

Kaikoura District Council

# Kaikoura District Plan - Natural Hazards Plan Change 3 – Summary of submissions

May 2020

Submitter number	Submitter	Summary of submission	Wishes to be heard at hearing
1	Lydia Adams	<p><b>Point number:</b> 1.1</p> <p><b>Relevant provisions:</b></p> <ul style="list-style-type: none"> <li>• Rule 8.5.2</li> <li>• Rule 8.5.4</li> </ul> <p><b>Position:</b> Oppose</p> <p><b>Summary of decision requested:</b> Remove the property at 10 Koura Bay Drive from both the Flood Assessment Overlay and Debris Flow Fan Overlay on the map.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• The submitter considers the relevant rules will have adverse effects on the property and is concerned about how it may impact building on the property. Both of the rules are considered to have adverse effects on the submitter's property and will likely make it impossible for the submitter to obtain a mortgage from the bank to build on the property as they will deem it risky to lend money to build on land located in a flood and landslide inundation area.</li> <li>• The submitter is concerned they will be unable to obtain insurance for any future building/dwelling. The submitter is concerned if the property will be able to be insured, and if it is, how high the cost will be to insure the property. If the insurance is too high, the submitter is concerned about being able to afford to insure the property.</li> <li>• The submitter also considers the plan change may make it difficult to sell the property as any future purchaser will not want to risk buying land in an area classed as a flood or debris flow fan area.</li> </ul>	Yes

2	William Loppe on behalf of Cargill Station Limited	<p><b>Point number:</b> 2.1</p> <p><b>Relevant provisions:</b></p> <ul style="list-style-type: none"> <li>• Rule 8.5.2</li> <li>• Rule 8.5.3</li> <li>• Rule 8.5.10</li> <li>• Rule 13.11.2</li> <li>• Rule 13.11.4</li> <li>• District Plan map series</li> </ul> <p><b>Position:</b> Oppose</p> <p><b>Summary of decision requested:</b> A high flood awareness risk overlay should be identified in the planning maps.</p> <p><b>Summary of reasons:</b> Regarding to the rules that refer to High Flood Hazard areas, the submitter considers that by not disclosing the likely physical extent of these areas, the Council does not offer a reasonable enough level of transparency, therefore not allowing ratepayers to understand the impact of the proposal as part of the consultation process.</p> <p><b>Point number:</b> 2.2</p> <p><b>Relevant provisions:</b></p> <ul style="list-style-type: none"> <li>• Rule 8.5.4</li> <li>• Rule 8.5.6</li> <li>• Rule 8.5.9</li> <li>• Rule 8.5.11</li> <li>• Rule 8.5.13</li> <li>• Rule 13.11.2</li> </ul>	Yes

		<p><b>Position:</b> <b>Oppose</b></p> <p><b>Summary of decision requested:</b> Submitter seeks for the Council to undertake further “area wide” assessment focusing on identifying potential hazard zones in Urban areas</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• With regards to the definition and mapping of Landslide debris inundation areas, the submitter considers that the assessment carried out does not provide sufficient information to underpin the provisions.</li> <li>• Submitter notes that the GNS work already undertaken does not provide information regarding the likelihood of an area being inundated with debris.</li> <li>• The submitter also notes that the deterministic exercise allows a high level understanding of potential areas of interest in the district, it does not consider parameters such as Geotechnical, established vegetation or the likelihood of a trigger event. The submitter notes that these parameters should be considered in a district wide assessment prior to being used as District Plan provisions.</li> </ul>	
<p><b>Point number:</b> <b>2.3</b></p>		<p><b>Relevant provisions:</b> Rule 13.11.1</p>	
<p><b>Position:</b> <b>Oppose</b></p> <p><b>Summary of decision requested:</b></p> <ul style="list-style-type: none"> <li>• The three liquefaction zones are identified separately, and the level of investigation and assessment required to support an application to a “controlled subdivision activity” reflects each of the three levels of hazard, as per Golder’s report on liquefaction.</li> <li>• “liquefaction damage unlikely – desktop assessment” areas require a desktop assessment using existing information, shallow investigation if required by a suitably qualified engineer and geotechnical engineer input contingent on the desktop assessment (as per Golder’s recommendation)</li> <li>• “liquefaction damage possible – detailed liquefaction assessment” areas require the input from a geotechnical engineer. Submitter wishes for no mention of deep</li> </ul>			

		<p>ground investigation and the methodology to be at the discretion of the Geotechnical engineer to determine.</p> <ul style="list-style-type: none"> <li>• For the Council to retain a liquefaction database that is built over time</li> <li>• Generally opposed to too high level approach to hazard identification and mapping.</li> </ul> <p><b>Summary of reasons:</b> The submitter notes that discretion is given to council to determine the level of assessment required for each application. The submitter is concerned about the lack of transparency this entails.</p>	
3	George Acland	<p><b>Point number:</b> 3.1</p> <p><b>Relevant provisions:</b> Rule 8.5.5</p> <p><b>Position:</b> Oppose</p> <p><b>Summary of decision requested:</b> The cost for land already subdivided but requiring further geotechnical investigation to be met in part if not all by the Council.</p> <p><b>Summary of reasons:</b> The submitter owns a section at Mangamaunu with intention to build a holiday house. Under the proposed changes, the entire section within the Fault Avoidance Overlay. Previous Geotech work was undertaken in 2006, which concluded small earthquake risks associated with property. The 2016 earthquake event showed no damage to property in any form and the submitter considers the 'stress test' of the 2016 event validates the Geotech work in 2006. The submitter would be frustrated to incur additional costs to reassess land which has previously been assessed by the Council as suitable to build on.</p>	Yes
4	Incite on behalf of Spark New Zealand	<p><b>Point number:</b> 4.1</p> <p><b>Relevant provisions:</b> Definitions – Critical Infrastructure</p>	Yes

	<p><b>Trading Limited</b></p>	<p><b>Position:</b></p> <p><b>Summary of decision requested:</b></p> <p><b>Summary of reasons:</b></p> <p><b>Point number:</b></p> <p><b>Relevant provisions:</b></p> <p><b>Position:</b></p> <p><b>Summary of decision requested:</b></p> <p><b>Summary of reasons:</b></p> <p><b>Point number:</b></p>	<p><b>Support</b></p> <p>Retain as notified.</p> <p>Definition recognises that telecommunication installations and networks are critical infrastructure</p> <p><b>4.2</b></p> <p>Definitions – Hazard sensitive building</p> <p><b>Support with amendment</b></p> <p><i>Hazard Sensitive Building means any building or buildings which:</i></p> <ol style="list-style-type: none"> <li><i>1. is/are used as part of the primary activities on the site; or</i></li> <li><i>2. contains habitable rooms; or</i></li> <li><i>3. which are serviced with a sewage system and connected to a potable water supply,</i></li> </ol> <p><i>For the purposes of clause 1, buildings such as the following are not included:</i></p> <ol style="list-style-type: none"> <li><i>i. farm sheds used solely for storage;</i></li> <li><i>ii. carports;</i></li> <li><i>iii. garden Sheds; and</i></li> <li><i>iv. any buildings with a dirt/gravel or similarly unconstructed floor; <b>and</b></i></li> <li><i><b><u>v. any building used solely for network utility purposes.</u></b></i></li> </ol> <p>To avoid confusion, any network utility building (which could be construed on certain sites as being for the primary industry) should be excluded from the definition of a hazard sensitive building as per recommendation.</p> <p><b>4.3</b></p>	
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		<p><b>Relevant provisions:</b> Definitions – Earthworks</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> The submitter considers it appropriate to update the definition of earthworks in the Operative District Plan to align with National Planning Standards.</p> <p><b>Point number:</b> <b>4.4</b></p>	
		<p><b>Relevant provisions:</b> Definitions – Land Disturbance</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> The submitter supports the definition of land disturbance, as any trenching required as part of a telecommunication installation is clearly excluded, provided it does not permanently alter the profile, contour, or height of the land.</p>	
		<p><b>Point number:</b> <b>4.5</b></p> <p><b>Relevant provisions:</b> Definitions – Operational Need</p> <p><b>Position:</b> <b>Support with amendment</b></p>	

