To the Planning Team, Kaipara District Council

Name of submitter: Sarah-Jayne McCurrach

Organisation: Natural Hazards Commission Toka Tū Ake

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Date: 18 June 2025

Thank you for the opportunity to submit on the Proposed Kaipara District Plan.

About the Natural Hazards Commission Toka Tū Ake (NHC)

The Natural Hazards Commission Toka Tū Ake (NHC) is a Crown Entity responsible for providing residential property owners (who have a current contract of fire insurance for their residential property) with insurance against damage from natural hazards, covered by the Natural Hazards Insurance Act 2023 (NHI Act). NHC provides limited cover for:

- building and land damage from earthquakes, landslides, tsunami, volcanic and hydrothermal activity, and fire following these hazards, and
- land damage only from storm or flood, and fire following these hazards.

Why NHC is providing this submission

NHC's primary objective is to *'reduce the impact of natural hazards on people, property, and the community'*. To achieve this objective, NHC's functions, as set out in the NHI Act, include: facilitate research and education, and contribute to the sharing of information, knowledge, and expertise (with the Crown, public and private entities, and the public generally), including in relation to natural hazards and their impacts, community resilience to natural hazards, and planning for, and recovering from, natural hazards.

As NHC is the 'first loss' insurer for residential damage resulting from natural hazards listed in the NHI Act, NHC carries financial risk on behalf of the Crown. We also see the impacts of natural hazards in the insurance claims we receive. This means that NHC has leading insights and a strong interest in reducing risk from, and building resilience to, natural hazards across New Zealand.

Our investments in research and education about natural hazards enable us to use and translate this to support evidence-based, policy and planning. Our focus is on ensuring long-term resilience by encouraging building in areas that will remain safe and sustainable for future generations. Developing in zones at High-Risk from natural hazards exposes future owners to complex and potentially hazardous situations, which could compromise the longevity and safety of these developments.

Climate change is also increasing the occurrence and severity of natural hazards covered by the NHC Scheme. Therefore, we support clear, risk-based policy frameworks that reduce natural hazard risks, allow for resilient and sustainable land use planning to manage risk, and support community education and resilience towards natural hazards.

We make submissions on council strategies and plans; our submissions relate to the suitability of the land proposed for development *without* mitigations. We do not submit on any individual planned/proposed developments. It is up to councils to decide if the risks to land can be managed, and appropriate mitigations/management strategies are in place for individual consent applications.

Our advice and recommendations are not intended to impede development, but to highlight the importance of careful and precautionary choices to ensure resilient and sustainable communities in the future. Our goal is to support councils ask the right questions and make risk-informed decisions. Therefore, our advice to councils is to consider the risks and impacts on communities the district plan may create for the future. We encourage councils to ensure that they are satisfied that:

- Natural hazard risk has been assessed on a multi-hazard basis, over multiple timeframes, to at least 50, or preferably 100, years into the future, and using multiple climate change scenarios.
- Risks are mitigated to tolerable levels for the community and council. For example, is 'nuisance flooding' tolerable if it is ongoing?
- New developments do not create new/further risks for neighbouring suburbs. Now, or in the future.
- There is a plan for managing any residual risks after mitigation.
- 'Status quo' of risk and risk tolerance are acceptable where long-term decisions are being made. E.g., an existing community being flood-, liquefaction-, or tsunami-prone is not justification for a new development having the same risks.

We advise councils to engage with private insurers to assess their tolerance for providing insurance to locations, risks, and developments if there is any doubt. Insurability should be a key consideration when thinking about the risks and impacts on communities that are being creating for the future.

Kaipara district is at risk from multiple natural hazards, the most common being flooding, including from ex-tropical cyclones, landsliding and coastal hazards. While the bulk of the coastline of Kaipara District is sparsely populated and sheltered from severe tsunami risk, Mangawhai on the East Coast is at risk from tsunami triggered by the Kermadec Subduction Zone.

NHC encourages territorial authorities to use risk-based frameworks in district plans to reduce risk and increase resilience to natural hazards. The Proposed Kaipara District Plan contains provisions that we support in this regard, and we have provided suggestions in other areas that could be improved.

We welcome the opportunity to discuss our submission with council officers and provide further assistance, if this would be helpful. Please feel free to contact us at any time.

Yours sincerely,

Sarah-Jayne McCurrach
Head of Risk Reduction

Form 5, Clause 6 of Schedule 1, Resource Management Act 1991

Natural Hazards Commission Toka Tū Ake Submission on the Proposed Kaipara District Plan

To: Kaipara District Council

Via Council submission email:
districtplanreview@kaipara.govt.nz

Submitter: Natural Hazards Commission Toka Tū Ake (NHC)

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1. This is a submission on the following:

The Proposed Kaipara District Plan notified on 28/04/2025.

2. NHC could not gain an advantage in trade competition through this submission.

3. NHC does not wish to be heard in support of this submission.

If others make a similar submission, NHC would not consider presenting a joint case at any hearing.

4. This document and the Appendices attached is the NHC submission. This submission relates to the Proposed Kaipara District Plan in its entirety.

5. The submission from NHC is:

NHC supports, is neutral, and opposes the Proposed Kaipara District Plan to the extent outlined in this submission.

a) **Identification of relevant natural hazards** - NHC generally supports the range of natural hazards identified in the District Plan but seeks inclusion of tsunami and landslide hazard maps and supporting provisions to reduce the risks associated with these natural hazards.

b) **Natural Hazard Mapping/Overlays** - NHC supports the use of regulatory hazard mapping, in the form of overlays, to spatially identify areas of the district that are prone to natural hazards.

c) **Definitions –** changes are sought to the definition section to remove duplication and clarify some definitions.

Provided at Appendix 1 is a table containing submission points that address the above, and other matters of relevance.

6. NHC seeks the following decision from the local authority:

That the specific amendments, additions or retentions which are sought as specifically outlined in Appendix 1, are accepted and adopted into the Proposed Kaipara District Plan, including such further, alternative, additional, or consequential relief as may be necessary to fully achieve the relief sought in this submission.

Date: 18/06/2025

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Submissions Table

Provision	Description	Support/ Oppose/ Amend	Reasoning	Requested Action
Definitions: Coastal Hazard area and Coastal Flood Hazard Area	Means land indicated on the Planning Maps that has been assessed to be at relatively high or extreme risk from the effects of coastal flood hazards over a planning horizon of 100 years. This land is identified in the Planning Maps as: Coastal Flood Hazard Areas 1, 2 and 3.	Amend	NHC supports the definition of "Coastal Flood Hazard Area". We note that this definition is repeated as the definition of "Coastal Hazard Area". The term "Coastal Hazard Area is only used once in the Proposed District Plan in a different context from "High-Risk Coastal Hazard Area", which has a separate definition. We suggest that the definition for "Coastal Hazard Area" is deleted and the single reference to it (SUB-R3 3. F.) is changed to either "Coastal Flood Hazard Area" or High-Risk Coastal Hazard Area", depending on which is referred to.	That the definition for "Coastal Hazard Area" is deleted and the single reference to it (SUB-R3 3. F.) is changed to either "Coastal Flood Hazard Area" or High-Risk Coastal Hazard Area", depending on which is referred to.
Definitions: Flood Hazard Area	Flood Hazard Area: means land where there is at least a 1 percent chance of river flooding occurring annually. This land is identified in regional mapping undertaken by Northland Regional Council as: River Flood Hazard Zone — Regionwide Models (100 year CC extent).	Oppose	The "Flood Hazard Area" in this definition appears to refer to the same mapped area as the "River Flood Hazard Area". "Flood Hazard Area" does not appear to be referenced elsewhere in the Proposed District Plan. It is unclear why a separate definition is being included here and may cause confusion for users of the Plan.	That the definition is deleted.

