

BEFORE THE HEARINGS PANEL

FOR PROPOSED PLAN CHANGE 3 TO THE KAIKOURA DISTRICT PLAN

UNDER the Resource Management Act 1991 (RMA)
IN THE MATTER of Proposed Plan Change 3 to the Kaikoura District Plan

**Introductory Statement of Kerry Andrews
for the Kaikoura Natural Hazards Plan Change 3
9th November 2021**

My role

1. My name is Kerry Andrews, and I am a Policy Planner for Kaikōura District Council. I have been involved with Plan Change 3 for the past year.
2. I am the author of the section 32a report and the section 42a report.

Scope of this hearing

3. This hearing primarily concerns the entirety of Chapter 8: Natural hazards of the Kaikōura District Plan. As consequential amendments, other chapters such as Chapter 4: definitions; Chapter 7: Development and tourism, Chapter 13: Subdivisions are also concerned within the scope of this plan change.
4. as previously discussed, Coastal Hazards are not part of the scope of this plan change.

Council decision to undertake a natural hazards plan change

5. In October 2018, Kaikōura District Council resolved to initiate a rolling review of its District Plan, starting with the Natural Hazards Plan Change 3. This decision was made to give effect to the requirement under section 79 of the Act, but also to respond to several other key drivers.
6. The Kaikōura district experienced a severe earthquake in 2016 which raised the community's awareness of natural hazards and became a catalyst for new scientific investigations to be undertaken on natural hazards in the district. Additionally, the natural hazards provisions needed to be updated to give effect to legislative changes, etc, which are covered in section 1.2.2 Legislative changes.

Changing context for natural hazards

7. Since the current 'first generation' Kaikōura District Plan became operative in 2008, there have been changes in legislation, as well as development in the technology and science to understand and plan for natural hazards. The communities understanding of natural hazards has also changed.

Purpose of the Natural Hazards Plan Change 3

8. The purpose of the Natural Hazards Plan Change 3 is to:
 - Improve community resilience
 - Introduce new policies and rules regarding natural hazards in the Kaikōura District
 - Provide certainty as to how natural hazards will be managed in the future
 - Clearly indicate where land use activities are and are not appropriate in regard to natural hazards
 - Using a risk based approach to provide for and manage land use planning in areas that may be subject to natural hazards
 - Achieve the purpose of the RMA and give effect to the CRPS
 - Promote community engagement, understanding, and awareness • Address legacy issues

Further amendments

9. The following detail further amendments that I am now recommending as a result of receiving further evidence from the submitters detailed below.

Main power

10. Main power have one outstanding matter. They seek to include the following into rule 8.5.9

<p>10.5.9 All zones within the: URBAN FLOOD ASSESSMENT OVERLAY; OR NON-URBAN FLOOD ASSESSMENT OVERLAY; OR LANDSLIDE DEBRIS INUNDATION OVERLAY; OR FAULT AVOIDANCE OVERLAY; OR FAULT AWARENESS OVERLAY</p>	<p>(...) <u>Operation, maintenance, repair, replacement of existing critical infrastructure</u> (...)</p>	<p><u>Permitted</u></p>
--	---	-------------------------

11. I am now recommending accepting this rule. I view that the rule is silent on the operation, maintenance, repair and replacement of existing critical infrastructure, however I believe the suggested addition into the rule will further provide clarity as to what is permitted in terms of critical infrastructure.

Spark New Zealand Trading Limited

12. Spark New Zealand Trading Limited have requested a number of amendments throughout their statement of evidence.

13. Discussions have been held prior to the hearing and there was agreement between parties that there needs to be some alignment between the NESTF and the Kaikōura District Plan rules and policies pertaining to natural hazards.

14. KDC staff have drafted the following amendment to clause 7 of the definition of critical infrastructure.

7. telecommunications installations and networks (except for those regulated by the NESTF)

15. I view that the addition to the definition of critical infrastructure adequately provides for the NESTF whilst being consistent with the RPS definition.

16. My recommendations for the other requested amendments have not changed.

Environment Canterbury

Definition of Non-Critical Infrastructure

17. Paragraph 46 of Ms Doogue's evidence recommends a new definition of non-critical infrastructure. I recommend accepting this new definition and I agree with Ms Doogue's assertion that the definition would give better effect to the CRPS, in particular policy 11.3.4.
18. The new definition of non-critical infrastructure reads as follows:

Infrastructure that does not meet the definition of Critical Infrastructure

Objective 8.2.1

19. In paragraph 48 of Ms Doogue's evidence, it is noted that I recommended in the 42a report to insert a new Objective 8.2.1 to reflect all natural hazard overlays. However, Ms Doogue points out that clause 3 in Objective 8.2.1 (consequentially amended to 8.2.2) has been retained, which essentially makes the new objective redundant.
20. I note this is a drafting error and clause 3 should be removed from Objective 8.2.2 so the objective solely focuses on flooding.
21. Objective 8.2.1 captures all natural hazards and extends outside of the natural hazard overlays/planning maps to highlight that not all natural hazards are managed within the overlays.

Policy 8.3.12

22. In the section 42a report, I recommended to narrow policy 8.3.12 so it just referred to the Urban Flood Assessment Overlay and the Non-Urban Flood Assessment Overlay
23. However, evidence from Mr Griffiths and Ms Doogue, as well as further discussions with Environment Canterbury have made it clear that policy 8.3.12 should refer to areas outside of the two flood assessment overlays. Therefore, I am recommending removing the previous amendment to the policy as follows:

Flooding outside of High Hazard Areas ~~within the Urban and Non-Urban Flood Assessment Overlays~~

Federated Farmers

New Objective to manage natural hazards mitigation works

24. Paragraph 33 of Federated Farmer's evidence provides a recommended wording for Objective 8.2.4

~~Reliance on new or upgraded h~~Hazard mitigation works **that may adversely affect people, property and the environment is avoided in the first instance and mitigated where such works are necessary.** ~~to enable new development is avoided in the first instance, unless outside of high flood hazard areas the works consist of raised floor levels, or they are unavoidable, and they do not have significant effects on the environment.~~

25. This matter needs to be considered further and whether removing reference to “raised floor levels”.
26. It is anticipated this will be addressed in the right of reply post hearing.