		<p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter considers it appropriate to have a definition of Operational Need in the Operative District Plan that replicates the National Planning Standards</p> <p><b>Point number:</b> 4.6</p> <p><b>Relevant provisions:</b> Objective 8.2.2</p> <p><b>Position:</b> <b>Support with amendment</b></p> <p><b>Summary of decision requested:</b> The risk profile to the infrastructure is a matter which should be determined by the asset owner, not the Council, and as such point 1 of the objective should be widened to include all infrastructure, and point 2 can be deleted, as follows:  <del>1. Upgrading maintenance and replacement of existing 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</del>  <del>2. New critical infrastructure avoids High Flood Hazard Areas, but where this is not possible or is impractical, is designed to maintain its integrity and ongoing function during and after natural hazard events or can be reinstated in a timely manner</del></p> <p><b>Summary of reasons:</b> The submitter appreciates the proposed objective allows for new non-critical infrastructure in all hazards areas, provided that it does not elevate the risk profile of the hazard. The risk profile to the infrastructure is a matter which should be determined by the asset owner, not the Council. Submitter considers point 1 of the objective should be widened to include all infrastructure, and point 2 should be deleted.</p> <p><b>Point number:</b> 4.7</p> <p><b>Relevant provisions:</b> Policy 8.3.2</p>	
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		<p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter considers policy 8.3.2 is appropriate in that it recognises that infrastructure within natural hazard areas can influence other parties, dependent on the likelihood of a natural hazard occurring.</p> <p><b>Point number:</b> <b>4.8</b></p> <p><b>Relevant provisions:</b> Policy 8.3.6</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter considers that policy 8.3.6 appropriately provides for any existing infrastructure in any hazard overlay.</p> <p><b>Point number:</b> <b>4.9</b></p> <p><b>Relevant provisions:</b> Policy 8.3.7</p> <p><b>Position:</b> <b>Support with amendment</b></p> <p><b>Summary of decision requested:</b> <i>Policy 8.3.7 New and upgrading of <del>non-critical</del> infrastructure</i>  <i>1. Enable the development of new <del>non-critical</del> infrastructure and upgrading of existing <del>non-critical</del> infrastructure in flood hazard assessment overlays only where the infrastructure does not increase flood risk on another site; and</i></p>	
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2. Provide for the development of new ~~non-critical~~ infrastructure and upgrading of existing non-critical infrastructure in all other identified natural hazard overlays

*Policy 8.3.8 Critical infrastructure*

*1 Enable the upgrading of existing critical infrastructure in Flood Assessment Overlays only where the infrastructure does not increase flood risk on another site;*

*2 Provide for 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, 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, or increase risk to life and property on another site*

**Summary of reasons:**

in line with the submission point on Objective 8.2.2 above, it is considered that Policies 8.3.7 and 8.3.8 can be combined to recognise that the risk to critical infrastructure from a natural hazard is best managed by the asset owner, but the risk from an infrastructure hazard on another party, i.e. if a new structure increases the risk on another party, it is a matter that should be regulated by Council

**Point number:** 4.10

**Relevant provisions:** Policy 8.3.13  
Policy 8.3.14

**Position:** Support

**Summary of decision requested:** Retain as notified.

		<p><b>Summary of reasons:</b> The submitter is in support of these policies as they provide telecommunications infrastructure to be located in the Debris Flow Fan, Landslide Debris Inundation, Fault Avoidance, and Fault Awareness Overlays provided the risk to life and property is acceptable.</p> <p><b>Point number:</b> 4.11</p> <p><b>Relevant provisions:</b> Rule 8.5.8</p> <p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> The submitter notes that the rule clearly permits new critical infrastructure or upgrades to existing critical infrastructure in the Urban Flood Assessment Overlays where the works do not result in a permanent raising of the ground level. Submitter note that telecommunications infrastructure typically does not cause a permanent raising of the ground level.</p> <p><b>Point number:</b> 4.12</p> <p><b>Relevant provisions:</b> Rule 8.5.9</p> <p><b>Position:</b> Oppose</p> <p><b>Summary of decision requested:</b> As such, the following amendments are sought to Rule 8.5.9:</p> <p><i>Rule 8.5.9</i>  <i>All zones with the <del>Urban Flood Assessment Overlay, Non-Urban Flood Assessment Overlay, Landslide Debris Inundation Overlay, Fault Avoidance Overlay or Fault Awareness Overlay</del></i>  <i>New Critical Infrastructure</i></p>	
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**Permitted where**

**a. the footprint of the critical infrastructure structures do not exceed 20m2 [or similar relief]**

*Restricted discretionary*

*Matters of discretion are restricted to:*

- 1. The extent to which infrastructure exacerbates the natural hazard risk or transfers the risk to another site;*
- 2. The ability for flood water conveyance to be maintained;*
- 3. The extent to which there is a functional or operational requirement for the infrastructure to be located in the High Flood Hazard Overlay and there are no practical alternatives;*
- 4. 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*

**Summary of reasons:**

The submitter notes the rule provides for all new critical infrastructure in all natural hazard overlays as restricted discretionary activities.

The submitter considers the rule 8.5.9 creates confusion with rule 8.5.8 which references critical infrastructure in the Urban Flood Assessment or Non-Urban Flood Assessment Overlays which are permitted activities provided that the works do not result in the permanent raising of the ground level, and if this cannot be met then the activity becomes restricted discretionary.

As critical infrastructure in the Urban Flood Assessment or Non-Urban Flood Assessment Overlays is provided for under Rule 8.5.8, those overlays should be removed from 8.5.9.

The policies directing infrastructure in the Landslide Debris Inundation, Fault Avoidance, and Fault Awareness Overlays allow for development where it does not increase the risk to life or property. The submitter considers the allowance should be provided for in the rule through the provision of a degree of permitted activity in those overlays for critical infrastructure, which could be achieved through footprint control or other mechanisms where the effect of such infrastructure will be negligible on life and property.

5	Kaikoura District Council	<p><b>Point number:</b> 5.1</p> <p><b>Relevant provisions:</b> All</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b></p> <ul style="list-style-type: none"> <li>• Use of semicolons;</li> <li>• After each semicolon add either an 'and' or an 'or'</li> </ul> <p><b>Summary of reasons:</b> Submitter considers this change beneficial for clarity and transparency of the plan change.</p> <hr/> <p><b>Point number:</b> 5.2</p> <p><b>Relevant provisions:</b> Definitions</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Add definition for Non Critical Infrastructure.</p> <p><b>Summary of reasons:</b> Submitter notes the plan specifically references the term non-critical infrastructure and requires a definition. Submitter considers relying on non-critical infrastructure being all infrastructure which is not critical infrastructure is too broad given definition of infrastructure. (refer to point number 5.3).</p> <hr/> <p><b>Point number:</b> 5.3</p> <p><b>Relevant provisions:</b> Rule 8.5.8</p>	Yes
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		<p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Amend to read:  <i>New non- critical infrastructure and critical infrastructure, or upgrading of non-critical infrastructure and critical infrastructure where;</i>  <i>a. The activity does not result in permanent raising of the ground level.</i></p> <p><b>Summary of reasons:</b> Submitter considers without amendment of non-critical infrastructure, rule 8.5.8 would not be sufficiently constrained.</p> <p><b>Point number:</b> 5.4</p> <p><b>Relevant provisions:</b> 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.</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> The area of “Landslide Debris Inundation Overlay” and “Debris Flow Fan Overlay” is reduced as provided by expert evidence to be provided at the hearing.</p>	
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		<p><b>Reasons:</b></p> <ul style="list-style-type: none"> <li>• Submitter support use of “Landslide Debris Inundation Overlay” and “Debris Flow Fan Overlay” but opposes the extent of the ‘Landslide Debris Inundation Overlay’ and ‘Debris Flow Fan Overlay’</li> <li>• 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</li> <li>• The matters addressed in Phase 2 will allow a better understanding of risk. The maps that have been notified are based on Phase 1, the footprint of the hazard. This footprint of hazard includes areas which may have a low probability of natural hazard occurrence.</li> <li>• Submitter has been advised that the capacity to undertake the work in the next financial year (after July 2021) with the work taking approximately 2 months to complete.</li> <li>• 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. The submitter notes the submission does not seek to increase the areas subject to hazard overlays.</li> </ul>	
6	Deb Kitchingham	<p><b>Point Number:</b> 6.1</p> <p><b>Relevant provisions:</b> Definitions – High Flood Hazard Area</p> <p><b>Position:</b> Oppose</p> <p><b>Summary of decision requested:</b> Change the definition of High Flood Hazard Areas from a 500yr flood to a 200yr flood.</p> <p><b>Summary of reasons:</b> Submitter opposes the High Flood Hazard Area being defined by a 500yr flood event. The submitter considers the approach will have a negative impact on small businesses in the District and may discourage new businesses and community members from setting up and investing in Kaikoura.</p>	No