Definitions: High-Risk Flood Area	High-Risk Flood Area: means land where there is at least a 10 percent chance of river flooding occurring annually. This land is currently identified in regional mapping undertaken by Northland Regional Council as: River Flood Hazard Zone — Regionwide Models (10 year extent).	Amend	The "High-Risk Flood Area" in this definition appears to refer to the same mapped area as the "High-Risk River Flood Hazard Area". "High-Risk Flood Hazard Area" does not appear to be referenced in the Proposed District Plan except in the context of "River Flood hazard Area" or "Coastal Flood Hazard Area", both of which have their own definitions. It is unclear why a separate definition is being included here. This may cause confusion for users of the Plan.	That the definition is deleted
Definitions: Impermeable Surface Impervious Surface	Means a surface that is not vegetated, and which prevents or significantly retards the soakage of water into the ground. It includes: a. Roofs b. Paved areas including driveways and sealed/compacted metal parking areas, c. Patios d. Sealed and compacted metal roads, and e. Layers engineered to be impervious such as highly–compacted soil. It excludes: i. Wooden decks with spacing between boards of 4mm or more, where water is allowed to drain through to a permeable surface below the deck; ii. Grass and bush areas;	Amend	We note that this definition is included as the definition of both "Impermeable Surface" and "Impervious Surface". We understand that these terms are interchangeable in general use, but having two terms within the Proposed District Plan which have the same definition could cause confusion for users of the plan. We suggest that one term for impervious/impermeable surfaces is chosen and used consistently throughout the plan, or if they are to be used differently that two different definitions are included.	That either "Impermeable Surface" or "Impervious Surface" is used consistently within the Proposed District Plan, and only one definition is included. OR That different definitions are included for "impermeable Surface" and "Impervious Surface" if they are to be used differently within the plan.

	iii. Gardens and other vegetated areas; iv. Porous or permeable paving; v. Green or living roofs; vi. Permeable artificial surfaces, fields or lawns; vii. Slatted decks; viii. Swimming pools, ponds and dammed water; and ix. Rain tanks; and x. Farm tracks.			
Definitions: Natural Hazard Nautral Hazard	Has the same meaning as in section 2 of the RMA as set out below: 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.	Amend	NHC support the definition of natural hazard as the same as the definition in the RMA. However, we note that that this definition is repeated and also included as the definition of "Nautral Hazard (*sic*)", which we assume is a typological error.	That the duplication of the definition under "Nautral Hazard (*sic*)" is deleted.
Definitions: Sensitive Activity	means all or any of the following: a. an educational facility, including a childcare facility, wananga and kohanga reo, b. a residential activity, including papakainga building, rest home, retirement village, visitor accommodation, home stay;	Support with amendments	NHC supports the use of sensitive activity categories in risk-based planning for natural hazard risk reduction. We support the categories of activity included in the definition of sensitive activities in the Proposed District Plan, but request that emergency service facilities and marae are included in the definition.	That the following amendments are made: means all or any of the following: a. an educational facility, including a childcare facility, wananga and kohanga reo, b. a residential activity, including papakainga building, rest home,

	c. a healthcare activity; and d. a hospital.		It is important that emergency service facilities like fire and ambulance are able to function for response after a natural hazard event. As such development of these facilities should be avoided or restricted in areas at risk from natural hazards. Marae are places of gathering, community and cultural importance, and have historically served as gathering points and hubs for response in the wake of natural hazard events.	retirement village, visitor accommodation, home stay; c. a healthcare activity; ~~and~~ d. a hospital~~.~~; e. an emergency services facility; and f. a marae
NH – Natural Hazard maps	**Hazards managed by the Proposed District Plan** River Flood Hazard Area – 1% AEP flood model High-Risk River Flood Hazard Area – 10% AEP flood model Coastal Erosion Hazard Area – assessed to be at relatively high or extreme risk from the effects of coastal erosion hazards over a planning horizon of 100 years Coastal Flood Hazard Area – assessed to be relatively high or extreme risk from the effects of coastal flood hazards over a planning horizon of 100 years High-Risk Coastal Hazard Area – assessed to be at relatively high or extreme risk from the effects of coastal hazards over a planning horizon of 50 years	Support	NHC supports the inclusion of hazard maps for river flooding, coastal flooding and coastal erosion within the Proposed District Plan, as some of the primary hazards which affect Kaipara District. We also support differentiation of particularly high-risk areas within these hazard maps as areas where more stringent restrictions on development of hazard sensitive activities is required. We support the use of 1% Annual Exceedance Probability flood models for use in land use planning for natural hazard risk reduction. This is in line with flood models used in district plans by other territorial authorities in New Zealand. We support the consideration of coastal hazards over time frames of 100 and 50 years. However, we note that the technical reports on assessment of coastal hazards were not included in the Natural Hazards S32 report, and we could not locate them on the Council website. As such we cannot comment on the approaches used to assess these. Further in the Proposed District Plan it is mentioned that the Coastal Flood Hazard Area represents a 1 in 100-year coastal flooding event accounting for 1.2 m of sea level rise. To avoid confusion by users of the	That these hazard maps are retained. That the introduction to the Natural Hazards Chapter makes explicit what modelled events/RCP (representative concentration pathway) constitute the Coastal Flood Hazard Area, Coastal Erosion Hazard Area, and High-Risk Coastal Hazard Area.

			plan, we request that this, and the models used for the Coastal Erosion Hazard Area and the High-Risk Coastal Hazard Area are made explicit in the introduction to the chapter. If the model is a 1 in 100-year flood or 100-year Annual Return Interval (ARI), we suggest that this is changed to 1% Annual Exceedance Probability (AEP) throughout the plan, as this is equivalent and is consistent with the River Flood Hazard Area.	
NH – Natural Hazards	**Hazards managed by the Proposed District Plan** "Land instability [is] not able to be comprehensively and reliably mapped and [is} therefore assessed during subdivision, in accordance with sections 106 and 220 of the RMA, and during development" - Natural Hazards S32 Report	Support with amendments	NHC understands that a probabilistic hazard map for landslides in the Kaipara District is not currently available. However, we consider that including hazard maps for land instability within district plans and using them to manage development in areas at High-Risk from landslides is a preferable option than assessing the risk of landsliding at the subdivision stage, as this gives more flexibility in controlling activity changes, rebuilding, and additions to buildings, as opposed to just new development. Examples of landslide hazard maps in district plans can be found in the Christchurch District Plan[1]. Tasman District Council has also recently released an issues and options paper[2] for future changes to the Tasman Resource Management Plan, which includes scoped options for using landslide hazard maps within the RMP. Where landslide maps are not available NHC supports the use of subdivision and earthworks	That in the future a landslide hazard map is created and included within the District Plan, with appropriate provisions to limit development of sensitive activities in areas of High-Risk.