Suggested amendment to Objective 8.2.2 (Amended to 8.2.3) – Infrastructure

27. In paragraph 37, Ms Ebert-Young recommends Objective 8.2.2 be amended to read
 1. Upgrading maintenance and replacement of existing critical infrastructure, **and** non-critical infrastructure, and new non-critical infrastructure, within all-natural hazard overlays is enabled where the infrastructure does not increase the risk to life or property from natural hazard events, or transfer the risk to another site; and
 2. New critical infrastructure avoids High Flood Hazard Areas, **unless but where this is** it is not possible or is impractical when considering operational and technical constraints and is designed to maintain integrity and ongoing function during and after natural hazard events or can be reinstated in a timely manner.
28. I recommend accepting these changes as shown in appendix 1.

Rule 8.5.1 – Wildfire

29. In paragraph 46, Ms Young-Ebert recommends amending the rule 8.5.1, matter of discretion 2 to read
 2. Proposals to mitigate any **wildfire** risk including measures to **enable** the **enabling of** firefighting **and alignment that aligns** with 4509:2008 (Code of Practice for Firefighting Water Supplies)
30. I recommend to partially accept and amend clause 2 as follows:
 2. Proposals to mitigate any **wildfire** risk ~~including measures to **enable** the enabling of firefighting and alignment **that aligns** with 4509:2008 (Code of Practice for Firefighting Water Supplies)~~
31. This is consistent with my views in the 42a report but gives further clarity that the natural hazard risk in this rule relates to wildfire.

Rule 8.5.10 – drafting error

32. Paragraph 51 notes a drafting error in rule 8.5.10 which is noted and has been amended in appendix 1.

Rule 13.2.2 clause 7

33. Paragraph 56 notes a drafting error in clause 5 of s13.2.2. this has been amended as shown in appendix 1.

Cargil Station

34. Further evidence has been received but did not come before the due cutoff time which was the 29th of October. A report produced by Tetra Tech Coffey was received, however Council staff have not had sufficient time to address this information.
35. It is anticipated this will be covered in the right of reply, after the hearing.

36. Thank you. I am happy to answer any questions of clarification at this point and at any stage throughout the hearing.

Appendix 1: Updated revised provisions as of 8th November 2021

The following sets out the amendments to the provisions of the proposed Kaikōura Natural Hazards Plan Change 3 that are proposed and/or supported in evidence. The proposed Natural Hazards Plan Change 3 amendments are shown in black **bold underline** and black ~~strikethrough~~.

Submitter recommendations that propose additions are shown in **red bold underline**. Submitter recommendations that propose deletions are in ~~red strikethrough~~.

Planning recommendations that propose additions are shown in **bolded blue underline**. Planning recommendations that propose deletions are shown in ~~blue strikethrough~~.

Updated revisions that are a result of further evidence are shown in either **green bold underline** for additions, or ~~green strikethrough~~ for deletions.

Chapter 1: Introduction

Amend Section 1.3.1 as follows:

1.3.1 The Kaikoura District

(...)

The major river systems in the District are the Clarence River, the Kowhai and Hapuku Rivers, with smaller systems including the Mt Fyffe Streams, Kahutara River and the Oaro River. Some of these river systems have been subject to flooding in extreme climatic events. Other natural hazards from which the Kaikōura District is at risk include earthquakes, **fault rupture, liquefaction, landslide debris** inundation, **debris fan flows**, tsunamis, **wildfire**, high winds and other extreme climatic events.

(...)

Amend section 1.3.2 as follows:

1.3.2 The Management Role of the Kaikōura District Council under the Resource Management Act

The Kaikoura District Council's role in managing the District's natural and physical resources is prescribed by section 31 of the Resource Management Act. This section states functions to which every territorial authority shall adhere in giving effect to this Act. These include:

(...)

- The control of any actual or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards ~~any adverse effects of the storage, use disposal, or transportation of hazardous substances.~~
- The control of subdivision of land.

(...)

Amend section 1.7 as follows:

(...)

The Council has developed zones which recognise that different areas of the District have different resources, characteristics, levels of amenity, and different environmental outcomes which the community desires for these areas. The zones provide opportunities for future development in keeping with the character and amenity sought for each area. The Council has also identified natural hazards overlays. Any particular activity must comply with the rules applicable to the zone and overlay in which it is situated, as well as the general rules covering a range of matters such as subdivision, heritage values and transportation.

(...)

Chapter 2: Policy and Legal Framework

Amend 2.3 status of activities as follows:

2.3 Status of Activities

(...)

Prohibited activities are activities which may not be undertaken under any circumstances. Resource consent will not be granted, and no resource consent may even be applied for. The only prohibited activities in this Plan relate to ~~activities in the Flood Hazard Areas 1 and 1a and~~ the number of residential and low density residential allotments allowed in the Ocean Ridge Comprehensive Zone. ~~Refer to section 8 (Natural Hazards), Rule 13.11.4 (Subdivision) and to the Planning Maps (Part 4).~~

Chapter 3: User's guide

Amend Section 3.2.1 Drawings to add new clause S

Drawings

(...)

- r. a floor plan of each building (at a scale of not less than 1:100) showing:

- use of all parts of the building, including basements, parking, lift towers, storage or service areas;
- room layout of the building, if this is known, and a clear identification of the use of different rooms or parts of a floor.

s. – the location of any known natural hazards in relation to the land.

(...)

Amend section 3.2.2 as follows:

(...)

The site plan should also show where relevant:

- a. topographical information (including New Zealand map grid references), wherever possible in terms of the Kaikoura Datum, together with a certificate as to its origin and accuracy;
- b. details of hazardous areas (for example, uncompacted filling, **areas potentially subject to liquefaction, landslide debris inundation, debris flow fans, fault rupture, or flooding prone areas**);

(...)

Chapter 4: Definitions

Insert new definition for Average Recurrence Interval (ARI)

Average Recurrence Interval (ARI)

means the average time period between natural hazard events of a certain size.

Note:

- **For example, a 500 year ARI flood will occur once every 500 years on average.**
- **The size of natural hazard events can also be described using Annual Exceedance Probability (AEP).**
- **A 500 year ARI flood has a 0.2% chance of occurring in any given year, and therefore it is also referred as having a 0.2% AEP.**
- **A 100 year ARI flood has a 1% chance of occurring in any given year, and therefore it is also referred as having a 1% AEP.**

Insert new definition of Community Scale Natural Hazard Mitigation Works

Community Scale Natural Hazard Mitigation Works

Means natural hazard mitigation works that serve multiple properties and are constructed and administered by the District Council, the Crown, the Regional Council or their nominated contractor or agent.