7	David and Lynne Robinson	<p><b>Point number:</b> 7.1</p> <p><b>Relevant provisions:</b> Provisions requiring resource consent on properties at Koura Bay Drive, Kaikoura due to debris flow risk.</p> <p><b>Position:</b> Oppose</p> <p><b>Summary of decision requested:</b></p> <ul style="list-style-type: none"> <li>• Make the activity status a controlled activity.</li> <li>• Waive the consent fee for anyone with an existing title and an expectation to build.</li> </ul> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Submitter is opposed to this rule as it will make it impossible for the property to be built on. The submitter considers the costs to be too high for property owners and will make properties difficult to sell.</li> <li>• Submitter notes that risk was known at the time of subdivision and the Council granted the consent to allow lifestyle blocks to be developed.</li> </ul> <p><b>Point number:</b> 7.2</p> <p><b>Relevant provisions:</b> Rule 8.5.3</p> <p><b>Position:</b> Oppose</p> <p><b>Summary of decision requested:</b></p> <ul style="list-style-type: none"> <li>• Amend activity status to controlled.</li> <li>• Waive consent fee where allotment already has the title and building on the allotment was an expectation of the buyer.</li> </ul> <p><b>Summary of reasons:</b> The submitter considers the rule to place additional financial burden on existing lifestyle subdivisions and allotments that have already been granted a title.</p>	Yes
8	Dave Melville	<p><b>Point number:</b> 8.1</p>	No



		<p><b>Relevant provisions:</b> Definitions – High Hazard Area (and consequential references to this in Chapter 8)</p> <p><b>Position:</b> <b>Oppose</b></p> <p><b>Summary of decision requested:</b> Amend the definition of High Hazard Area to reference 200yr flood than 500yr flood.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Submitter is concerned about the consequences of defining flood levels at a 500yr event.</li> <li>• Submitter considers insurance costs to be a significant issue as an increase in insurance for the landlord could increase rent costs.</li> <li>• The submitter notes that an increase in rent could make living unaffordable and may mean alternative accommodation would have to be sought.</li> </ul>	
9	Kate Finnerty	<p><b>Point number:</b> <b>9.1</b></p> <p><b>Relevant provisions:</b> Definitions – High Flood Hazard Area</p> <p><b>Position:</b> <b>Oppose</b></p> <p><b>Summary of decision requested:</b> Amend the definition of High Flood Hazard Area to refer to a 200yr flood as opposed to a 500yr flood.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Submitter is concerned about potential increase in cost of insurance for property owners and business owners along Beach Road.</li> <li>• Submitter questions whether KDC and CRC can look into the Flood Assessment Overlays in more detail and reassesses the High Flood Hazard Area rather than each individual property having to do this.</li> </ul>	<b>No</b>
10	Federated Farmers of	<p><b>Point:</b> <b>10.1</b></p>	<b>Yes</b>

	<p><b>New Zealand</b></p>	<p><b>Relevant provisions:</b></p> <ul style="list-style-type: none"> <li>• Introduction 1.3.1</li> <li>• Introduction 1.3.2</li> <li>• Introduction 1.7</li> </ul> <p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>      Retain as notified.</p> <p><b>Summary of reasons:</b>              Submitter agrees to the changes to include references to the types of natural hazards and the applicable natural hazard overlays in the plan.</p> <p><b>Point:</b>                                    <b>10.2</b></p> <p><b>Relevant provisions:</b>              Status of Activities 2.3</p> <p><b>Position:</b>                                <b>Support</b></p> <p><b>Summary of decision requested:</b>      Retain as notified.</p> <p><b>Summary of reasons:</b>              Submitter agrees to changes that only a number of residential and low-density residential allotments will carry prohibited activity status in the Ocean Ridge Comprehensive Zone.</p> <p><b>Point:</b>                                    <b>10.3</b></p> <p><b>Relevant provisions:</b>              3.2.1(4) Drawings</p> <p><b>Position:</b>                                <b>Support</b></p> <p><b>Summary of decision requested:</b>      Retain as notified.</p>	
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		<p><b>Summary of reasons:</b> Submitter agrees land use consent applications should include the location of any known natural hazards in relation to the land.</p> <p><b>Point:</b> 10.4</p> <p><b>Relevant provisions:</b> 3.2.2(b)</p> <p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to the amendment relating to consent applications for subdivisions; that where possible, details of hazardous areas should be included in the site plan where possible.</p> <p><b>Point:</b> 10.5</p> <p><b>Relevant provisions:</b> Definition – Average Recurrence Interval</p> <p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to new definition as notified</p> <p><b>Point:</b> 10.6</p> <p><b>Relevant provisions:</b> Definition - Critical Infrastructure</p> <p><b>Position:</b> Support</p>	
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		<p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to new definition as it is considered to provide appropriate level of protections for vital activities within the district.</p> <p><b>Point:</b> <b>10.7</b></p> <p><b>Relevant provisions:</b> Definition – Earthworks</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to adoption of National Planning Standards definition for earthworks. Submitter generally supports adoption of definitions set under the NPS, where it is practical to do so.</p> <p><b>Point:</b> <b>10.8</b></p> <p><b>Relevant provisions:</b> Definition – Hazard Mitigation Works</p> <p><b>Position:</b> <b>Partially oppose</b></p> <p><b>Summary of decision requested:</b> Delete definition of hazard mitigation works as there is another definition proposed that may be more suitable.</p> <p><b>Summary of reasons:</b> Submitter opposes the inclusion of this definition as the Council also proposes another new definition, <i>Natural Hazards Mitigation Works</i>.</p> <p><b>Point:</b> <b>10.9</b></p>	
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		<p><b>Relevant provisions:</b> Definition – Land Disturbance</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to new definition, as notified</p>	
<p><b>Point:</b> <b>10.12</b></p>		<p><b>Relevant provisions:</b> Definition – Liquefaction Hazard</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to the new definition, as notified.</p>	
<p><b>Point:</b> <b>10.13</b></p>		<p><b>Relevant provisions:</b> Definition – Natural Hazard</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to adoption of definition provided under the Resource Management Act 1991.</p>	
<p><b>Point:</b> <b>10.14</b></p>			

		<p><b>Relevant provisions:</b> Definition – Natural Hazard Mitigation works</p> <p><b>Position:</b> <b>Support in part</b></p> <p><b>Summary of decision requested:</b> Amend definition as follows: means works intended to control the effects of natural <del>events</del> <u>hazards</u>.</p> <p><b>Summary of reasons:</b> Submitter partially agrees to definition with amendment suggested to better reflect the definition concerning works to mitigate or control the effect of natural effects.</p>	
<p><b>Point:</b> <b>10.15</b></p>		<p><b>Relevant provisions:</b> Definition – Natural Hazard Overlays</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to definition, as notified.</p>	
<p><b>Point:</b> <b>10.16</b></p>		<p><b>Relevant provisions:</b> Definition- Operational Need</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to definition, as notified.</p>	
<p><b>Point:</b> <b>10.17</b></p>			

		<p><b>Relevant provisions:</b> Definition – Plantation Forestry</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to the adoption provided under the National Environmental Standards.</p> <p><b>Point:</b> <b>10.18</b></p>	
		<p><b>Relevant provisions:</b> Definition – Structure</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Submitter agrees to the adoption of the definition provided under the National Planning Standards</li> <li>• Submitter is generally supportive of adopting definitions set out under the NPS, where is it practical to do so.</li> </ul> <p><b>Point:</b> <b>10.19</b></p>	
		<p><b>Relevant provisions:</b> Definitions – Shelterbelt</p> <p><b>Position:</b> <b>Support in part</b></p> <p><b>Summary of decision requested:</b> Recommend the Council reviews the two proposed definitions for shelterbelts and retain the NES-PF limit of an average width of less than 30m.</p>	