[1] https://districtplan.ccc.govt.nz/
[2] https://shape.tasman.govt.nz/natural-hazards-1

			provisions to control development which may be at risk from land instability, but we encourage development and use of landslide hazard maps for land use planning in the future.	
NH – Natural Hazards	**Hazards not managed by the Proposed District Plan** Tsunami	Amend	NHC recommends that tsunami hazard risk is included and managed within the District Plan. Much of Kaipara District has a relatively low risk of tsunami, being sparsely populated on the West Coast, but Mangawhai and Mangawhai Heads on the East coast are at some risk from tsunami triggered by the Kermadec Subduction Zone[3]. Tsunami, depending on the source are considered a low probability, high consequence hazard. Land use planning measures can be used to minimise the impact of tsunami by ensuring that sensitive activities are not located within areas that are likely to be most affected, and that evacuation paths from areas likely to be inundated are kept clear and accessible. Examples of the use of tsunami hazard mapping in district plans can be found in the Wellington City 2024 District Plan – Appeals Version[4] and Porirua Proposed District Plan – Appeals Version 2024[5].	That a tsunami hazard map is created and included within the District Plan, with appropriate provisions to limit development of sensitive activities in areas of High-Risk.
SD-NH-01	**Natural hazards and resilience** 1. Areas subject to predictable natural hazard risks are identified;	Support with amendments	NHC supports the intention of these strategic direction objectives but recommends altered wording to minimise uncertainty for plan users and strengthen the provision.	That the following amendments are made: 1. Areas subject to ~~predictable~~ natural hazard risks are identified;

[3] https://www.nrc.govt.nz/media/ym3bpl3v/tsunami-inundation-modelling-for-evacuation-planning-in-northland-final-report-march-2025.pdf
[4] https://eplan.wellington.govt.nz/proposed/
[5] https://eplan.poriruacity.govt.nz/districtplan/property/0/0/175?_fp=true

	2. The risks from natural hazards are taken into account for all new subdivision, use and development; 3. The maintenance and upgrading of infrastructure assets that protect communities from natural hazard risks is provided for; and 4. Kaipara communities have reduced vulnerability, strengthened resilience, and enhanced capacity to adapt to the impacts of natural hazard events.		Natural hazard risks are predictable only in that probabilistic analysis can indicate where they are most likely to occur, and how severe the impacts may be. It is not possible to accurately predict the scope, intensity, or impact of any single natural hazard event, including severe weather. We recommend removing the word "predictable" as it suggests that it is possible to accurately predict the occurrence of natural hazard events and may give a false sense of security that areas not identified as being at risk from natural hazards in the District Planning maps will never be impacted. It is also inconsistent with NH-P2, which recognises that natural hazards can occur outside mapped hazard areas. We also recommend the following changes: - changing the phrase "are taken into account" to "are avoided or minimised as far as reasonably practicable" so that this objective is in line with objectives in the Natural Hazards chapter. - that changes in use to a sensitive activity, for example conversion of an outbuilding into a residential dwelling, are included, as these alterations to existing structures can also increase exposure to natural hazard risk.	2. The risks from natural hazards are ~~taken into account~~ avoided or minimised as far as reasonably practicable for all new subdivision, use and development, and changes in use to sensitive activities;
NH - Natural Hazards	**Natural hazards rules for changes in use for buildings and accessory buildings**	Amend	We request that new rules are included in the Proposed District Plan, or additions are made to existing rules, to restrict conversion of a building or accessory building that does not contain sensitive activities to one that does contain sensitive activities in areas at risk from natural hazards.	That new rules or additions to existing rules are included in the Proposed District Plan to give conversion of a building or accessory building from a non-sensitive activity to a sensitive activity Restricted Discretionary

			If these rules are not included there is a risk that a building or accessory building is consented in a high-risk area on the premise that no sensitive activities will take place on the site, and then subsequent conversion to a sensitive activity is consented as it does not trigger the natural hazard overlay rules. This has been identified in a case from from Esk Valley in the Hawkes Bay, on land that was severely damaged by Cyclone Gabrielle in 2023, and later identified as "not safe to live in because of the unacceptable risk of future flooding and life". We suggest Restricted Discretionary status for conversions of buildings and accessory buildings to contain sensitive activities within River Flood Hazard Areas, Coastal Flood Hazard Areas and Coastal Erosion Hazard Areas, with matters of discretion including: • the effects of flood hazards on the accessory building, • the hazard risks to people or property, • cumulative effects and the potential for the addition/alteration to create, • transfer or intensify hazard risks on adjoining sites, • any measures proposed to mitigate the effects of the hazard. We also suggest Discretionary status for conversions of buildings and accessory buildings to contain sensitive activities within the High-Risk Hazard Areas.	status in the River Flood Hazard Zone, Coastal Flood Hazard Zone and Coastal Erosion Hazard Zone, and discretionary status in the High-Risk Hazard Areas.

			These statuses are consistent with natural hazard rules in the rest of the Proposed District Plan.	
NH-O1	**The risks from natural hazards are minimised** The risks from natural hazards to people, property, infrastructure and natural systems, including the likely effects of climate change on natural hazard risk, are minimised to provide for the health, safety and resilience of communities and the environment.	Support with amendment	We support this objective, however, we suggest that the condition "as low as reasonably practicable" is added, to ensure that natural hazard mitigation efforts are completed to a consistent and robust standard.	That the following amendment is made: The risks from natural hazards to people, property, infrastructure and natural systems, including the likely effects of climate change on natural hazard risk, are minimised to <u>as low as reasonably practicable, to</u> provide for the health, safety and resilience of communities and the environment.
NH-O2	**Infrastructure is resilient to natural hazards** Infrastructure is located, designed and maintained to be resilient to natural hazards.	Support	NHC supports the objective that infrastructure is resilient to natural hazards. Functioning infrastructure, particularly roads, water, electricity and telecommunications, are essential in the response to and recovery from natural hazard events, and the habitability of settlements in the wake of these events. Resilient infrastructure therefore contributes to the overall resilience of communities.	That the provision is retained
NH-O3	**Natural defences against natural hazards are provided for** The role of defences such as natural systems and features in minimising the risks from natural hazards is recognised and provided for.	Support	NHC supports the use of natural defences to natural hazards. This is particularly appropriate for flood hazard, as MfE's 2010 guidance document Preparing for Future Flooding[6] recommends the use of soft engineering and natural features to reduce flooding risk.	That the provision is retained

[6] https://environment.govt.nz/publications/preparing-for-future-flooding-a-guide-for-local-government-in-new-zealand/

NH-P1	**Use best available information in managing natural hazards** Use the best available information, including regional mapping and site-specific investigations, to assess and manage the risks of natural hazards.	Support	We support the use of the best available scientific information, mapping and models to assess and manage natural hazard risks. We encourage updating plans with new information as it becomes available.	That the provision is retained
NH-P2	**Recognise that not all natural hazards are known and mapped** Recognise that natural hazards including erosion, land instability, and flooding/overland flow may occur outside known and mapped natural hazard areas.	Support	We support the acknowledgement that natural hazard events can impact areas outside the mapped natural hazard overlays, and that natural hazard maps represent only the area's most likely to be affected by these events.	That the provision is retained
NH-P3	**Avoid locating sensitive activities in areas of high hazard risk** Avoid new subdivision and land use that will result in a sensitive activity being in High-Risk Hazard Areas.	Support	NHC supports a risk based planning framework where activities which are sensitive to the effects from natural hazards are avoided in areas at High-Risk from those hazards.	That the provision is retained
NH-P4	**Manage and mitigate natural hazard risks** Manage subdivision, land use and development so that natural hazard risk is not increased, and is minimised and mitigated, having regard to: 1. The nature, frequency and scale of the natural hazard and the sensitivity of the land use or development to the natural hazard; 2. The effects of climate change; 3. Not increasing or transferring natural hazard risk to other people, property, infrastructure and the environment beyond	Support	We support this policy, however, we suggest that the condition "as low as reasonably practicable" is added, to ensure that natural hazard mitigation efforts are completed to a consistent and robust standard.	That the following amendment is made: Manage subdivision, land use and development so that natural hazard risk is not increased, and is minimised and mitigated <u>to as low as reasonably practicable</u>, having regard to: [...]