Amend definition for critical infrastructure as follows:

Critical Infrastructure

means infrastructure necessary to provide services which, if interrupted, would have a serious effect on the communities within the Region or a wider population, and which would require immediate reinstatement. This includes any structures that support, protect or form part of critical infrastructure. Critical infrastructure includes:

1. **regionally significant airports**
2. **regionally significant ports**
3. **gas storage and distribution facilities**
4. **electricity substations, networks and distribution installations, including the electricity distribution network**
5. **supply and treatment of water for public supply**
6. **storm water and sewage disposal systems**
7. **telecommunications installations and networks (except for those regulated by the NESTF)**
8. **strategic road and rail networks (as defined in the Regional Land Transport Strategy).**
9. **Petroleum storage and supply facilities**
10. **Public healthcare institutions including hospitals and medical centres**
11. **Fire stations, police stations, ambulance stations, emergency coordination facilities.**

Earthworks

Means the alteration or disturbance of land including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand, and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fenceposts

Remove the definition for Hazard Mitigation Works as follows

~~Hazard Mitigation Works~~

~~**means works intended to control the effects of natural events hazards**~~

Amend the definition for Hazard Sensitive Building as follows:

Hazard Sensitive Building

means any building ~~or buildings~~ which:

1. **is/are used as part of the primary activities on the site; or**
2. **contains habitable rooms; or**
3. **which are serviced with a sewage system and connected to a potable water supply.**

For the purposes of clause 1, the following buildings are not included.

- i. **farm sheds used solely for storage; or**
- ii. **animal shelters which comply with v below: or**

- iii. carports; or
- iv. garden sheds; or
- v. any buildings with a dirt/gravel or similarly unconstructed floor; or
- vi. critical and non-critical infrastructure.

Amend the definition of High Flood Hazard Area as follows:

High Flood Hazard Area

High Flood Hazard Areas are subject to inundation events where the water depth (metres) x velocity (metres per second) is greater than or equal to 1 or where depths are greater than 1 metre. ~~in a 0.2% annual exceedance probability flood event.~~

Retain the definition for Land Disturbance as follows:

Land Disturbance

means the alteration of land, (or any matter constituting the land including soil, clay, sand and rock) that does not permanently alter the profile, contour or height of the land.

Retain definition for Liquefaction Hazard as follows:

Liquefaction Hazard

means land potentially at risk from liquefaction and lateral spread during an earthquake

Insert definition of Natural Hazard as follows:

Natural Hazard

means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.

Insert definition for Natural Hazard Mitigation Works as follows:

Natural Hazard Mitigation Works

means works intended to control the effects of natural events

Insert and amend the definition for natural hazard overlays as follows:

Natural Hazard Overlays

identifies areas subject to a natural hazard. Natural hazard overlays include:

- a. Urban Flood Assessment Overlay
- b. Non-urban Flood Assessment Overlay
- c. Fault Avoidance Overlay
- d. Fault Awareness Overlay
- e. ~~Landslide~~ Debris Inundation Overlay
~~Debris Fans Overlay~~
- f. Liquefaction Hazard Overlay

Insert new definition of non-critical infrastructure;

Non-critical infrastructure

~~Infrastructure that is not identified as critical infrastructure and includes customer connections, and any infrastructure that provides a service, facility or connection that does not have a public or community function.~~

Infrastructure that does not meet the definition of Critical Infrastructure

Insert new definition for operational need as follows:

Operational Need

means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical, operational characteristics or constraints.

Insert new definition for Plantation Forestry (as per NES definition):

Plantation forestry

Plantation forest or plantation forestry means a forest deliberately established for commercial purposes, being—

- (a) at least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted: and
- (b) includes all associated forestry infrastructure; but
- (c) does not include—
 - (i) a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30m; or
 - (ii) forest species in urban areas; or
 - (iii) nurseries and seed orchards; or
 - (iv) trees grown for fruit or nuts; or
 - (v) long-term ecological restoration planting of forest species; or
 - (vi) willows and poplars space planted for soil conservation purposes

Insert new definition for Structure as follows:

Structure

means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.

Insert definition for Shelterbelt as follows:

Shelterbelt

means any trees planted primarily to provide shelter for stock, crops, or buildings from wind, and which are no greater than ~~30m~~ 20m-wide.

Insert new definition of Woodlot as follows:

Woodlot

means a stand of trees for the purposes of firewood, the creation of other wood products, a carbon sink, erosion control, pest, or wilding tree management purposes, but excluding plantation forestry.

Chapter 7: Development and Tourism

Amend Policy 7.2.2(1) as follows:

7.2.2 Policies

1. To accommodate additional urban development only where the risk from **natural hazards flooding, land instability and coastal erosion or inundation** is **acceptable low**.

(...)

Amend section 7.2.3 Implementation methods as follows:

(...)

2. Provision of rules and performance standards relating to the following:
 - Connection to reticulated potable water supply and sewage treatment and disposal systems within urban areas where such systems exist.
 - Development within areas **prone to affected by natural hazards flooding and land instability**.

(...)

Amend explanation and reasons as follows:

(...)

Parts of Kaikoura township and surrounding land have a high probability of being flooded from the Kowhai River and other streams in the Kaikoura Plains catchment. **Flooding has the potential to affect other parts of the district outside of the township, where low-lying land may be susceptible to floods.** Other natural hazards prevalent in the District include the threat of coastal erosion or inundation in coastal areas, **landslide debris inundation, debris flow fans, fault rupture, liquefaction** and **other** seismic hazards **and wildfire**.—In order to reduce risks to life and property, it is important that urban development **only occurs where the risk of natural hazards is acceptable.** ~~does not take place in areas at high risk of being affected by natural hazards. For flood hazard and inundation, low flood risk generally means land which is outside the risk areas as indicated on the flood hazard maps, or for areas not included in these maps, where the probability of a flood event is less than a 10% chance in 50 years (0.2% Annual Exceedance Probability).~~The risk from coastal erosion is low on land outside the Coastal Hazard Lines, as shown in the Regional Council's Proposed Regional Coastal Environment Plan. **Chapter 8 is the designated Natural Hazards Chapter which contains rules and policies around the management of natural hazard risk in the District.**

(...)

Instruction: Delete all of chapter 8, except for the coastal hazards provisions.