		<p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Submitter agrees there must be a definition for shelterbelt in the plan but is noted the proposed definition for Plantation Forestry may cause confusion for users of the plan.</li> <li>• The NES-PF’s definition for Plantation Forestry provides the following exclusion: “...a shelter belt of forest species, where the tree crown cover has...an average width of less than 30m”.</li> <li>• The proposed definition for Shelterbelt reads “...any trees primarily to provide shelter...which are no greater than 20m”.</li> </ul> <p>Submitter notes that proposed definition proposed by the Council may create confusion for users of the plan. Refer to full submission point (19) for further detail.</p> <p><b>Point:</b> 10.20</p> <p><b>Relevant provisions:</b> Definition – Woodlot</p> <p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to definition as notified.</p> <p><b>Point:</b> 10.21</p> <p><b>Relevant provisions:</b> Policies 7.2.2.(1)</p> <p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter considers the amendment suitably changes the focus from the risk of flooding and coastal erosion/inundation, specifically to where the risk of natural hazards is acceptable.</p>	
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		<p><b>Point:</b> 10.22</p> <p><b>Relevant provisions:</b> Policies 7.2.3</p> <p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter considers notified definition suitably changes the focus from the risk of flooding and land instability, specifically to where the risk of natural hazards is acceptable.</p> <p><b>Point:</b> 10.23</p> <p><b>Relevant provisions:</b> Chapter 7 – Explanation and Reasons</p> <p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified, and recommend the Council adds a short note here to cross refer readers to the risk assessment factors in Chapter 8.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Submitter considers amendment suitably changes the focus to where the risk of natural hazards is acceptable. Submitter notes the Council has introduced a risk matrix/assessment in Chapter 8, which would help all users understand what may constitute an ‘acceptable risk’.</li> <li>• Submitter suggests the Council add a short note to cross refer readers to the risk assessment factors in Chapter 8.</li> </ul> <p><b>Point:</b> 10.24</p> <p><b>Relevant provisions:</b> Introduction 8.1</p>	
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		<p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>    Retain as notified.</p> <p><b>Summary of reasons:</b>            Submitter agrees to introductory section as notified.</p> <p><b>Point:</b>                            <b>10.25</b></p> <p><b>Relevant provisions:</b>            Objective 8.2.1</p> <p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>    Retain as notified.</p> <p><b>Summary of reasons:</b>            Submitter agrees to objective as notified.</p> <p><b>Point:</b>                            <b>10.26</b></p> <p><b>Relevant provisions:</b>            Objective 8.2.2</p> <p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>    Retain as notified.</p> <p><b>Summary of reasons:</b>            Submitter agrees to objective as notified.</p> <p><b>Point:</b>                            <b>10.27</b></p> <p><b>Relevant provisions:</b>            Policy 8.3.1</p>	
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		<p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>    Retain as notified.</p> <p><b>Summary of reasons:</b>            Submitter agrees to policy as notified.</p> <p><b>Point:</b>                            <b>10.28</b></p> <p><b>Relevant provisions:</b>            Policy 8.3.2</p> <p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>    Retain as notified.</p> <p><b>Summary of reasons:</b>            Submitter agrees to policy as notified.</p> <p><b>Point:</b>                            <b>10.29</b></p> <p><b>Relevant provisions:</b>            Policy 8.3.3</p> <p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>    Retain as notified.</p> <p><b>Summary of reasons:</b>            Submitter agrees to policy as notified.</p> <p><b>Point:</b>                            <b>10.30</b></p> <p><b>Relevant provisions:</b>            Policy 8.3.4</p>	
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		<p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>    Retain as notified.</p> <p><b>Summary of reasons:</b>            Submitter agrees to policy as notified.</p> <p><b>Point:</b>                            <b>10.31</b></p> <p><b>Relevant provisions:</b>            Policy 8.3.5</p> <p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>    Retain as notified.</p> <p><b>Summary of reasons:</b>            Submitter agrees to policy as notified.</p> <p><b>Point:</b>                            <b>10.32</b></p> <p><b>Relevant provisions:</b>            Policy 8.3.6</p> <p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>    Retain as notified.</p> <p><b>Summary of reasons:</b>            Submitter agrees to policy as notified.</p> <p><b>Point:</b>                            <b>10.33</b></p> <p><b>Relevant provisions:</b>            Policy 8.3.7</p>	
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		<p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to policy as notified.</p>	
		<p><b>Point:</b> <b>10.34</b></p>	
		<p><b>Relevant provisions:</b> Policy 8.3.8</p>	
		<p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to policy as notified.</p>	
		<p><b>Point:</b> <b>10.35</b></p>	
		<p><b>Relevant provisions:</b> Policy 8.3.9</p>	
		<p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to policy as notified.</p>	
		<p><b>Point:</b> <b>10.36</b></p>	

		<p><b>Relevant provisions:</b> Policy 8.3.10</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to policy as notified.</p> <p><b>Point:</b> <b>10.37</b></p> <p><b>Relevant provisions:</b> Policy 8.3.11</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to policy as notified.</p> <p><b>Point:</b> <b>10.38</b></p> <p><b>Relevant provisions:</b> Policy 8.3.12</p> <p><b>Position:</b> <b>Oppose</b></p> <p><b>Summary of decision requested:</b> Delete policy 8.3.12 in its entirety.</p> <p><b>Summary of reasons:</b> Submitter considers wording to be too broad. As is it currently written it can capture all buildings outside the High Flood Hazard areas.</p>	
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- Submitter considers wording of policy is too broad. As it is currently written it can capture all buildings outside of High Flood Hazards areas and submitter believes this was not the intention. Furthermore, looking at the rules in this plan, this policy does not seem to apply, or refer to, any of the flood overlays specifically.
- The submitter views that proposed policies 8.3.11 and 8.3.13, and the related rules will provide sufficient safeguards.
- There are no other flood overlays in the plan.

**Point:** 10.39

**Relevant provisions:** Policy 8.3.13

**Position:** Support

**Summary of decision requested:** Retain as notified.

**Summary of reasons:** Submitter agrees to policy as notified.

**Point:** 10.40

**Relevant provisions:** Policy 8.3.14

**Position:** Support

**Summary of decision requested:** Retain as notified.

**Summary of reasons:** Submitter agrees to policy as notified.

**Point:** 10.41

**Relevant provisions:** Policy 8.3.15



		<p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>    Retain as notified.</p> <p><b>Summary of reasons:</b>            Submitter agrees to policy as notified.</p> <p><b>Point:</b>                            <b>10.42</b></p> <p><b>Relevant provisions:</b>            Coastal Hazards 8.4</p> <p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>    Retain as notified.</p> <p><b>Summary of reasons:</b>            Submitter agrees as as notified.</p> <p><b>Point:</b>                            <b>10.43</b></p> <p><b>Relevant provisions:</b>            Rule 8.5.1</p> <p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>    Retain as notified.</p> <p><b>Summary of reasons:</b>            Submitter agrees to rule, as notified.</p> <p><b>Point:</b>                            <b>10.44</b></p> <p><b>Relevant provisions:</b>            Rule 8.5.2</p>	
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		<p><b>Position:</b>                      <b>Support</b></p> <p><b>Summary of decision requested:</b>      Retain as notified.</p> <p><b>Summary of reasons:</b>                      • Submitter agrees to rule, as notified.  • It is noted that the rule says it is permitted to establish a ‘hazard sensitive building...’ This appears different to the new Rule 8.5.3 which says “a new (emphasis added) hazard sensitive building.</p> <p><b>Point:</b>                                      <b>10.45</b></p> <p><b>Relevant provisions:</b>                      Rule 8.5.3</p> <p><b>Position:</b>                                      <b>Support</b></p> <p><b>Summary of decision requested:</b>      Amend provisions of Non-complying and restricted discretionary status:</p> <p>    Non-complying:  Activity status where compliance with rule 8.5.2.3.a is not achieved</p> <p>    Restricted discretionary:  Activity status where compliance with rule 8.5.2.3.b is not achieved</p> <p><b>Summary of reasons:</b>                      Submitter agrees to rule. Check full submission for note.</p> <p><b>Point:</b>                                      <b>10.46</b></p> <p><b>Relevant provisions:</b>                      Rule 8.5.4</p> <p><b>Position:</b>                                      <b>Support</b></p>	
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		<p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to rule as notified.</p> <p><b>Point:</b> <b>10.47</b></p> <p><b>Relevant provisions:</b> Rule 8.5.5</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to rule, as notified</p> <p><b>Point:</b> <b>10.48</b></p> <p><b>Relevant provisions:</b> Rule 8.5.6</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to rule, as notified.</p> <p><b>Point:</b> <b>10.49</b></p> <p><b>Relevant provisions:</b> Rule 8.5.7</p> <p><b>Position:</b> <b>Support</b></p>	
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		<p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to rule, as notified</p> <p><b>Point:</b> <b>10.50</b></p> <p><b>Relevant provisions:</b> Rule 8.5.8</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to rule as notified.</p> <p><b>Point:</b> <b>10.51</b></p> <p><b>Relevant provisions:</b> Rule 8.5.9</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to rule, as notified.</p> <p><b>Point:</b> <b>10.52</b></p> <p><b>Relevant provisions:</b> Rule 8.5.10</p> <p><b>Position:</b> <b>Support</b></p>	
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		<p><b>Summary of decision requested:</b> Amend the provisions of Non-complying and Restricted discretionary status:</p> <p><u>Non-complying:</u> Activity status where compliance with rule 8.5.9-<del>10</del>.a is not achieved</p> <p><u>Restricted discretionary:</u> Activity status where compliance with rule 8.5.9-<del>10</del>.b is not achieved</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Submitter agrees to rule but is noted the activity status for non-complying is triggered if you do not meet rule 8.5.9a</li> <li>• The activity status for restricted discretionary is triggered if you do not meet rule 8.5.9.b</li> <li>• Submitter has noted as a drafting mistake.</li> </ul> <p><b>Point:</b> 10.53</p> <p><b>Relevant provisions:</b> Rule 8.5.11</p> <p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to rule, as notified.</p> <p><b>Point:</b> 10.54</p> <p><b>Relevant provisions:</b> Rule 8.5.12</p> <p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified.</p>	
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	<p><b>Summary of reasons:</b> Submitter agrees to rule as notified.</p>	
	<p><b>Point:</b> 10.55</p>	
	<p><b>Relevant provisions:</b> Rule 8.5.13</p>	
	<p><b>Position:</b> Support</p>	
	<p><b>Summary of decision requested:</b> Retain as notified.</p>	
	<p><b>Summary of reasons:</b> Submitter agrees to rule as notified.</p>	
	<p><b>Point:</b> 10.56</p>	
	<p><b>Relevant provisions:</b> Standard 8.6.1</p>	
	<p><b>Position:</b> Support</p>	
	<p><b>Summary of decision requested:</b> Retain as notified.</p>	
	<p><b>Summary of reasons:</b> Submitter supports as notified.</p>	
	<p><b>Point:</b> 10.57</p>	
	<p><b>Relevant provisions:</b> Issue 13.2</p>	
	<p><b>Position:</b> Support</p>	
	<p><b>Summary of decision requested:</b> Retain as notified.</p>	