	the site, including through earthworks such as excavation and filling; 4. The location of building platforms and access, types of buildings including relocatable buildings) and structures and their design; 5. Location and design of infrastructure and services, including on-site wastewater disposal; 6. Activities that involve the use and storage of hazardous substances; 7. The long-term functionality and integrity of natural systems and structural mitigation assets; and 8. Opportunities to reduce risks from natural hazards relating to existing activities.			
NH-P6	**Manage subdivision and development in that may be affected by flood hazards and overland flow** Manage new subdivision, land use and development to avoid or mitigate the risks of flood hazards by requiring: 1. New subdivision to identify building platforms that: a. Are located outside the spatial extent of a High-Risk River Flood Hazard Area; b. Will not be subject to flooding in a 1 in 100-year flood event; and	Support with amendment	We support avoiding subdivision within the High-Risk River Flood Hazard Area and areas which are susceptible to flooding in a 1 in 100 year event, as in point 1 of this policy. However, we recommend that "1 in 100-year flood" and "1 in 10-year flood" are replaced with "1% AEP flood" and "10% AEP flood" to retain consistency within the plan and align with the River Flood Hazard Area and High-Risk River Flood Hazard Area overlays. We support the requirement of 500mm freeboard for sensitive activities and 300mm freeboard for commercial and industrial activities within the River Flood Hazard Area, as this is in line with other territorial authorities in New Zealand. However, we	That the following amendments are made: **Manage subdivision and development in <u>areas</u> that may be affected by flood hazards and overland flow** Manage new subdivision, land use and development to avoid or mitigate the risks of flood hazards by requiring: 1. New subdivision to identify building platforms that:

	c. Are designed and engineered to be resilient to flood hazards; 2. New buildings that will accommodate sensitive activities to be located outside of a High-Risk River Flood Hazard Area; 3. Within a River Flood Hazard Area: a. All new buildings designed to accommodate sensitive activities to have a minimum freeboard of at least 500mm above the 1 in 100-year flood height; b. New commercial and industrial buildings to have a minimum freeboard of at least 300mm above the 1 in 100-year flood event or alternatively are designed and constructed so they will be resilient to flood hazards having regard to matters including the frequency, depth and velocity of flood waters; c. Areas for storage and containment of hazardous substances to be designed so that they are not inundated in a 1 in 100-year flood event; d. Earthworks (other than earthworks associated with flood control works) are assessed as not diverting flood flow onto surrounding properties and not reducing flood plain storage		note that flooding around buildings which have freeboard clearance of the floodwater will need to be maintained during recovery and post-event habitability due to potential build-up of silt, debris and possible contaminants underneath the building. Additionally, we assume that the word "area" is missing from the title, so request that that or another appropriate word is added.	a. Are located outside the spatial extent of a High-Risk River Flood Hazard Area; b. Will not be subject to flooding in ~~a 1 in 100-year~~ 1% AEP flood event; and c. Are designed and engineered to be resilient to flood hazards; [...] [...] 3. Within a River Flood Hazard Area: a. All new buildings designed to accommodate sensitive activities to have a minimum freeboard of at least 500mm above the ~~1 in 100-year~~ 1% AEP flood height; b. New commercial and industrial buildings to have a minimum freeboard of at least 300mm above the ~~1 in 100-year~~ 1% AEP flood event or alternatively are designed and constructed so they will be resilient to flood hazards having regard to matters including the frequency, depth and velocity of flood waters; c. Areas for storage and containment of hazardous substances to be designed so that they are not inundated in a ~~1 in 100-year~~ 1% AEP flood event; d. Earthworks (other than earthworks associated with flood

	capacity within the 1 in 10-year flood hazard area; e. Buildings, building platforms, access and services to be located and designed to minimise the need for hazard protection structures; f. The provision of safe vehicle access within the site during a flood event; and 4. The capacity and function of overland flow paths to convey stormwater flows safely to be retained without causing damage to property or the environment.			control works) are assessed as not diverting flood flow onto surrounding properties and not reducing flood plain storage capacity within the ~~1 in 10-year~~ 10% AEP flood hazard area;
NH-P7	**Manage subdivision and development in coastal erosion hazard areas and coastal flood hazard areas** Manage new subdivision, land use and development in Coastal Erosion Hazard Areas and Coastal Flood Hazard Areas by requiring: 1. New buildings and building platforms to be located outside the spatial extent of a High-Risk Coastal Hazard Area, unless there is a functional need or operational need for a building to be located in this area; 2. New buildings and building platforms located within the spatial extent of a Coastal Erosion Hazard Area and Coastal Flood Hazard Area are designed and constructed so that:	Support	We support the requirement of 500mm freeboard for sensitive activities and 300mm freeboard for commercial and industrial activities within the River Flood Hazard Area, as this is in line with other territorial authorities in New Zealand. However, we note that flooding around buildings which have freeboard clearance of the floodwater will need to be maintained during recovery and post-event habitability due to potential build-up of silt, debris and possible contaminants underneath the building. We also suggest that the 1 in 100-year flood or 100-year Annual Return Interval (ARI) is changed to 1% Annual Exceedance Probability (AEP) throughout the plan, as this is equivalent and is consistent with the River Flood Hazard Area	That the following amendment is made: 2. New buildings and building platforms located within the spatial extent of a Coastal Erosion Hazard Area and Coastal Flood Hazard Area are designed and constructed so that: a. The building platform height is set above the level of the Coastal Flood Hazard Area 2 (~~100-year ARI~~ 1% AEP + 1.2m sea level rise); b. The building platform is located and engineered to protect against erosion;

	a. The building platform height is set above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise); b. The building platform is located and engineered to protect against erosion; c. The finished floor level of any building accommodating a sensitive activity is at least 500mm above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise); and d. The finished floor level of any building for commercial or community use is at least 300mm above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise). 3. Provision is made, where relevant, for the safe storage and containment of hazardous substances so that they are not inundated in a 1 in 100-year flood event; 4. Buildings, building platforms, access and services to be located and designed to minimise the need for hazard protection structures; and 5. The provision of vehicle access within the subject site that is resilient to coastal flooding and erosion.			c. The finished floor level of any building accommodating a sensitive activity is at least 500mm above the level of the Coastal Flood Hazard Area 2 (~~100-year ARI~~ 1% AEP + 1.2m sea level rise); and d. The finished floor level of any building for commercial or community use is at least 300mm above the level of the Coastal Flood Hazard Area 2 (~~100-year ARI~~ 1% AEP + 1.2m sea level rise). 3. Provision is made, where relevant, for the safe storage and containment of hazardous substances so that they are not inundated in a ~~1 in 100-year~~ 1% AEP flood event;