Instruction: Undertake consequential re numbering to the coastal hazards provisions (the content of the coastal hazards provisions remains unchanged)

Insert new provisions in their entirety as follows:

8. Natural Hazards

8.1 Introduction

The Kaikoura District is susceptible to a wide range of natural hazards, including flooding, fault rupture, liquefaction, tsunami, ~~debris flow fans, landslide~~ debris inundation, and coastal inundation. Natural hazard events can damage property and infrastructure and can lead to injury or loss in human life. It is therefore important to identify areas subject to natural hazards and to restrict or manage subdivision, use and development.

This chapter focuses on the following natural hazards as they present the greatest risk to people and property, and the future effects can be addressed through appropriate land use planning measures.

- **Flooding:**
- **~~Landslide~~ Debris inundation,**
- **~~Debris flow fans:~~**
- **Fault rupture:**
- **Liquefaction: and**
- **Wildfire**

Some natural hazards are influenced by climate change. It is predicted that rainfall events will become more intense, storm events will become more common and sea level will rise. The flooding assessments required by this chapter will incorporate current climate change predictions based on the ~~International~~ Intergovernmental Panel on Climate Change's advice and current practice in local government.

The district is also susceptible to other natural hazards such as severe winds, wildfires and ground shaking from earthquakes. These hazards are primarily managed by other statutory instruments or processes. For example, the Building Act 2004 deals with severe winds by use of building materials during construction.

The Canterbury Regional Policy Statement (CRPS) recognises that for existing urban areas the community has already accepted some natural hazard risk in order to support the ongoing development of the district's existing communities. The CRPS accordingly requires development in high hazard areas in these locations to be either avoided or mitigated.

Risk

Risk is a product of both the consequences (for example, loss of life or damage to properties) and likelihood from a natural hazard occurrence. A risk based approach to natural hazards balances allowing for people and communities to use their properties and undertake activities, while also ensuring that their lives ~~or~~ and significant assets are not likely to be harmed as a result of a natural hazard event.

The level of risk can be either acceptable or unacceptable. This is determined by:

- **The likelihood of the natural hazard event;**
- **The potential consequence of the natural hazard event for people and communities, property and infrastructure and the environment, and the emergency response organisations; and**
- **The consent process with the hazard overlays identifying areas for assessment.**

This chapter anticipates the use of mitigation measures where it is appropriate to do so. These measures can reduce the consequences from natural hazards and reduce the associated risk.

Potential mitigation measures that can be incorporated into developments to reduce the consequences of natural hazards include:

- **Building design and location (for example minimum floor levels or the ability for buildings to be relocated);**
- **Raising ground levels;**
- **The creation of flood water detention areas;**
- **The introduction, retention or improvement of existing natural systems that mitigate natural hazard effects;**
- **Use or size of materials in infrastructure design and building construction and location;**
- **The types of activities within buildings and structures;**
- **Provision of access to water sources for fire fighting**
- **Private mitigation works and community mitigation works**

The chapter sets out a framework for determining where development in certain hazard areas should be avoided, including in areas identified as High Flood Hazard.

The District Council is required under the Resource Management Act to control any actual or potential effects of the use, development, or protection of land including for the purpose of the avoidance or mitigation of natural hazard events.

The District Council and the Regional Council both have functions for avoiding or mitigating natural hazard events in the District.

This section has been removed from the operative flooding paragraph and replaced into the introduction of Chapter 8 and amended as follows:

The areas **potentially** at **most** risk from flooding are shown on the Proposed District Plan Map Series **as Flood Hazard Assessment Overlays Part 4. Outside of the District Plan, the Regional Council also maintains flooding maps that indicate likely flow paths and depths for areas where more detailed flood modelling has been undertaken.** These areas are based on geomorphological studies undertaken by the Regional Council **and LIDAR information** which incorporate historical flood data. While the flood hazard maps are based on the best available information, plan users should be aware that in extreme events, localised flooding or ponding may still occur on areas not marked as at-risk areas.

~~In addition, the flood hazard maps relate to the Kaikoura Plains only, and there may be other areas in the District at risk from flood events.~~ If there is any doubt as to the flood risk, it is recommended that developers check with the Regional Council prior to planning any building project. The Natural Hazard Chapter also recognises that not all areas of the District that may be at risk of flooding are identified on the planning maps.

This paragraph is an Operative District Plan section that has been included as part of the replacement Chapter 8, but is greyed out as coastal hazards are outside the scope of this Plan Change.

Coastal erosion and inundation from the sea and tsunamis

Several sections of the Kaikoura coastline are subject to coastal erosion, and this erosion poses a threat to the main transport links which pass through the District. The November 2016 7.8M earthquake resulted in significant damage to Kaikoura where parts of the coast were uplifted. The North Canterbury Transport Infrastructure Recovery (NCTIR) has rebuilt the Road and Railway corridor to provide additional resilience to the coastal transport corridor.

Coastal erosion is widespread along the Kaikoura coastline and varies from -0.67 m/yr at Goose Bay to -0.29 m/yr at Oaro Beach. However, these rates are likely to vary significantly due to high intensity storms which can rapidly erode coastal areas. As a consequence of extreme weather events, some areas are potentially prone to inundation from the sea.

8.2 Objectives

8.2.1 Risk from natural hazards

New land use and development is managed in areas subject to natural hazards to ensure that natural hazard risk is avoided or mitigated to an acceptable level.

8.2.1.2: Risk from ~~Flood Hazards~~ natural hazards

New land use and development:

1. is managed in the Urban Flood Assessment Overlay to ensure the risk to people and property is avoided or mitigated and the ability of communities to recover from natural hazards is maintained; and
2. is avoided in High Flood Hazard Areas outside of the Urban Flood Assessment Overlay; and
3. is managed in in all other Hazard Overlays outside of High Flood Hazard Areas to an acceptable level.

8.2.2.3 Infrastructure

1. Upgrading maintenance and replacement of existing critical infrastructure, and non-critical infrastructure, and new non-critical infrastructure, within all-natural hazard overlays is enabled where the infrastructure does not increase the risk to life or property from natural hazard events, or transfer the risk to another site; and

2. New critical infrastructure avoids High Flood Hazard Areas, unless but where this is it is not possible or is impractical when considering operational and technical constraints and is designed to maintain

integrity and ongoing function during and after natural hazard events or can be reinstated in a timely manner.

8.2.4 Hazard Mitigation Works

Reliance on new or upgraded hazard mitigation works to enable new development is avoided in the first instance, unless outside of high flood hazard areas the works consist of raised floor levels, or they are unavoidable, and they do not have significant effects on the environment.