		<p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Submitter agrees to standard as notified. Terminology in the revised Natural Hazards has been carried across to provision relating to Natural Hazards in the Subdivision chapter.</li> <li>• Submitter notes that changes will mean there is consistent reference to natural hazards – like landslide debris inundation, debris flow, etc – across the plan.</li> </ul> <p><b>Point:</b> 10.58</p> <p><b>Relevant provisions:</b> Objective 13.2.1</p> <p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Submitter agrees to policy as notified. Terminology in the revised Natural Hazards has been carried across to provisions relating to Natural Hazards in the Subdivision chapter.</li> <li>• Submitter notes that changes will mean there is consistent reference to natural hazards - like landslide debris inundation, debris flow, etc – across the plan.</li> </ul> <p><b>Point:</b> 10.59</p> <p><b>Relevant provisions:</b> Policy 13.2.2.7</p> <p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter agrees to policy as notified.</p> <p><b>Point:</b> 10.60</p> <p><b>Relevant provisions:</b> Rule 13.11.1</p>	
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		<p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>      Retain as notified.</p> <p><b>Summary of reasons</b>              Submitter agrees to change as notified.</p> <p><b>Point:</b>                            <b>10.61</b></p> <p><b>Relevant provisions:</b>          Rule 13.11.3</p> <p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>      Retain as notified.</p> <p><b>Summary of reasons:</b>          Submitter agrees to new rule as notified.</p> <p><b>Point:</b>                            <b>10.62</b></p> <p><b>Relevant provisions:</b>          Rule 13.11.4</p> <p><b>Position:</b>                    <b>Support</b></p> <p><b>Summary of decision requested:</b>      Retain as notified.</p> <p><b>Summary of reasons:</b>          Submitter agrees to change as notified.</p>	
11	Sharon Semmens	<b>Point number:</b> <b>11.1</b>	



		<p><b>Relevant provisions:</b></p> <ul style="list-style-type: none"> <li>• Rule 8.5.2</li> <li>• Rule 8.5.4</li> <li>• Rule 8.5.6</li> <li>• Rule 8.5.7</li> <li>• Rule 8.5.8</li> <li>• Rule 8.5.9</li> <li>• Rule 8.5.10</li> </ul> <p><b>Position:</b> <b>Oppose</b></p> <p><b>Summary of decision requested:</b> Remove Waitane Road from the Urban Flood Assessment Overlay.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Submitter considers Waitane Road should be excluded from the above provisions due to a lack of data and information to suggest Waitane Road is at risk from flooding.</li> <li>• Submitter considers that both the main road and railway structures should mitigate most problems for Waitane Road, Oaro.</li> <li>• Submitter has referenced flood report R19/04 January 2019 in detail with references to flood modelling diagrams which indicate Waitane Road is not in a floodplain.</li> <li>• The submission references the flood reports which contains historic flooding information, from February 1868 to February 2018, which only mentions Oaro once.</li> </ul>	
12	<b>BP Oil New Zealand Limited, Mobil Oil New Zealand Limited and Z Energy Limited (the</b>	<p><b>Point number:</b> <b>12.1</b></p> <p><b>Relevant provisions:</b> Definitions – Critical Infrastructure</p> <p><b>Position:</b> <b>Support</b></p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter supports definition, in particular the inclusion of</p>	

	Oil Companies)	<p style="text-align: center;">“petroleum storage and supply facilities”.</p> <p><b>Point number:</b> 12.2</p> <p><b>Relevant provisions:</b> Objective 8.2.2</p> <p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter supports approach to upgrading, maintenance, and replacement of existing infrastructure within natural hazard overlays.</p> <p><b>Point number:</b> 12.3</p> <p><b>Relevant provisions:</b></p> <ul style="list-style-type: none"> <li>• Policy 8.3.2</li> <li>• Policy 8.3.3</li> <li>• Policy 8.3.6</li> <li>• Policy 8.3.8</li> </ul> <p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter supports approach to upgrading, maintenance and replacement of existing infrastructure within natural hazard overlays.</p> <p><b>Point number:</b> 12.4</p> <p><b>Relevant provisions:</b> Rule 8.5</p>	
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		<p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter notes that there are no rules proposed specifically in relation to the Liquefaction Overlay and take from this that any proposed works within this overlay would be subject to standard rules within the plan and would consider the appropriate objectives and policies within the Natural Hazards chapter.</p>	
13	Ministry of Education	<p><b>Point number:</b> 13.1</p> <p><b>Relevant provisions:</b> Policies and rules relating to the Flood Assessment Certificate approach.</p> <p><b>Position:</b> Oppose</p> <p><b>Summary of decision requested:</b></p> <ul style="list-style-type: none"> <li>• Submitter seeks natural hazard mapping to be undertaken upfront by the Council for the Kaikoura District and made accessible to landowners via district planning maps.</li> <li>• Submitter also seeks clarification as to the financial costs of the flood assessment certification process.</li> </ul> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Submitter considers this will provide further certainty to landowners and/or future landowners when looking to develop and purchase land.</li> <li>• Submitter considers relying on a separate certificate approach to determine flood hazard risk is inappropriate.</li> <li>• Further to this, the submitter notes that the process does not communicate any further certainty in terms of understanding development potential of an existing school site, as a Flood Assessment Certificate will only be valid for three years. The submitter also notes that it is unclear whether the overlay is statutory or non-statutory.</li> <li>• Submitter is concerned that certificate approach means that properties that are at risk from natural hazards such as flooding are not identified until a flood assessment has been undertaken by the Council.</li> </ul>	Yes

		The full submission contains further detail on why the submitter opposes the Flood Assessment Certificate approach and why it is not an appropriate method to determine flood risk in the Kaikoura district.	
14	Environment t Canterbury	<p><b>Point number:</b> 14.1</p> <p><b>Relevant provisions:</b> Key words and terms used throughout the proposed plan change</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Amend all key words and terms for consistency.</p> <ul style="list-style-type: none"> <li>• Urban Flood Hazard Assessment Overlay</li> <li>• Flood Hazard Assessment Certificate vs Flood Hazard Certificate</li> <li>• Inconsistent capitalisation of flood hazard assessment certificate</li> <li>• Debris fan flows vs debris flow fans, debris fans overlays vs debris flow fan overlay</li> <li>• Wild fire vs wildfire</li> <li>• Risk based vs risk-based</li> <li>• Inconsistent capitalisation: <ul style="list-style-type: none"> <li>8.3 Natural Hazards Policies vs</li> <li>8.5 Natural Hazards rules</li> </ul> </li> <li>• Capitalisation of first word in defined terms, eg plantation forestry, hazard sensitive building, the use of 'new' in relation to activities managed, eg Rule 8.5.2 and 8.5.3/8.5.4</li> <li>• Use of 'in' Vs 'within' and 'of' natural hazard overlays</li> </ul> <p><b>Summary of reasons:</b> Improved consistency, clarity. Refer to full submission (point 1) for more detail.</p> <p><b>Point number:</b> 14.2</p> <p><b>Relevant provisions:</b> Chapter 3 and Chapter 25</p> <p><b>Position:</b> Support in part</p>	Yes