NH-P8	**Manage land instability and geotechnical hazards** Manage and minimise the risk of land instability and geotechnical hazards by: 1. Requiring an assessment of the potential for land instability and other geotechnical hazards in new subdivisions; 2. Avoiding areas of known land instability and geotechnical hazards, where practicable; and 3. Requiring engineering and measures to mitigate instability hazards and geotechnical risks.	Support with amendment	We support minimising land instability and geotechnical hazards but we suggest that the condition "as low as reasonably practicable" is added, to ensure that natural hazard mitigation efforts are completed to a consistent and robust standard. We also note that point 2 of this policy will be best achieved by the creation and inclusion in the plan of a land instability hazard map and associated provisions. This allows for consistent avoidance of areas which are most at risk from landslide and other geotechnical hazards.	That the following amendment is made: Manage and minimise <u>to as low as reasonably practicable</u> the risk of land instability and geotechnical hazards by: [...]
NH-P9	**Earthworks** Manage earthworks activities within Coastal Erosion Hazard Areas and Coastal Flood Hazard Areas, and River Flood Hazard Areas by: 1. Controlling the volume and area of earthworks, including excavation and fill; and 2. Ensuring that earthworks in Coastal Hazard Areas and High-Risk Flood Hazard Areas are undertaken so that hazard risks are not increased or transferred to other properties.	Support	We support controlling the volume and area of earthworks in areas at risk from natural hazards and requiring that earthworks do not increase or transfer natural hazard risks to other properties.	That the provision is retained
NH-P10	**Infrastructure** Manage new infrastructure by ensuring it: 1. Is not located in a Coastal Erosion Hazard Area or Coastal Flood Hazard Area,	Support	We support only locating infrastructure withing areas at risk from natural hazards if there is a functional or operational need for them to be located there. Infrastructure resilience directly contributes to community resilience to natural hazards, and as such	That the provision is retained

	or River Flood Hazard Areas unless there a functional need or operational need to locate in that area and this location is the most appropriate to service the needs of the community; 2. Is designed and constructed to be resilient to the effects of natural hazards, recognising: a. Not all natural hazards are known or mapped; b. Some natural hazard events may result in the temporary disruption to the operation of the infrastructure; c. Potential changes in hazards and a risk, including as a result of sea level rise and climate change; and 3. Does not transfer hazard risks to other locations and mitigates risks to people, property, other infrastructure and the environment.		infrastructure that does need to be located within areas at risk from natural hazards should be designed to be resilient to those hazards, accounting for the effects of climate change.	
NH-P11	**Protect natural systems that mitigate natural hazards** Protect existing natural systems and features that buffer or mitigate the adverse effects of natural hazards by: 1. Avoiding the modification, alteration or loss of natural systems and features that compromises their function as natural	Support	NHC supports the use of natural defences to natural hazards. This is particularly appropriate for flood hazard, as MfE's 2010 guidance document Preparing for Future Flooding[7] recommends the use of soft engineering and natural features to reduce flooding risk.	That the provision is retained

[7] https://environment.govt.nz/publications/preparing-for-future-flooding-a-guide-for-local-government-in-new-zealand/

	defences, including as a defence against long term effects such as sea level rise and climate change; and 2. Promoting the restoration and enhancement of such natural systems and features.			
NH-P12	**Limit new constructed natural hazard protection structures** Consider new hazard protection structures to protect existing development and existing and new infrastructure where: 1. Natural systems and features will not provide adequate protection from the natural hazard; 2. They are the only practical means to protect: a. Existing infrastructure or new infrastructure that has a functional or operational need to be in the location; or b. Existing settlements and development. 3. The structure is suitable for the location and does not transfer the risk and effects of natural hazards to other locations; 4. Any hazard protection structures considered necessary to protect private assets are not located on public land unless	Support	NHC supports only allowing new constructed natural hazard protection structures where they are required to protect existing infrastructure or new infrastructure that has a functional or operational need to exist in an at-risk location. This is aligned with direction in the New Zealand Coastal Policy Statement (NZCPS)[8], and MfE's 2010 guidance document Preparing for Future Flooding[7].	That the provision is retained

[8] https://environment.govt.nz/acts-and-regulations/national-policy-statements/new-zealand-coastal-policy-statement/

	there is significant public or environmental benefit in doing so; and 5. Alternative responses to the hazard (including soft protection measures, restoration or enhancement of natural defences against coastal hazards and abandonment of assets) are demonstrated to be impractical or have significantly greater adverse effects on the environment.			
NH-R1	**New structures (not including buildings or infrastructure) and additions and alterations to existing structures (not including buildings or infrastructure) in a river flood hazard** All zones 1. Activity status: Permitted Where: a. the structure is not a Hazard Protection Structure; b. the structure has a footprint of no more than 30m in a High- Risk River Flood Hazard Area; and c. The structure does not result in the diversion or transfer of flood water to, or increase ponding or flooding on other property. 2. Activity status when compliance not achieved: Restricted Discretionary 3. Matters over which discretion is restricted:	Support with amendments	NHC supports requiring that new structures and additions to structures within flood hazard areas do not transfer or increase flood hazard risk to other properties. We recommend that this rule includes the requirement that the structure does not also increase flood hazard on the property on which the structure is located. We support restricted discretionary status when compliance is not achieved and support the matters over which discretion is restricted.	That the following amendment is made: All zones 1. Activity status: Permitted Where: [...] [...] c. The structure does not <u>increase flood hazard on the property or</u> result in the diversion or transfer of flood water to, or increase ponding or flooding on other propert~~i~~<u>es</u>.

	a. The effects of flood hazards on the structure; b. The hazard risks to people or property; c. Cumulative effects and the potential for the addition/alteration to create, transfer or intensify hazard risks on adjoining sites; d. Any measures proposed to mitigate the effects of the hazard; and e. The use of the structure, including the storage and use of hazardous substances, and any management/ mitigation requirements associated with that use.			
NH-R2	**Additions and alterations to an existing building within a river flood hazard area** All zones 1. Activity status: Permitted Where: For all additions and alterations: a. The addition/alteration does not result in the diversion or transfer of flood water onto, or increase the potential impact of a flood event on any adjoining site in a 1 in 100-year ARI flood event. and For accessory buildings:	Support with amendments	NHC supports requiring that alteration and additions to buildings within flood hazard areas do not transfer or increase flood hazard risk to other properties. We recommend that this rule includes the requirement that the structure does not increase flood hazard on the property on which the building is located. We also recommend that "1 in 100-year flood" and "1 in 10-year flood" are replaced with "1% AEP flood" and "10% AEP flood" to retain consistency within the plan and align with the River Flood Hazard Area and High-Risk River Flood Hazard Area overlays. We support the requirement of 500mm freeboard for sensitive activities and 300mm freeboard for commercial and industrial activities within the River Flood Hazard Area, as this is in line with other	That the following amendments are made: All zones 1. Activity status: Permitted Where: For all additions and alterations: a. The addition/alteration does not <u>increase flood hazard on the property, or</u> result in the diversion or transfer of flood water onto, or increase the potential impact of a flood event on any adjoining site in a

	b. The addition/alteration does not result in the gross floor area of the accessory building exceeding the following in a High-Risk River Flood Hazard Area: i. 110 m in in the General rural zone, Rural lifestyle zone, or Māori purpose zone; and ii. 10m in all other zones. For buildings not containing sensitive activities: c. The addition/alteration has a minimum finished floor level of 300mm above the maximum water level in a 1 in 100-year flood event; and d. The addition/alteration is not in a High-Risk River Flood Hazard Area if it is in a zone other than the General rural zone, Rural lifestyle zone, and Māori purpose zone. For buildings containing sensitive activities: e. The addition/alteration is not in a High-Risk River Flood Hazard Area; and f. The addition/alteration has a minimum finished floor level of 500mm above the maximum water level in 1 in 100-year flood event.		territorial authorities in New Zealand. However, we note that flooding around buildings which have freeboard clearance of the floodwater will need to be maintained during recovery and post-event habitability due to potential build-up of silt, debris and possible contaminants underneath the building.	~~1 in 100-year ARI~~ 1% AEP flood event. [...] [...] For buildings not containing sensitive activities: c. The addition/alteration has a minimum finished floor level of 300mm above the maximum water level in a ~~1 in 100-year~~ 1% AEP flood event; and [...] [...] For buildings containing sensitive activities: e. The addition/alteration is not in a High-Risk River Flood Hazard Area; and f. The addition/alteration has a minimum finished floor level of 500mm above the maximum water level in ~~1 in 100-year~~ 1% AEP flood event. [...]