8.3 Natural Hazard Policies

8.3.1 Identification of natural hazards

1. Identify areas that may be susceptible to natural hazards through the use of natural hazard overlays, and use the most up to date information available to provide site specific natural hazard assessments;
2. Recognise that climate change will alter the frequency and severity of some natural hazard events, and ensure that natural hazard assessments, and any mitigation works take into account the effects of climate change

8.3.2 Risk based approach

1. Take a risk based approach to managing natural hazards commensurate with the scale of development, whereby the level of risk is assessed as the combination of the likelihood of a natural hazard event occurring and the consequences of that event – for people and communities, property and infrastructure.
2. Manage natural hazard risk within all natural hazard overlays to an acceptable level

8.3.3 Additions to buildings in all hazard overlays

Provide for additions to existing hazard sensitive buildings within all natural hazard overlays where it can be demonstrated that:

1. The change in onsite risk resulting from the building addition to life and property is not unacceptable; and
2. The change in risk resulting from the building addition to adjacent properties, activities and people is not unacceptably increased.

8.3.4 Hazard mitigation works

Hazard mitigation works:

1. undertaken by or on behalf of the Crown, Canterbury Regional Council or the Council are enabled for the purpose of reducing the risk to life and property from flooding where area wide mitigation is necessary to protect existing communities from natural hazard risk which cannot be reasonably avoided; or

2. not undertaken by **or on behalf of** the Crown, Canterbury Regional Council or Council, will only be acceptable where;
 - a. natural hazard risk cannot be reasonably avoided;
 - b. any adverse effects of those works on the natural and built environment and on the cultural values of Ngati Kuri are avoided, remedied or mitigated; and
 - c. the mitigation works do not transfer or create unacceptable hazard risk to **-other** people. Property, Infrastructure or the natural environment.

8.3.5 Natural features providing natural hazard resilience

Restore, maintain or enhance natural features, such as natural ponding areas, coastal dunes, wetland, water body margins, and riparian vegetation, where they assist in avoiding or reducing natural hazards.

8.3.6 Operation, maintenance, replacement and repair of all infrastructure

Enable the operation, maintenance, replacement, repair or removal of all existing infrastructure in all identified natural hazard overlays

8.3.7 New and upgrading of non-critical infrastructure

1. Enable the development of new non-critical infrastructure and upgrading of existing non-critical infrastructure in flood hazard assessment overlays only where the infrastructure does not increase flood risk on another site; and
2. Provide for the development of new non-critical infrastructure and upgrading of existing non-critical infrastructure in all other identified natural hazard overlays

8.3.8 Critical infrastructure

- 1 Enable the **operation, maintenance, replacement, repair and** upgrading of existing critical infrastructure in Flood Assessment Overlays only where the infrastructure does not increase flood risk on another site;
- 2 Provide for **operation, maintenance, replacement, repair and** upgrading of existing critical infrastructure in all other identified Natural Hazard Overlays;
- 3 Manage new critical infrastructure in all Natural Hazard Overlays which are outside of High Flood Hazard Areas to ensure that there is a low risk to life and property damage;
- 4 Avoid new critical infrastructure in High Flood Hazard Areas unless:
 - a. Avoidance is impossible or impracticable **when considering operational and technical constraints**, in which case critical infrastructure must be designed to maintain, as far as practicable, its integrity and ongoing operation during and after natural hazard events, or be able to be reinstated in a timely manner; and
 - b. The critical infrastructure does not significantly increase the natural hazard risk to life **on the site**, or increase risk to life and property on another site

8.3.9 Earthworks

Manage earthworks to avoid significant offsite effects associated with the displacement of floodwaters.

8.3.10 High Flood Hazard Areas within the Urban Flood Assessment Overlay

Avoid land use and development for hazard sensitive buildings in High Flood Hazard Areas of the Urban Flood Assessment Overlay, as determined by a flood assessment certificate unless it can be demonstrated that:

~~the nature of the activity means the risk to life and potential for damage from flooding is acceptable; or~~

1. minimum floor levels are incorporated into the design of the development to ensure buildings are located above the flood level so that the risk to life and potential for property damage from flooding is mitigated; and
2. the risk to surrounding properties is not significantly increased.
3. ~~The development is not likely to require new or upgraded community hazard mitigation works~~
4. ~~The hazard sensitive building can be accessed and serviced during flood events.~~

8.3.11 High Flood Hazard Areas outside of the Urban Flood Assessment Overlay

Avoid land use and development for Hazard Sensitive Buildings outside of the Urban Flood Assessment Overlay in High Flood Hazard Areas as determined by a Flood Hazard Assessment Certificate, unless:

1. the activity incorporates mitigation measures so that the risk to life and property damage is acceptable
2. the risk to surrounding properties is not increased; and
3. the activity does not require new or upgraded community scale mitigation works.

8.3.12 Flooding outside of High Flood Hazard Areas [within the Urban and Non-Urban Flood Assessment Overlays](#)

Provide for land use and development for Hazard Sensitive Buildings outside of High Flood Hazard Areas as determined by a Flood Hazard Assessment Certificate where it can be demonstrated that:

1. the nature of the activity means the risk to life and potential for damage from flooding is acceptable; or
2. the activity is ancillary to the existing main development; or
3. buildings are located above the flood level so that the risk to life is acceptable and potential for property damage from flooding is mitigated; and
4. the risk to surrounding properties is not significantly increased.

8.3.13 ~~Debris Flow Fan Overlay and Landslide~~ Debris Inundation Overlay

Land use and development is avoided for Hazard Sensitive Buildings in the ~~Debris Flow Fan Overlay and Landslide~~ Debris Inundation Overlay which results in unacceptable risk to either life or property.

8.3.14 The Fault Avoidance Overlay and Fault Awareness Overlay

Land use and development is:

- 1. enabled only where there is an acceptable risk to life and property;**
- 2. avoided for Hazard Sensitive Buildings in the Fault Avoidance Overlay where these result in an unacceptable risk to life and property;**
- 3. managed for Hazard Sensitive Buildings in the Fault Awareness Overlay by locating the building away from the fault or where it can be demonstrated that mitigation measures will result in an acceptable risk to life and property;**

8.3.15 Other natural hazards

Encourage the consideration of other natural hazards such as wildfire as part of land use and development.