		<p><b>Summary of decision requested:</b> Insert text in the introduction sections of Chapters 8 and 13 that explains the role of Chapter 3 and 25 and consider amending matters to improve consistency with the proposed plan change provisions.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Improved consistency and clarity</li> <li>• Chapter 3 requires specified information to be included in land use and subdivision applications, including natural hazards information.</li> <li>• Chapter 25 lists assessment matters for guiding applicants, Council officers, consultants, and decision makers on what should be taken into account when considering resource applications for consent land use and subdivision, and for permitted activities.</li> <li>• Submitter notes the proposed plan change does not refer to the natural hazards matters in these two chapters and there may be some overlap and/or consistencies.</li> </ul> <p><b>Point number:</b> 14.3</p> <p><b>Relevant provisions:</b> Introduction 1.3.2</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Start “The control of subdivision of land” on a new line with a hyphen</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Improved clarity.</li> <li>• Submitter notes the control of subdivision of land is a function of the district council, but it is separate to the control of any actual potential effects of...natural hazards</li> </ul> <p><b>Point number:</b> 14.4</p> <p><b>Relevant provisions:</b> Definition – Hazard Sensitive Building</p> <p><b>Position:</b> Support in part</p>	
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		<p><b>Summary of decision requested:</b> Amend to read: Means any building <del>or buildings</del> which:</p> <ol style="list-style-type: none"> <li>1. Is/are used as part of the...</li> <li>2. Contains...</li> <li>3. Is serviced...</li> </ol> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Improved clarity and consistency.</li> <li>• Submitter notes the definition is for a singular building, and as such should remain in singular.</li> </ul> <p><b>Point number:</b> 14.5</p> <p><b>Relevant provisions:</b> Definition – High Flood Hazard Area</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Amend to read: <i>High Flood Hazard Area</i> <i>Means an area subject to inundation events where the water depth (metres) x velocity (metres per second) is greater than or equal to 1 where depths are greater than 1 metre in a 500 year ARI flood-in a 0.2% annual exceedance probability flood event.</i></p> <p><b>Summary of reasons:</b> Improved clarity and consistency. Submitter notes that CRC prefers the use of ARI over AEP. Submitter is in support of the proposed chapter 4, including a definition of ARI, and submitter prefers that High Flood Hazard Area definition refers to ARI.</p> <p><b>Point number:</b> 14.6</p> <p><b>Relevant provisions:</b> Definition - Natural Hazards Mitigation Works</p>	
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		<p><b>Position:</b> <b>Oppose</b></p> <p><b>Summary of decision requested:</b> Remove definition of Natural Hazards Mitigation Works.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Improved clarity, consistency.</li> <li>• Proposed chapter four already contains a definition for Hazard Mitigation Works, and the provisions refer to Hazard Mitigation Works and therefore this definition is unnecessary duplication.</li> </ul> <p><b>Point number:</b> <b>14.7</b></p> <p><b>Relevant provisions:</b> Definition – Natural Hazard Overlays</p> <p><b>Position:</b> <b>Support in part</b></p> <p><b>Summary of decision requested:</b> Amend to read:  Natural Hazard Overlays Identify areas subject to a natural hazard... <del>Natural hazard overlays include</del> g. Liquefaction <del>Hazard</del> Overlay</p> <p><b>Summary of reasons:</b> The definition should reflect that Natural Hazard Overlays is plural. Submitter notes, the Liquefaction Overlay is the only overlay containing the word “hazard”, yet they are all hazard overlays.</p> <p><b>Point number:</b> <b>14.8</b></p> <p><b>Relevant provisions:</b> 7. Explanations and reasons</p> <p><b>Position:</b> <b>Support in part</b></p>	
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		<p><b>Summary of decision requested:</b> Amend the paragraph to reflect that flooding affects other parts of the Kaikoura District in addition to Kaikoura township and its surrounding land.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Improved accuracy and clarity</li> <li>• The paragraph refers to Kaikoura township and its surrounding land having a high probability of being flooded and lists other natural hazards prevalent in the district. Submitter notes that the paragraph does not mention that other parts of the district are also subject to flood.</li> </ul> <p><b>Point number:</b> 14.9</p> <p><b>Relevant provisions:</b> Non-assessed areas</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Include explanatory text as to how these situations will be managed, for example if it is via the Building Act. This could be achieved by inserting an additional paragraph in the Introduction.</p> <p><b>Summary of reasons:</b> Submitter considers changes would give better effect to the following RPS policies:</p> <ul style="list-style-type: none"> <li>• 11.3.1</li> <li>• 11.3.2</li> <li>• 11.3.3</li> </ul> <p>Submitter notes that Chapter 8 is silent on areas within the district that are subject to natural hazards but that have not been assessed or included in an overlay.</p> <p><b>Point number:</b> 14.10</p> <p><b>Relevant provisions:</b> 8.1 Introduction</p> <p><b>Position:</b> Support in part</p>	
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		<p><b>Summary of decision requested:</b> Remove inclusion of coastal inundation as a natural hazard that the Kaikoura District is susceptible to.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Minor error – accuracy</li> <li>• Submitter notes the plan states that Kaikoura District is susceptible to coastal inundation. Coastal hazards are not addressed by this plan change. In addition, submitter isn't aware of coastal hazards assessments of the Kaikoura District which identify areas susceptible to coastal inundation.</li> </ul> <p><b>Point number:</b> 14.11</p> <p><b>Relevant provisions:</b> 8.1 introduction – third paragraph</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Amend introduction to refer to: <i>Intergovernmental Panel on Climate Change</i> as opposed to International Panel on Climate Change.</p> <p><b>Summary of reasons:</b> Minor error – correct reference.</p> <p><b>Point number:</b> 14.12</p> <p><b>Relevant provisions:</b> 8.1 Introduction</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Amend to read: Risk is a product...while also ensuring that their lives <del>or</del> <b>and</b> significant assets are not likely...</p>	
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		<p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Clarity and completeness</li> <li>• Submitter notes that the risk based approach should ensure that both lives and significant assets are not likely to be harmed, not one or the other.</li> </ul> <p><b>Point number:</b> 14.13</p> <p><b>Relevant provisions:</b> 8.1 Introduction</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Amend paragraphs to read: <i>This chapter anticipates the use of hazard mitigation <del>measures</del> <b>works</b> where it is appropriate... Potential hazard mitigation works that can be incorporated...</i></p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Consistency and clarity</li> <li>• The chapter includes a definition for Hazard Mitigation Works, and this terminology should be used consistently instead of introducing a new term <i>hazard mitigation measures</i>.</li> </ul> <p><b>Point number:</b> 14.14</p> <p><b>Relevant provisions:</b> 8.1 Introduction</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Insert a new heading "Flooding" and amend the paragraph for clarity and to reflect that not all areas of the district that may be at risk of flooding are identified by the two flood assessment overlays on the planning maps.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Clarity and completeness.</li> </ul>	
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- Submitter considers this paragraph would benefit from a sub-heading for flooding as written text is confusing.

**Point number:** 14.15

**Relevant provisions:** 8.1 Introduction

**Position:** Oppose

**Summary of decision requested:** Reinstate this section as per the operative district plan

**Summary of reasons:** Submitter considers this change to assist with consistency with the scope of the proposed plan change.

Submitter notes that Coastal hazards are not addressed in this proposed plan change the two paragraphs included in this section (greyed out to indicate out of scope) exclude some text that has been deleted from the operative plan and include some additional text that is not in the operative plan.

**Point number:** 14.16

**Relevant provisions:** Objectives

**Position:** Support in part

**Summary of decision requested:** Insert new objective 8.2.1 to reflect an overarching objective for all natural hazards, whereby the outcome sought is management of all natural hazard risk (including in areas not identified by an overlay) to acceptable levels. For example:

*Objective 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 mitigated to an acceptable level.*

Objective 8.2.2 would become the objective focused on flooding and retain clause 1 and 2 of the proposed objective 8.2.1

Objective 8.2.3 would become the objective focused on infrastructure.

**Summary of reasons:**

Submitter considers these changes would give better effect to RPS policies;

- 5.3.2 Development conditions,
- 11.3.1 Avoidance of inappropriate development in high hazard areas.
- 11.3.2 Avoid development in areas subject to inundation,
- 11.3.3 Earthquake hazards,
- 11.3.5 General Risk Management Approach.

Submitter considers changes would also improve hierarchy of provisions, providing a clear line of sight from the objectives through to policies and rules.

Submitter is in support of objective in part, but considers that clause 3 does not make sense

**Point number:** 14.17

**Relevant provisions:** Objectives

**Position:** Support in part

**Summary of decision requested:** Insert a new objective 8.2.4 relating to natural hazard mitigation works where the outcomes sought is that communities relying on hazard mitigation works to enable new development in the first instance, and that where new mitigation works are unavoidable, they do not have significant effects on the environment.