	2. Activity status when compliance not achieved: Restricted Discretionary 3. Matters over which discretion is restricted: a. The effects of flood hazards on the building; b. The hazard risks to people or property; c. Cumulative effects and the potential for the addition/alteration to create, transfer or intensify hazard risks on adjoining sites; d. Any measures proposed to mitigate the effects of the hazard; and e. The use of the building, including the storage and use of hazardous substances, and any management/ mitigation requirements associated with that use.			
NH-R3	**New accessory buildings in a river flood hazard area** 1. Activity status: Permitted Where: a. The accessory building does not result in the diversion or transfer of flood water onto, or increase the potential impact of a flood event on any adjoining site in a 1 in 100-year ARI flood event; and	Support	NHC supports requiring that new accessory within flood hazard areas do not transfer or increase flood hazard risk to other properties. We recommend that this rule includes the requirement that the structure does not also increase flood hazard on the property on which the building is located. We also recommend that "1 in 100-year flood" and "1 in 10-year flood" are replaced with "1% AEP flood" and "10% AEP flood" to retain consistency within the	That the following amendments are made: 1. Activity status: Permitted Where: a. The accessory building does not <u>increase flood hazard on the property, or</u> result in the diversion or transfer of flood water onto, or increase the potential impact of a flood event on any adjoining site in a

	b. The gross floor area of the accessory building does not exceed the following in a High- Risk River Flood Hazard Area: i. 110 m in the General rural zone, Rural lifestyle zone, or Māori purpose zone; and ii. 10m in all other zones. 2. Activity status when compliance not achieved: Restricted Discretionary 3. Matters over which discretion is restricted: a. The effects of flood hazards on the accessory building; b. The hazard risks to people or property; c. Cumulative effects and the potential for the addition/alteration to create, transfer or intensify hazard risks on adjoining sites; d. Any measures proposed to mitigate the effects of the hazard; and e. The use of the accessory building, including the storage and use of hazardous substances, and any management/ mitigation requirements associated with that use.		plan and align with the River Flood Hazard Area and High-Risk River Flood Hazard Area overlays. We support the requirement of 500mm freeboard for sensitive activities and 300mm freeboard for commercial and industrial activities within the River Flood Hazard Area, as this is in line with other territorial authorities in New Zealand. However, we note that flooding around buildings which have freeboard clearance of the floodwater will need to be maintained for recovery and post-event habitability due to potential build-up of silt, debris and possible contaminants underneath the building.	~~1 in 100-year ARI~~ 1% AEP flood event; and [...]

NH-R4	**New buildings (other than accessory buildings) in a river flood hazard area** Zone 1. Activity status: Restricted Discretionary Where: For new buildings not containing sensitive activities: a. The building has a minimum finished floor level of 300mm above the maximum water level in 1 in 100-year flood event. For new buildings containing sensitive activities: b. The building is not in a High- Risk River Flood Hazard Area; and c. The building has a minimum finished floor level of 500mm above the maximum water level in 1 in 100-year flood event. 2. Activity status when compliance not achieved with NHR4.1.a: Discretionary 3. Activity status when compliance not achieved with NH-R4.1.b or NHR4.1.c: Non-Complying 4. Matters over which discretion is restricted: a. The effects of flood hazards on the building;	Support	We support restricted discretionary status for new buildings within a river flood hazard area, and avoidance of new buildings containing sensitive activities within the High-Risk River Flood Hazard Area. We recommend that "1 in 100-year flood" and "1 in 10-year flood" are replaced with "1% AEP flood" and "10% AEP flood" to retain consistency within the plan and align with the River Flood Hazard Area and High-Risk River Flood Hazard Area overlays. We support the requirement of 500mm freeboard for sensitive activities and 300mm freeboard for commercial and industrial activities within the River Flood Hazard Area, as this is in line with other territorial authorities in New Zealand. However, we note that flooding around buildings which have freeboard clearance of the floodwater will need to be maintained during recovery and post-event habitability due to potential build-up of silt, debris and possible contaminants underneath the building.	That the following amendments are made: Zone 1. Activity status: Restricted Discretionary Where: For new buildings not containing sensitive activities: a. The building has a minimum finished floor level of 300mm above the maximum water level in ~~1 in 100-year~~1% AEP flood event. For new buildings containing sensitive activities: b. The building is not in a High- Risk River Flood Hazard Area; and c. The building has a minimum finished floor level of 500mm above the maximum water level in ~~1 in 100-year~~1% AEP flood event.

	b. The purpose of the building and its vulnerability or resilience to the flood hazard; c. The hazard risks to people or property; d. Cumulative effects and the potential to create, transfer or intensify hazard risks on adjoining sites including on overland flow paths and flood depths, velocity or frequency within the site or on surrounding sites; e. The effectiveness of any mitigation proposed; f. The storage and use of hazardous substances and any management/ mitigation requirements; and g. Methods to manage activities and uses within the site, including safe egress from buildings and structures on the site and the management of people and property during a flood event.			
NH-R5	**New structures (not including buildings or infrastructure) and additions and alterations to existing structures (not including buildings or infrastructure) in a coastal erosion hazard area or coastal flood hazard area** All zones 1. Activity status: Permitted Where:	Support with amendments	NHC supports requiring that new structures and additions to structures within coastal hazard areas do not transfer or increase hazard risk to other properties. We recommend that this rule includes the requirement that the structure does not also increase inundation or erosion hazard on the property on which the structure is located.	That the following amendment is made: All zones 1. Activity status: Permitted Where: a. The structure is not a Hazard Protection Structure;

	a. The structure is not a Hazard Protection Structure; b. The structure has a gross floor area of no more than 30m in a High-Risk Coastal Hazard Area; and c. The structure does not result in the diversion or transfer of inundation or erosion to other property. 2. Activity status when compliance not achieved: Restricted Discretionary 3. Matters over which discretion is restricted: a. The effects of coastal hazards on the structure; b. The hazard risks to people or property; c. Cumulative effects and the potential for the addition/alteration to create, transfer or intensify hazard risks on adjoining sites; d. Any measures proposed to mitigate the effects of the hazard; and e. The use of the structure, including the storage and use of hazardous substances, and any management/ mitigation requirements associated with that use.		We support restricted discretionary status when compliance is not achieved, and support the matters over which discretion is restricted.	b. The structure has a gross floor area of no more than 30m in a High-Risk Coastal Hazard Area; and c. The structure does not <u>increase coastal inundation or erosion hazard, or</u> result in the diversion or transfer of inundation or erosion to other property

NH-R6	**Additions and alterations to an existing building within a coastal erosion hazard area or coastal flood hazard area** All zones 1. Activity status: Permitted Where: For accessory buildings: a. The addition/alteration does not result in the gross floor area of the accessory building exceeding the following in a High-Risk Coastal Hazard Area: i. 110 m in in the General rural zone, Rural lifestyle zone, or Māori purpose zone; and ii. 10m in all other zones. For buildings not containing sensitive activities: b. The addition/alteration is not in a High-Risk Coastal Hazard Area; and c. The addition/alteration has a minimum finished floor level of 300 mm above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise). For buildings containing sensitive activities: d. The addition/alteration is not in a High-Risk Coastal Hazard Area; and e. The addition/alteration has a minimum finished floor level of	Support	NHC supports this provision, and we support the requirement of 500mm freeboard for sensitive activities and 300mm freeboard for commercial and industrial activities within the Coastal Flood Hazard Area, as this is in line with other territorial authorities in New Zealand. However, we note that inundation around buildings which have freeboard clearance of the inundation level will need to be maintained during recovery and post-event habitability due to potential build-up of silt, debris and possible contaminants underneath the building.	That the provision is retained.