This section is an Operative District Plan section that has been included as part of the replacement Chapter 8, but is greyed out as coastal hazards are outside the scope of this Plan Change:

8.4 Coastal Hazards

Coastal erosion, tsunami, storm events and saltwater inundation have the ability to cause damage to property and threaten life.

Objective 1

To avoid damage to assets or infrastructure, disruption to the community and loss of life as a result of coastal hazard events.

Policies

- 1. To avoid subdivision, use and development that increases the risk to people and property from coastal hazard events.**
- 2. To permit the establishment of new protection structures in the coastal environment only where they are the best practicable option for the future and so that adverse effects are avoided to the extent practicable. When considering any application to renew or replace existing structures, the abandonment or relocation of those structures will be considered among the options.**
- 3. To recognise and enhance the ability of natural features such as hard rock shorelines, beaches, sand dunes and wetlands to protect the built environment from coastal hazard events and to recognise that some natural features may migrate inland as the result of dynamic coastal process including sea level rise..**
- 4. To recognise the possibility of sea level rise, to monitor predictions and research relating to sea level rise, and to vary or amend the District Plan as and when necessary so that effects of sea level rise are mitigated or avoided.**

Implementation Methods

		<u><i>version of the Code of Practice for Firefighting Water Supplies</i></u>
<p><u>8.5.2</u></p> <p><u>All zones within the:</u></p> <p><u>URBAN FLOOD HAZARD ASSESSMENT OVERLAY</u></p>	<p><u>The establishment of any hazard sensitive building where it:</u></p> <p>a. <u>Is located on land outside of High Flood Hazard Areas;</u></p> <p>b. <u>Has a finished floor level equal to or higher than the minimum floor level;</u></p> <p><u>as stated in a FLOOD ASSESSMENT CERTIFICATE issued in accordance with activity standard 8.6.1</u></p>	<p><u>Permitted</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The likely extent of flooding on the site</u> <u>the nature, design, and intended use of the building and its susceptibility to damage;</u> <u>proposals to mitigate any risk arising from natural hazards on the site, including risk to the health and safety of occupants;</u> <u>the extent of any positive effects from the proposal.</u>
	<p><u>Activity status when compliance is not achieved</u></p>	<p><u>Restricted Discretionary</u></p>
<p><u>8.5.3</u></p> <p><u>All zones within the:</u></p> <p><u>NON-URBAN FLOOD HAZARD ASSESSMENT OVERLAY</u></p>	<p><u>The establishment of any new hazard sensitive building where it:</u></p> <p>a. <u>Is located on land outside of High Flood Hazard Areas;</u></p> <p>b. <u>Has a finished floor level equal to or higher than the minimum floor level;</u></p> <p><u>As stated in a FLOOD ASSESSMENT CERTIFICATE</u></p>	<p><u>Permitted</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The likely extent of flooding on the site;</u>

	<p><u>issued in accordance with activity standard 8.6.1</u></p>	<ol style="list-style-type: none"> 2. <u>The nature, design and intended use of the building and its susceptibility to damage;</u> 3. <u>Proposals to mitigate any risk created by any failure to meet minimum finished floor levels, including risk to the health and safety of the occupants;</u> 4. <u>the extent of any positive effects from the proposal.</u>
	<p><u>Activity status where compliance with rule 8.5.23.a is not achieved</u></p> <p><u>Activity status where compliance with rule 8.5.23.b is not achieved</u></p>	<p><u>Non-complying</u></p> <p><u>Restricted discretionary</u></p>
<p>8.5.4</p> <p><u>All zones within the:</u></p> <p>DEBRIS FLOW/FAN OVERLAY; or</p> <p>LANDSLIDE DEBRIS INUNDATION OVERLAY</p>	<p><u>The establishment of any new hazard sensitive building</u></p>	<p><u>Restricted discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The extent of debris flow or landslide inundation hazards on the site;</u> 2. <u>The nature, design and intended use of the building, or structure and its susceptibility to damage;</u> 3. <u>Proposals to mitigate any risk arising from debris flow or landslide debris inundation hazards on the site;</u> 4. <u>Whether there is unacceptable risk to either life or property.</u>
<p>8.5.5</p> <p><u>All zones within the:</u></p> <p>FAULT AVOIDANCE OVERLAY; or</p> <p>FAULT AWARENESS OVERLAY</p>	<p><u>The establishment of any new hazard sensitive building</u></p>	<p><u>Restricted discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The likely fault rupture hazards on the site;</u> 2. <u>The nature design and intended use of the building or structure and its susceptibility to damage;</u> 3. <u>Proposals to mitigate any risk arising from fault rupture hazards on the site, including risk to the health and safety of occupants.</u>
<p>8.5.6</p>	<p><u>Additions to existing hazard sensitive buildings that:</u></p>	<p><u>Permitted</u></p>

<p><u>All zones within the:</u></p> <p><u>URBAN FLOOD ASSESSMENT OVERLAY; or</u></p> <p><u>NON-URBAN FLOOD ASSESSMENT OVERLAY; or</u></p> <p><u>DEBRIS FLOW/FAN OVERLAY; or</u></p> <p><u>LANDSLIDE DEBRIS INUNDATION OVERLAY; or</u></p> <p><u>FAULT AVOIDANCE OVERLAY; or</u></p> <p><u>or FAULT AWARENESS OVERLAY</u></p>	<p>a. <u>do not increase the floor area by more than 25m² in any continuous 5-year period; or</u></p> <p>b. <u>If located within a flood assessment overlay, have a finished floor level equal to or higher than the minimum floor level as stated in a FLOOD ASSESSMENT CERTIFICATE issued in accordance with activity standard 8.6.1.</u></p> <p><u>Activity status when compliance is not achieved</u></p>	<p><u>Restricted discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The natural hazard risk on the site</u> 2. <u>The nature, design and intended use of the building or structure and its susceptibility to damage;</u> 3. <u>Proposals to mitigate any risk arising from natural hazards on the site, including risk to the health and safety of occupants;</u> 4. <u>The potential to exacerbate natural hazard risk, including to any other site; and</u> 5. <u>The extent of any positive effects from the proposal.</u>
<p><u>8.5.7</u></p> <p><u>All zones within the:</u></p> <p><u>URBAN FLOOD ASSESSMENT OVERLAY; or</u></p> <p><u>NON-URBAN FLOOD ASSESSMENT OVERLAY</u></p>	<p><u>Above ground earthworks, buildings and new structures that:</u></p> <p>a. <u>will not worsen flooding on another property through the diversion or displacement of floodwaters; or</u></p> <p>b. <u>meet the definition of land disturbance</u></p> <p><u>Activity status when compliance is not achieved</u></p>	<p><u>Permitted</u></p> <p><u>Restricted discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The likely extent of flooding on the site;</u>