		<p><b>Summary of reasons:</b> Submitter considers the plan change lacks objectives relating to natural hazards mitigation works.  Submitter considers the addition would give better effect to RPS policies:</p> <ul style="list-style-type: none"> <li>• 11.3.1 Avoidance of inappropriate development in high hazard areas</li> <li>• 11.3.2 avoid development in areas subject to inundation</li> <li>• 11.3.7 Physical mitigation works</li> </ul> <p>Submitter considers change would also provide an outcome for policy 8.3.4 to achieve, and a clear line of sight from the objectives through to policies and rules relating to mitigation works.</p> <p>Submitter considers there is a lack of objectives relating to natural hazard mitigation works.</p>	
<b>Point number:</b>		<b>14.18</b>	
<b>Relevant provisions:</b>		Policy 8.3.2	
<b>Position:</b>		<b>Support in part</b>	
<b>Summary of decision requested:</b>		Consider inserting a second clause policy 8.3.2 requiring natural hazard risk to be managed to an acceptable level.	
<b>Summary of reasons:</b>		Submitter considers the changes would give better effect to RPS policy; <ul style="list-style-type: none"> <li>• 11.3.5 General Risk Management Approach</li> </ul> Submitter notes that policy could go further to establish the requirement to manage natural hazards risk to acceptable levels.	
<b>Point number:</b>		<b>14.19</b>	
<b>Relevant provisions:</b>		Policy 8.3.4	

		<p><b>Position:</b> <b>Support in part</b></p> <p><b>Summary of decision requested:</b> Amend policy to read: 2. not undertaken by <u>or on behalf</u> of the Crown, Canterbury Regional Council...</p> <p><b>Summary of reasons:</b> Submitter considers changes better give effect to RPS policies;</p> <ul style="list-style-type: none"> <li>• 10.3.3 Management for flood control and protecting essential structures</li> <li>• 11.3.7 Physical mitigation works</li> </ul> <p>Submitter considers clause 2 of policy 8.3.4 as written captures hazard mitigation works undertaken by the Crown, CRC or the Council, but not works undertaken on behalf of these agencies.</p> <p><b>Point number:</b> <b>14.20</b></p> <p><b>Relevant provisions:</b> Policy 8.3.4 (2.c)</p> <p><b>Position:</b> <b>Support in part</b></p> <p><b>Summary of decision requested:</b> Amend to read: 2.c. the mitigation works...to other people, property, infrastructure or the natural environment.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Clause 2(c) to Policy 8.3.4 as written is not grammatically correct, it contains full stops between words which should be commas. Additionally, it is unclear as to who 'other' people are.</li> <li>• Drafting error, clarity.</li> </ul> <p><b>Point number:</b> <b>14.21</b></p> <p><b>Relevant provisions:</b> Policy 8.3.5</p>	
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		<p><b>Position:</b> <b>Support in part</b></p> <p><b>Summary of decision requested:</b> Amend to read: Restore, maintain or enhance... wetlands</p> <p><b>Summary of reasons:</b> Minor error – drafting.</p> <hr/> <p><b>Point number:</b> <b>14.22</b></p> <p><b>Relevant provisions:</b> Policy 8.3.5</p> <p><b>Position:</b> <b>Support in part</b></p> <p><b>Summary of decision requested:</b> Amend to read: Restore, maintain or enhance... <del>where they</del> <b>which</b> assist in avoiding or mitigating natural hazards.</p> <p><b>Summary of reasons:</b> Consistency and clarity. The policy refers to natural features which assist in avoiding or reducing natural hazards. It would be consistent with the rest of the provisions if it referred to mitigating rather than reducing.</p> <hr/> <p><b>Point number:</b> <b>14.23</b></p> <p><b>Relevant provisions:</b> Policy 8.3.8(3)</p> <p><b>Position:</b> <b>Support in part</b></p> <p><b>Summary of decision requested:</b> Amend references to “low” risk to read acceptable risk or an acceptable level of risk.</p>	
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		<p><b>Summary of reasons:</b> Submitter considers these changes would improve consistency and clarity and give better effect to RPS policies.</p> <p><b>Point number:</b> 14.24</p> <p><b>Relevant provisions:</b> Policy 8.3.8 (4)(b)</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Amend to read: b. the critical infrastructure does not significantly increase the natural hazard risk to life <u>on the site</u> or increase the risk to life or property on another site.</p> <p><b>Summary of reasons:</b> Submitter considers it unclear whether the first part of the clause applies to new critical infrastructure not increasing the risk on the site (as opposed to offsite), while the second part of the clause relates to effects on other sites.</p> <p>Submitter notes that seconds part of the clause should also apply to increased risk to either life or property on another site (replace <i>and</i> with <i>or</i>).</p> <p><b>Point number:</b> 14.25</p> <p><b>Relevant provisions:</b></p> <ul style="list-style-type: none"> <li>• Policy 8.3.10</li> <li>• Policy 8.3.11</li> </ul> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Amend policy 8.3.10 to read:</p>	
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Avoid land use and development for hazard sensitive buildings in High Flood Hazard Areas within the Urban Flood Hazard 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 ...to ensure buildings are located above the flood level so that the risk to life and potential for property damage is mitigated to an acceptable level.
2. The risk to surrounding...
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**

Amend policy 8.3.11 to read:

~~Avoid land use development for hazard sensitive buildings outside of the Urban Flood Assessment Overlay in High Flood Hazard Areas outside of the Urban Flood Hazard Assessment Overlay, unless...~~

**Summary of reasons:**

These changes would give better effect to RPS policy:

- 11.3.1 Avoidance of inappropriate development in high hazard areas
- 11.3.2 Avoid development in areas subject to inundation
- Physical mitigation works

**Point number:** 14.26

**Relevant provisions:**

- Policy 8.3.10
- Policy 8.3.11
- Policy 8.3.12

**Position:** Support in part

		<p><b>Summary of decision requested:</b> Delete the words “as determined by a Flood Hazard Assessment” from policies 8.3.10, 8.3.11 and 8.3.12</p> <p><b>Summary of reasons:</b> Submitter considers inclusion of ‘as determined by Flood Hazard Assessment Certificate’ is unnecessary because it is clear in the rules that High Flood Hazard Areas will be determined by a Flood Hazard Assessment Certificate in accordance with activity standard 8.6.1.</p> <p><b>Point number:</b> 14.27</p> <p><b>Relevant provisions:</b> Rule 8.5.1</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Insert matters of discretion as follows:</p> <ol style="list-style-type: none"> <li>1. <i>The wildfire risk to life and property on the site and to adjacent property</i></li> <li>2. <i>Proposals to mitigate any risk including the enabling of firefighting and alignment with NZS 4509:2008 (Code of Practice for Firefighting Water Supplies)</i></li> </ol> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Incomplete drafting</li> <li>• The restricted discretionary rule has no matters of discretion.</li> </ul> <p><b>Point number:</b> 14.28</p> <p><b>Relevant provisions:</b></p> <ul style="list-style-type: none"> <li>• Rule 8.5.4</li> <li>• Rule 8.5.6</li> <li>• Rule Matter of discretion (2)</li> </ul> <p><b>Position:</b> Support in part</p>	
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		<p><b>Summary of decision requested:</b> Amend matter of discretion (2) to read: <i>The nature, design and intended use of the building, <del>or structure</del> and its susceptibility to damage.</i></p> <p><b>Summary of reasons:</b> Submitter notes that matter of discretion (2) refers to a structure when the rule applies only to buildings) which are one type of structure). The submitter considers the inclusion of structure is unnecessary and confusing.</p>	
<p><b>Point number:</b> 14.29</p>		<p><b>Relevant provisions:</b> Standard 8.6.1</p>	
<p><b>Position:</b> Support in part</p>		<p><b>Summary of decision requested:</b> Amend to read: 8.6.1 Natural Hazards <b>Activity</b> Standard</p> <p><b>Summary of reasons:</b> 8.6.1 is referred to in the rules as activity standard 8.6.1 and the title should reflect this. Considered to be a matter of consistency in drafting.</p>	
<p><b>Point number:</b> 14.30</p>		<p><b>Relevant provisions:</b> Chapter 13: Subdivisions Objective 1</p>	
<p><b>Position:</b> Support in part</p>		<p><b>Summary of decision requested:</b> Amend objective 1 to read: <del>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 unless this risk can be remedied, avoided, or mitigated without significant adverse effects on the environment.</del></p>	

**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**

**Summary of reasons:**

Submitter considers Objective 1 and Policy 7 to be at odds as objective 1 seeks the avoidance of subdivision in areas where it increases risk, unless it can be remedied, avoided, or mitigated. Whereas policy 7 requires management to ensure risk to life and property is acceptable.

Submitter considers changes will give better effect to RPS policies:

- 11.3.1 Avoidance of inappropriate development in high hazard areas.
- 11.3.2 Avoid development in areas subject to inundation
- 11.3.3 Earthquake Hazards
- 11.3.5 General Risk Management Approach

Submitter also considers change would provide an outcome for policy 13.2.2 to achieve, and a clear line of sight from the objective through to policies and rules relating to subdivision.

**Point number:** 14.31

**Relevant provisions:** Policy 13.2.2.7

**Position:** Support in part

**Summary of decision requested:**

Amend policy 7 to read:

- 1. Avoid subdivision within High Flood Hazard areas unless it is within the Urban Flood Assessment Overlay in which case the flood risk must be avoided or mitigated.**
- 2. Avoid subdivision within the Fault Avoidance Overlay**
- 3. Manage subdivision within all natural hazard overlays other than those referred to in Clause 1 and 2 above, to ensure the natural hazard risk is acceptable.**
- 4. Manage subdivision in areas of the district natural hazards, but are not identified as within a natural hazard overlay, to ensure that the risk to life and property from natural hazards is acceptable.**

**5. Manage subdivision to ensure that development is not likely to require new or upgraded community scale hazard mitigation works, and that in the event of a flood all properties continue to have physical access and services.**

**Summary of reasons:**

- As noted in submission point 14.30, submitter considers Objective 1 and Policy 7 as written are at odds. Objective 1 seeks the avoidance of subdivision in areas where it increases risk, unless it can be remedied avoided or mitigated. Whereas Policy 7 requires management to ensure risk to life and property is acceptable.
- Submitter considers that Policy 7 would benefit from more specificity to provide policy direction on areas where subdivision is inappropriate (unacceptable risk), and where it may be appropriate.