	500mm above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise). 2. Activity status when compliance not achieved: Restricted Discretionary 3. Matters over which discretion is restricted: a. The effects of coastal hazards on the building; b. The hazard risks to people or property; c. The effectiveness of any mitigation measures including freeboard above predicted coastal flood levels; d. Cumulative effects and the potential for the addition/alteration to create, transfer or intensify hazard risks on adjoining sites; and e. The use of the building, including the storage and use of hazardous substances, and any management/ mitigation requirements associated with that use.			
NH-R7	**New accessory buildings in a coastal erosion hazard area or coastal flood hazard area** All zones 1. Activity status: Permitted Where:	Support	We support restricting new accessory buildings in coastal erosion hazard or coastal flood hazard areas to 10m^2 in residential zones, and restricted discretionary status when compliance is not achieved.	That the provision is retained.

	a. The gross floor area of the accessory building does not exceed the following in a High- Risk Coastal Hazard Area: i. 110m^2 in in the General rural zone, Rural lifestyle zone, or Māori purpose zone; and ii. 10m^2 in all other zones. 2. Activity status when compliance not achieved: Restricted Discretionary 3. Matters over which discretion is restricted: a. The effects of coastal hazards on the accessory building; b. The hazard risks to people or property; c. Cumulative effects and the potential for the addition/alteration to create, transfer or intensify hazard risks on adjoining sites; d. Any measures proposed to mitigate the effects of the hazard; and e. The use of the accessory building, including the storage and use of hazardous substances, and any management/ mitigation requirements associated with that use.		We support the matters over which discretion is restricted.	

NH-R8	**New buildings (other than accessory buildings) in a coastal erosion hazard area or coastal flood hazard area** All zones 1. Activity status: Permitted Where: For new buildings not containing sensitive activities: a. The building is not in a High- Risk Coastal Hazard Area; and b. The building has a minimum finished floor level of 300 mm above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise). For new buildings containing sensitive activities: c. The building is not in a High- Risk Coastal Hazard Area; and d. The building has a minimum finished floor level of 500 mm above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise). 2. Activity status when compliance not achieved with NH-R8.1.a or NHR8.1.b: Discretionary 3. Activity status when compliance not achieved with NH-R8.1.c or NHR8.1. d: Non-Complying	Support	We support restricted discretionary status for new buildings within a coastal erosion hazard or coastal flood hazard area, and avoidance of new buildings containing sensitive activities within the High-Risk Coastal Hazard Area. We support the requirement of 500mm freeboard for sensitive activities and 300mm freeboard for commercial and industrial activities within the Coastal Flood Hazard Area, as this is in line with other territorial authorities in New Zealand. However, we note that inundation around buildings which have freeboard clearance of the inundation level will need to be maintained during recovery and post-event habitability due to potential build-up of silt, debris and possible contaminants underneath the building. We support the matters over which discretion is restricted, and support discretionary status for buildings which do not comply with NH-R8.1.a/b, and Non-Complying status for buildings which do not comply with NH-R8.1.c/d	That the provision is retained.

	4. Matters over which discretion is restricted: a. The effects of coastal hazards on the building; b. The purpose of the building and its vulnerability or resilience to coastal hazards; c. Hazard risks to people or property; d. The effectiveness and durability of any mitigation, including the ability to relocate the building in response to future changes in hazard risk; e. The storage and use of hazardous substances and any management/ mitigation requirements; and f. Methods to manage activities and uses within the site, including safe egress from buildings and structures or the site and the management of people and property.			
NH-R10	**New hazard protection structures and upgrading and extensions of existing hazard protection structures** All zones 1. Activity status: Discretionary 2. Activity status when compliance not achieved: Not Applicable	Support	We support discretionary status for new hazard protection structures. Restricting new engineered hazard protection structures is aligned with direction in the New Zealand Coastal Policy Statement	That the provision is retained, but clarification is given on what is meant by “Not Applicable”.

			(NZCPS)[9], and MfE's 2010 guidance document Preparing for Future Flooding[10]. It is unclear what "Not Applicable" means in this context, if compliance is not achieved does this mean that consent will not be granted? Should this be replaced by Non-Complying?	
NH-R11	**Earthworks within a coastal erosion hazard area, coastal flood hazard area or river flood hazard area** All zones 1. Activity status: Permitted Where: a. The area of earthworks does not exceed: i. 50m^2 or volume of 50m^3 in a High-Risk Hazard Area; or ii. 100m^2 in the Coastal Flood or River Flood Hazard Area in any 12 month period; and b. The earthworks do not: i. raise the level of the land in a High-Risk Hazard Area in a way that results in the loss of any flood storage volume; and	Support	NHC supports restriction of the size of earthworks in areas at risk from river flood and coastal hazards, and requiring that earthworks which are permitted do not affect flood storage volume or increase the level of inundation in adjacent properties.	That the provision is retained.

[9] https://environment.govt.nz/acts-and-regulations/national-policy-statements/new-zealand-coastal-policy-statement/
[10] https://environment.govt.nz/publications/preparing-for-future-flooding-a-guide-for-local-government-in-new-zealand/

	ii. divert flood flow, coastal inundation or overland flow path onto another property. 2. Activity status when compliance not achieved: Restricted Discretionary 3. Matters over which discretion is restricted: a. The effects of the works on flood and coastal hazards; b. The hazard risks to people or property; c. Cumulative effects and the potential for the addition/alteration to create, transfer or intensify hazard risks on adjoining sites; and d. Any measures proposed to mitigate the effects of the hazard.			
NH-R12	**Significant hazardous facility in a coastal erosion hazard area, coastal flood hazard area, or river flood hazard area** All zones 1. Activity status: Non-Complying 2. Activity status when compliance not achieved: Not Applicable	Support with amendment	NHC supports Non-Complying status for significant hazardous facilities in areas at risk from flood, coastal inundation and erosion. In a natural hazard event, particularly flooding or coastal inundation, significant hazardous facilities can contribute industrial and biohazardous material to floodwaters, which increases the impact to communities and complicates response and recovery. It is unclear what “Not Applicable” means in this context, if compliance is not achieved does this mean that consent will not be granted?	That the provision is retained, but clarification is given on what is meant by “Not Applicable”.