		<ol style="list-style-type: none"> 2. <u>The potential for the activity to exacerbate flooding on any other site; and</u> 3. <u>The extent to which the earthworks or new structure impedes the free passage of floodwaters</u>
<p>8.5.8</p> <p><u>All zones within the:</u></p> <p><u>URBAN FLOOD ASSESSMENT OVERLAY; or</u></p> <p><u>NON-URBAN FLOOD ASSESSMENT OVERLAY</u></p>	<p><u>New non-critical infrastructure critical infrastructure, or the operation, maintenance, repair, replacement, upgrading of non-critical infrastructure and critical infrastructure where:</u></p> <ol style="list-style-type: none"> a. <u>The activity does not result in permanent raising of the ground level.</u> <p><u>Activity status when compliance is not achieved</u></p>	<p><u>Permitted</u></p> <p><u>Restricted discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The likely extent of flooding on the site;</u> 2. <u>The nature, design and intended use of the infrastructure and its susceptibility to damage;</u> 3. <u>The potential for the activity to exacerbate natural hazard risk, including to any other sites; and</u> 4. <u>The extent of any positive effects from proposal.</u>
<p>8.5.9</p> <p><u>All zones within the:</u></p> <p><u>URBAN FLOOD ASSESSMENT OVERLAY; or</u></p> <p><u>NON-URBAN FLOOD ASSESSMENT OVERLAY; or</u></p> <p><u>LANDSLIDE DEBRIS INUNDATION OVERLAY; or</u></p>	<p><u>Operation, maintenance, repair, replacement of existing critical infrastructure</u></p> <p><u>New critical infrastructure</u></p>	<p><u>Permitted</u></p> <p><u>Restricted discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The extent to which infrastructure exacerbates the natural hazard risk or transfers the risk to another site;</u> 2. <u>The ability for flood water conveyance to be maintained;</u> 3. <u>The extent to which there is a functional or operational requirement</u>

<p><u>FAULT AVOIDANCE OVERLAY; or</u></p> <p><u>or FAULT AWARENESS OVERLAY</u></p>		<p><u>for the infrastructure to be located in the High Flood Hazard Overlay and there are no practical alternatives;</u></p> <p>4. <u>The extent to which the location and design of the infrastructure address relevant natural hazard risk and appropriate measures that have been incorporated into the design to provide for the continued operation</u></p>
<p><u>8.5.10.</u></p> <p><u>All zones within the:</u></p> <p><u>URBAN FLOOD ASSESSMENT OVERLAY; or</u></p> <p><u>NON-URBAN FLOOD ASSESSMENT OVERLAY</u></p>	<p><u>The change of use of any existing building that is not currently a hazard sensitive building to a hazard sensitive building where the activity:</u></p> <p>a. <u>Is located on land outside of High Flood Hazard Areas; and</u></p> <p>b. <u>Has a finished floor level equal to or higher than the minimum floor level.</u></p> <p><u>As stated in a FLOOD ASSESSMENT CERTIFICATE issued in accordance with activity standard 8.6.1</u></p> <p><u>Activity status when compliance with rule 8.5.9-10.a is not achieved</u></p> <p><u>Activity status when compliance with rule 8.5.9.10.b is not achieved</u></p>	<p><u>Permitted</u></p> <p><u>Non-complying</u></p> <p><u>Restricted discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The likely extent of flooding on the site;</u> 2. <u>The nature, design and intended use of the building or structure and its susceptibility to damage with reference to the hazard sensitivity classification 8.6.1</u> 3. <u>Proposals to mitigate any risk created by the failure to meet minimum finished floor levels, including risk to the health and safety of occupants;</u> 4. <u>The proposals for the activity to exacerbate natural hazard risk, including to any other sites; and</u> 5. <u>The extent of any positive effects from the reduction in floor levels</u>
<p><u>8.5.11</u></p>	<p><u>The change of use of any existing building that is not currently a hazard sensitive building to a hazard sensitive building</u></p>	<p><u>Restricted discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p>

<p><u>All zones within the:</u></p> <p><u>DEBRIS FLOW-FAN OVERLAY; or</u></p> <p><u>LANDSLIDE DEBRIS INUNDATION OVERLAY; or</u></p> <p><u>FAULT AVOIDANCE OVERLAY; or</u></p> <p><u>FAULT AWARENESS OVERLAY</u></p>		<ol style="list-style-type: none"> 1. <u>The nature, design and intended use of the building or structure;</u> 2. <u>An assessment of natural hazards on the site;</u> 3. <u>Proposals to mitigate any risk arising from natural hazards on the site, including risk to the health and safety of occupants;</u> 4. <u>The potential for the activity to exacerbate natural hazard risk, including to any other sites; and</u> 5. <u>The extent of any positive effects of the proposal.</u>
<p><u>8.5.12</u></p> <p><u>All zones within the:</u></p> <p><u>URBAN FLOOD ASSESSMENT OVERLAY; or</u></p> <p><u>NON-URBAN FLOOD ASSESSMENT OVERLAY</u></p>	<p><u>The establishment of any new camping grounds where:</u></p> <ol style="list-style-type: none"> 1. <u>the land is not susceptible to flooding in a 500 year ARI flood event:</u> <p><u>as stated in a FLOOD ASSESSMENT CERTIFICATE issued in accordance with activity standard 8.6.1.</u></p> <p><u>Activity status when compliance is not achieved</u></p>	<p><u>Permitted</u></p> <p><u>Restricted discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>An assessment of natural hazards on the site;</u> 2. <u>Proposals to mitigate any risk arising from natural hazards on the site, including risk to the health and safety of occupants;</u> 3. <u>The potential for the activity to exacerbate natural hazard risk, including to any other sites; and</u> 4. <u>The extent of any positive effects of the proposal.</u>

<p>8.5.13</p> <p><u>All zones within the:</u></p> <p><u>FAULT AVOIDANCE OVERLAY; or</u></p> <p><u>LANDSLIDE DEBRIS INUNDATION OVERLAY</u></p>	<p><u>The establishment of any new Camping grounds</u></p>	<p><u>Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>An assessment of natural hazards on the site;</u> 2. <u>Proposals to mitigate any risk arising from natural hazards on the site, including risk to the health and safety of occupants;</u> 3. <u>The potential for the activity to exacerbate natural hazard risk, including to any other sites; and</u> 4. <u>The extent of any positive effects of the proposal.</u>
--	--	---