**Point number:** 14.32

**Relevant provisions:** 13.11.1 Controlled subdivision activities  
Matters of control: Natural Hazards

**Position:** Support in part

**Summary of decision requested:** Delete the first paragraph under matters of control: Natural Hazards (including the list of natural hazards but retaining the liquefaction paragraph), and replace the first paragraph with:  
*Natural Hazards*

- 1. The nature and extent of natural hazards that may affect the area proposed to be subdivided;**
- 2. Proposals to avoid or mitigate natural hazards;**
- 3. Whether proposed new allotment(s) would lead to an increase in risk from natural hazards, including to people, property on the new allotments or other properties;**
- 4. Whether the new subdivision is likely to require new or upgraded community scale hazard mitigation works;**
- 5. Proposals to ensure that any new Hazard Sensitive Buildings to be developed as a result of the subdivision are able to be accessed in the event of flooding.**

		<p><b>Summary of reasons:</b> Submitter considers changes to give better effect to RPS policies:</p> <ul style="list-style-type: none"> <li>• 11.3.1 avoidance of inappropriate development in high hazard areas</li> <li>• 11.3.2 Avoid development in areas subject to inundation</li> <li>• 11.3.5 General risk management approach</li> <li>• 11.3.7 Physical mitigation works</li> </ul> <p>Submitter considers change would also provide a clearer line of sight from the objective through to policies and rules.</p> <p>Submitter considers matter of control relating to natural hazards (first paragraph including the list of natural hazards) has been carried over from operative plan but is inconsistent with new natural hazards chapter and provisions, including matters of discretion.</p> <p>It is noted that the submitter considers that matter of control should require that a new subdivision is able to be accessed and serviced in the event of flooding , and it should not be likely to require new or upgraded community hazard mitigation works.</p>	
15	Margaret Egan	<p><b>Point number:</b> 15.1</p> <p><b>Relevant provisions:</b></p> <ul style="list-style-type: none"> <li>• Definition – High Flood Hazard Area</li> <li>• Rule 8.5.2</li> <li>• Rule 8.5.6</li> </ul> <p><b>Position:</b> Oppose</p> <p><b>Summary of decision requested:</b> Amend definition of High Flood Hazard area so it is defined by reference to a 200 year flood rather than 500 year flood.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Submitter considers 500 year threshold to be inappropriate measure for high hazard area. Submitter is concerned about increases in insurance costs to property.</li> </ul>	Yes

		<ul style="list-style-type: none"> <li>During the time of ownership of the property, submitter notes there has only been one flood considered to be significant and water only came halfway up the property.</li> </ul>	
16	Main Power	<p><b>Point number:</b> 16.1</p> <p><b>Relevant provisions:</b> Definitions – Critical infrastructure</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Amend point 4 as follows: <i>4. electricity substations, networks, and distribution installations, including the electricity substation network</i></p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>Submitter supports the inclusion of electricity substations, networks, and distribution installation, including the electricity distribution network as critical infrastructure.</li> <li>The submitter considers critical infrastructure should reference all parts of the distribution networks and as currently drafted, remains a possibility. The submitter also notes the definition should simply refer to the networks and distribution installations as a whole.</li> </ul> <p><b>Point number:</b> 16.2</p> <p><b>Relevant provisions:</b> Definitions – Hazard Sensitive Building</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Amend the definition of hazard sensitive building as follows: For the purposes of clause 1, buildings such as the following are not included:</p> <ul style="list-style-type: none"> <li>i farm sheds used solely for storage;</li> <li>ii carports;</li> <li>iii garden Sheds; and</li> </ul>	

		<p><b>iv</b> any buildings with a dirt/gravel or similarly unconstructed floor; <b>and</b>  <b>v</b> <u>infrastructure and critical infrastructure.</u></p> <p><b>Summary of reasons:</b> Submitter considers definition of hazard sensitive building has potential to include infrastructure and critical infrastructure where they are the primary activities on the site, therefore may be subject to rules 8.5.8 and 8.5.9.</p> <p><b>Point number:</b> 16.3</p> <p><b>Relevant provisions:</b> Definitions – Operational Need</p> <p><b>Position:</b> Support</p> <p><b>Summary of decision requested:</b> Retain as notified.</p> <p><b>Summary of reasons:</b> Submitter supports inclusions of the definition of operational need.</p> <p><b>Point number:</b> 16.4</p> <p><b>Relevant provisions:</b> Objective 8.2.2</p> <p><b>Position:</b> Support in part</p> <p><b>Summary of decision requested:</b> Amend objective 8.2.2 as follows:  1. Upgrading maintenance and replacement of existing infrastructure, <u>critical infrastructure</u> 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;</p> <p>and</p>	
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2. New critical infrastructure avoids High Flood Hazard Areas, ~~but where this~~ **unless** it is not possible or is impractical **when considering operational and technical constraints and** is designed to maintain its integrity and ongoing function during and after natural hazard events or can be reinstated in a timely manner.

**Summary of reasons:**

- Submitter supports inclusion of objective 8.2.2 as it enables upgrading, maintenance and replacement of existing infrastructure. It also provides for new critical infrastructure in High Flood Hazard Areas where it is not possible or is impractical to locate outside of this area.
- However, submitter considers 8.2.2 does not provide for the upgrading, maintenance, or repair of existing critical infrastructure. Submitter notes point 2 can be reworded to be clearer.

**Point number:** 16.5

**Relevant provisions:** Policy 8.3.6

**Position:** Support

**Summary of decision requested:** Retain as notified.

**Summary of reasons:** Submitter supports policy 8.3.6 as it enables the operation, maintenance, replacement, repair or removal of all existing infrastructure.

**Point number:** 16.6

**Relevant provisions:** Policy 8.3.8

**Position:** Support in part.

**Summary of decision requested:** Amend policy 8.3.8 as follows:

		<p>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;</p> <p>2. Provide for the <b>operation, maintenance, replacement, repair and</b> upgrading of existing critical infrastructure in all other identified Natural Hazard Overlays;</p> <p>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;</p> <p>4. Avoid new critical infrastructure in High Flood Hazard Areas unless:</p> <p>a. Avoidance is impossible or impracticable <b>when considering operational and technical constraints</b>, 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</p> <p>b. The critical infrastructure does not significantly increase the natural hazard risk to life or increase risk to life and property on another site.</p> <p><b>Summary of reasons:</b> Submitter supports policy in that it enables upgrading of critical infrastructure, but considers it does not provide for operation, maintenance, replacement or repair and the policy needs to reflect this.</p> <p><b>Point number:</b> 16.7</p> <p><b>Relevant provisions:</b> Rule 8.5.8</p> <p><b>Position:</b> Support in part.</p> <p><b>Summary of decision requested:</b> All zones within the:  URBAN FLOOD ASSESSMENT OVERLAY; or  NON-URBAN FLOOD ASSESSMENT OVERLAY  New infrastructure, or the <b>operation, maintenance, repair, replacement or</b> upgrading of infrastructure and critical infrastructure where:</p> <p>a. The activity does not result in permanent raising of the ground level.</p>	
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		<p><b>Summary of reasons:</b> Submitter supports rule 8.5.8 except with the consideration that it does not adequately provide for operation, maintenance, repair or replacement of existing infrastructure or critical infrastructure.</p> <p><b>Point number:</b> 16.8</p> <p><b>Relevant provisions:</b> Rule 8.5.9</p> <p><b>Position:</b> Support in part.</p> <p><b>Summary of decision requested:</b> Add a new rule identifying the operation, maintenance, repair or the replacement of critical infrastructure (similar to 8.5.8) as a permitted activity within the Landslide Debris Inundation Overlay, Fault Avoidance Overlay, or Fault Awareness Overlay as a permitted activity.</p> <p><b>Summary of reasons:</b></p> <ul style="list-style-type: none"> <li>• Submitter supports Rule 8.5.9 in identifying any new critical infrastructure within the identified overlay areas as a restricted discretionary activity.</li> <li>• Submitter notes that while Rule 8.5.8 provides for the upgrading of critical infrastructure, there is not proposed rule that enables the operation, maintenance, repair or the replacement of existing critical infrastructure within the Landslide Debris Inundation Overlay, Fault Avoidance Overlay, or Fault Awareness Overlay as a permitted activity.</li> </ul>	
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