan specifically references the term non-critical infrastructure and requires a definition of this. Relying on non-critical infrastructure being all infrastructure which is not critical infrastructure is far too broad given the definition of infrastructure (see comments on 8.5.8).
19/25	8.5.8	Amended 8.5.8 to make clear that the rule only applies to critical infrastructure and non-critical infrastructure. The oxford definition of infrastructure has a very broad meaning: “the basic physical and organizational structures and facilities (e.g. buildings, roads, power supplies) needed for the operation of a society or enterprise” Within out use of the term non-critical infrastructure rule 8.5.8 would not be sufficiently constrained.
Maps	3, 7, 8, 11, 12, 15, 16, 20, 21, 22, 25, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 56, 57, 58 and 59.	Council supports the use of ‘Landside Debris Inundation Overlay’ and ‘Debris Flow Fan Overlay’ but opposes the extent of the ‘Landside Debris Inundation Overlay’ and ‘Debris Flow Fan Overlay’ In opposing the extent, it is acknowledged these layers were intended to be part of a phased study by GNS Science. Phase 1 - Deterministic assessment of debris inundation Phase 2 – Probability assessment of debris inundation The matters addressed in Phase 2 allow a better understanding of risk. The maps notified are based on Phase 1, the footprint of the hazard. This footprint of hazard includes area which may have a low probability of occurrence. Council staff have discussed undertaking the Phase 2 work with GNS in January 2021 and have been advised that capacity only exists to undertake

		<p>the work in the next financial year (after July 2021) with the work taking approximately 2 months to complete.</p> <p>It was considered unreasonable to delay Plan Change 3 until phase 2 information was provided as the community may not be fully aware of other hazards which presently exist.</p> <p>As the phase 2 work will focus on refining the extent of the study it is within the scope of the plan change for decision makers to accept a reduction in the hazard area.</p> <p>For completeness this submission does not seek to increase the areas subject to hazards overlays.</p>
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I seek the following decision from the local authority:

[give precise details].

Page #	Section	
All	All	Use of semicolons; After each semicolon add either an 'and' or an 'or' This change is suggested for clarity only.
6/25	Chapter 4 – Definitions	Include new definition non-critical infrastructure: “non-critical infrastructure includes: private infrastructure such as domestic water supply networks, sewerage disposal and drainage systems; local roads including local bridges; facilities for loading or unloading cargo transported on land; and the Kaikoura Airfield, but excludes critical infrastructure.”
19/25	8.5.8	Amend: New infrastructure, or upgrading of infrastructure and critical infrastructure where: a. The activity does not result in permanent raising of the ground level To: New non-critical infrastructure and critical infrastructure, or upgrading of non-critical infrastructure and critical infrastructure where: a. The activity does not result in permanent raising of the ground level
Maps	3, 7, 8, 11, 12, 15, 16, 20, 21, 22, 25, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54,	The area of 'Landside Debris Inundation Overlay' and 'Debris Flow Fan Overlay' is reduced as provided by expert evidence to be provide at the hearing.

	56, 57, 58 and 59.	
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*select one: I wish do not wish to be heard in support of my submission

*select one: if others make a similar submission, I will consider presenting a joint case with them at a hearing. Yes No

Signature of submitter

(or person authorised to sign
on behalf of submitter)

Date 28th April 2021

(a signature is not required if you make your submission by electronic means.)

Contact details for submitter:

Kaikoura District Council

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Contact person: Matt Hoggard – Strategy, Policy and District Plan Manager

Note to person making submission

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission)

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

After the closing date for submissions, the Council will prepare a summary of the submissions that must be publicly notified. There will be an opportunity for anyone to make a further submission in support or opposition to any submission already made. Council will then arrange hearings to consider submissions and further submissions that have been lodged. Any person who has made a submission and who has indicated that they wish to be heard will have the right to attend the hearings and to present their submission. Decisions will then be made. Any person who has made a submission has the right of appeal against a Council decision to the Environment Court.