8.6 Natural Hazards Activity Standards

8.6.1 Flood assessment certificate within the Urban and Non-urban Flood Assessment Overlays

A flood assessment certificate will be issued by Council (that is valid for three years from the date of issue) which specifies:

1. whether or not the activity is located on land that is within a High Flood Hazard Area; and
2. where the activity is located on land that is within the Urban Flood Assessment Overlay, a minimum finished floor level for any new building or extension (or part thereof) that is 300mm above the 500 year ARI flood level; and
3. where the activity is located on land that is within the Non-Urban Flood Assessment Overlay outside of High Flood Hazard Areas, a minimum finished floor level for any new building or structure (or part thereof) that is 300mm above the 500year ARI flood level; or
4. for campgrounds, whether the land is susceptible to flooding in a 500 year ARI flood event

The above will be determined with reference to:

- a. The most up to date models and maps held by Kaikoura District Council or Canterbury Regional Council; and
- b. Any relevant field information

Amend note 1 as follows and add in new note, note 3:

Note:

1. Subdivision of any land located within the Natural Hazard Overlays flood hazard areas 1, 1a, 2, 2a, or P is controlled addressed in Section Chapter 13 Subdivision., ~~Rule 13.11.2.~~

(...)

~~2. 0.2% AEP Annual Exceedence Probability, equates to a 10% chance in 50 years of a building or site being subject to inundation from a flood event.~~

Amend 13.2 Issue 1 as follows:

Chapter 13: Subdivision

13.2 Issue 1 - Natural Hazards

Land ~~may likely to~~ be subject to damage by erosion, subsidence, fault rupture, liquefaction, flooding, landslide debris inundation, debris flow fans, slippage or flooding. ~~inundation from any source should not be subdivided unless the adverse effects can be avoided, remedied or mitigated.~~

Amend 13.2.1 Objective 1 as follows:

13.2.1 Objective 1

~~To avoid subdivision in localities where it is likely to increase risk to people or property from erosion, sea level rise, subsidence, fault rupture, liquefaction, flooding, landslide debris inundation and debris flow fans slippage or inundation from any source, unless this risk can be remedied, avoided or mitigated without significant adverse effects on the environment.~~

Subdivision is:

1. avoided in areas where the risk to life or property from natural hazards is unacceptable

2. managed in other areas to ensure that the risk of natural hazards to people and property is appropriately mitigated

Insert new subdivision policy as follows:

13.2.2 Policies

(...)

~~Manage subdivision within all natural hazard overlays to ensure risk to life and property is acceptable.~~

Subdivision for new hazard sensitive buildings shall:

1. Be managed within High Flood Hazard areas unless it is within the Urban Flood Overlay in which case the flood risk must be avoided or mitigated.
2. Be avoided within the Fault Avoidance Overlay
3. Be managed within all natural hazard overlays other than those referred to in Clause 1 and 2 above, to ensure that the natural hazard risk is acceptable
4. Be managed in areas of the district that are subject to natural hazards, but are not identified as within a natural hazards overlay, to ensure that the risk to life and property from natural hazards is acceptable .
5. Be managed to ensure that development is not likely to require new or upgraded community scale hazard mitigation works

Subdivision Rules

Amend 13.11.1 as follows:

13.11 Subdivision Activities

13.11.1 Controlled Subdivision Activities

Except as provided for in 13.11.2, 13.11.3, ~~and~~ 13.11.4 and 13.11.5 below, any subdivision which complies with all performance standards shall be a Controlled subdivision activity with Council's control being reserved to the following matters:

(...)

Natural Hazards

- ~~— Erosion~~
- ~~— Flooding and Inundation~~
- ~~— Landslip~~
- ~~— Rockfall~~
- ~~— Aggregation~~
- ~~— Unconsolidated Fill~~
- ~~— Subsidence~~
- ~~— Coastal erosion~~
- ~~— Tsunami.~~
- Liquefaction within the Liquefaction Hazard Overlay, with the matters of control restricted to:

1. Geotechnical recommendations from a site-specific geotechnical assessment of liquefaction hazard, including testing of soils;
2. Location, size and design of the subdivision, roads, access, services;
3. Recommendations for foundations for future buildings;
4. Remediation and ground treatment

~~— Provision of protection works, and measures to avoid, remedy or mitigate effects of such works, the location and type of services, building location, and location and quantity of filling and earthworks that could be affected by the following natural hazards or which could affect the impact of those natural hazards on the site or other land in the vicinity.~~

(...)

(...)

Insert new 13.11.2 restricted discretionary activity rule as follows:

13.11.2 Restricted Discretionary Subdivision Activities

Subdivisions locating a new hazard sensitive building platform within:

1. the Urban Flood Assessment Overlay;
2. the Non-Urban Flood Assessment Overlay outside of a High Flood Hazard Area as stated in a FLOOD ASSESSMENT CERTIFICATE issued in accordance with activity standard 8.6.1;
~~the Debris Flow Fan Overlay;~~
3. the ~~Landslide~~ Debris Inundation Overlay; or
4. the Fault Awareness Overlay.

Matters of discretion are restricted to:

1. Geotechnical recommendations from a site-specific geotechnical assessment of hazards, including testing of soils;
2. Flooding mitigation recommendations from a site-specific flooding assessment;
3. Location, size, and design of the subdivision, roads, access, services and the extent to which natural hazard risk is managed;
4. Recommendations for foundations for future buildings and ground remediation;
5. The level of risk; and
6. The potential effects of mitigation measures.

Renumber 13.11.2 Discretionary Subdivision Activities to 13.11.3

Renumber 13.11.3 Non-complying Subdivision Activities to 13.11.4 and amend as follows:

13.11.~~43~~ Non-complying Subdivision Activities

(...)

4. **Any subdivision locating a platform for a new hazard sensitive building within the Fault Avoidance Overlay;**
5. **Any subdivision locating a platform for a new hazard sensitive building within a High Flood Hazard Area within the Non-urban Flood Assessment Overlay as stated in a FLOOD ASSESSMENT CERTIFICATE issued in accordance with activity standard 8.6.1.**

Renumber 13.11.4 to 13.11.5

Make consequential amendments to numbering cross references to Table 13.12.1.a