NH-R13	**Infrastructure located in a coastal erosion hazard area, coastal flood hazard area, or river flood hazard area** All zones 1. Activity status: Restricted Discretionary [...] 3. Matters over which discretion is restricted: a. Whether there is a functional need or operation need for the infrastructure to be located in the natural hazard area; b. Cumulative effects and the potential to create, transfer or intensify natural hazard risks on adjoining sites including as a result of any proposed mitigation; c. The nature and extent of the natural hazard, the resilience of the infrastructure to the effects of the hazard and the effectiveness and durability of any mitigation; and d. Methods to manage activities within the site, including safe access to and from the infrastructure during a hazard event. 4. Activity status: Discretionary Where the activity is one of the following: a. Substations and associated transformers and switching stations;	Support	NHC supports restricted discretionary and discretionary activity status for infrastructure within areas at risk from flood, coastal inundation and erosion. Functioning infrastructure, particularly roads, water, electricity and telecommunications, are essential in the response to and recovery from natural hazard events, and the habitability of settlements in the wake of these events. Resilient infrastructure therefore contributes to the overall resilience of communities. It is unclear what "Not Applicable" means in this context, if compliance is not achieved does this mean that consent will not be granted?	That the provision is retained, but clarification is given on what is meant by "Not Applicable".

	b. Below ground reservoirs for Council's water supply, stormwater or wastewater networks; or c. Above ground reservoirs for Council's water supply, stormwater or wastewater networks. 5. Activity status when compliance not achieved: Not Applicable			
INF-P16	**Ensure that stormwater and drainage infrastructure for subdivision, land use and development:[...]** 3. Retains pre-development hydrological conditions as far as practicable; 4. Does not increase the flow of stormwater runoff onto adjoining properties; and 5. Provides a stormwater catchment management plan for future urban development.	Support	We support maintaining pre-development hydrological conditions during land use and subdivision, and the management of stormwater catchment for urban development to avoid increasing stormwater and flood risk.	That the provision is retained.
INF-R46	**New capital works and upgrades of regional flood management infrastructure, including but not limited to flood control dams, flood gates, stop banks, channels, and culverting of waterways** All zones 1. Activity status: Restricted Discretionary 2. Matters over which discretion is restriction:	Support	We support restricted discretionary status for new and upgraded regional flood management infrastructure, and including the functional and operative need for the infrastructure, the effectiveness of hazard mitigation and the risk of hazards to public safety and property damage in the discretionary matters. It is unclear what "Not Applicable" means in this context, if compliance is not achieved does this mean that consent will not be granted? Should this be replaced with Non-Complying?	That the provision is retained, but clarification is given on what is meant by "Not Applicable".

	a. The extent to which adverse effects are avoided, remedied or mitigated. b. The functional need and operational need of, and benefits derived from, the infrastructure. c. The bulk, form, scale, location of the structure. d. Visual, landscape and amenity effects. e. The risk of hazards to public or individual safety, and risk of property damage. f. Effectiveness of the management of natural hazards. 3. Activity status when compliance not achieved: Not Applicable			
CE-P6	**Assessment of resource consents** Have regard to the following matters when assessing resource consent applications for subdivision, land use, and development in the coastal environment: [...] 10. Any risk related to natural hazards; and [...]	Support	NHC supports requiring that assessment of resource consents have regards to natural hazard risk.	That the provision is retained.
SUB-P1	**Subdivision design and location** Enable subdivision that is designed and located to: [...] 3. Avoid or appropriately mitigate the risks of natural hazards;[...]'	Support	We support this policy, however, we suggest that the condition "mitigate to as low as reasonably practicable" is used instead of "appropriately mitigated", to ensure that natural hazard mitigation efforts are completed to a consistent and robust standard.	That the following amendment is made: Enable subdivision that is designed and located to: [...]

				3. Avoid or ~~appropriately~~ mitigate the risks of natural hazards <u>to as low as reasonably practicable</u>; [...]'
SUB-R3	**Subdivision to create new allotments** General residential zone, Commercial zone, Light industrial zone, Heavy industrial zone, General rural zone, Rural lifestyle Zone 1. Activity status: Controlled Where: a. All subdivision complies with SUB-S1 to SUB-S15;[...] 2. This rule does not apply to the Special purpose zones. 3. Control is reserved over the following matters: [...] f. The location of building platforms in relation to a river flood or coastal hazard area or an area subject to land instability; [...] 4. Activity status when compliance with SUB-R3.1.a to SUB-R3.1.c not achieved: Discretionary	Support	NHC support controlled activity status for subdivision to create new allotments, and the requirement that building platforms are not subject to inundation in a 1 in100-year flood event as per SUB-S2, and be located outside the Coastal Flood Hazard Area, River Flood Hazard Area, and High-Risk Hazard Areas as per SUB-S15. We recommend that "100-year flood" in SUB-S2 is replaced with "1% AEP flood" to retain consistency within the plan and align with the River Flood Hazard Area.	That the provision is retained and SUB-S2 is amended as requested.
SUB-R4	**Small lot subdivision** General rural zone 1. Activity status: Controlled Where: [...] f. The subdivision complies with SUB-S2 — S15. 2. Control is reserved over the following matters: [...]	Support	NHC support controlled activity status for small lot subdivision, and the requirement that building platforms are not subject to inundation in a 1 in100-year flood event as per SUB-S2, and be located outside the Coastal Flood Hazard Area, River Flood Hazard Area, and High-Risk Hazard Areas as per SUB-S15. We recommend that "100-year flood" in SUB-S2 is replaced with "1% AEP flood" to retain consistency	That the provision is retained, and SUB-S2 is amended as requested.

	d. The location of building platforms in relation to mapped river flood or coastal hazard areas or an area subject to land instability;[...] 3. Activity status when compliance with SUB-R4.1.a, b, d and e not achieved: Discretionary 4. Activity status when compliance with SUB-R4.1.c not achieved: Non- Complying		within the plan and align with the River Flood Hazard Area. We also note that part 2.d. of this rule will be best achieved by the creation and inclusion in the plan of a land instability hazard map. This allows for consistent avoidance of areas which are most at risk from landslide and other geotechnical hazards.	
SUB-S2	**Building platforms** General residential zone 1. Where each allotment has a building platform that: [...] b. Is certified by a geotechnical engineer as geotechnically stable and suitable for a building platform; c. Is not subject to inundation in a 100-year flood event; [...] General rural zone, Rural lifestyle zone 2. Where each allotment has a building platform that: [...] b. Is certified by a geotechnical engineer as geotechnically stable and suitable for a building platform; c. Is not subject to inundation in a 100-year flood event; [...] 3. Activity status when compliance not achieved: Restricted Discretionary	Support	We support standards for building platforms which require geotechnical assessment for land stability and are not at risk from flooding. We recommend that "100-year flood" is replaced with "1% AEP flood" to retain consistency within the plan and align with the River Flood Hazard Area.	That the following amendments are made: 1. Where each allotment has a building platform that: [...] c. Is not subject to inundation in a ~~100-year~~ 1% AEP flood event; [...] General rural zone, Rural lifestyle zone 2. Where each allotment has a building platform that: [...] c. Is not subject to inundation in a ~~100-year~~ 1% AEP flood event; [...]

	4. Matters over which discretion is restricted: a. Earthworks and fill material required for building platforms and access; b. Geotechnical suitability for building; c. Mitigation of the risks from natural hazards; [...]			
SUB-S15	**Subdivision of a site subject to natural hazards** All zones 1. Any proposed building platform must be located entirely outside of the following areas: a. Coastal flood hazard area; b. River flood hazard area; and c. High-Risk hazard area. 2. Activity status when compliance with SUB-S15.1.a-b not achieved: Discretionary 3. Activity status when compliance with SUB-S15.1.c not achieved: Non-Complying Note: Any application for a resource consent in relation to a site that is potentially affected by a natural hazard must be accompanied by a report prepared by a suitably qualified and experienced engineer that provides a site-specific assessment of the natural hazard risks and how the proposal will manage those risks.	Support	NHC supports discretionary activity status for subdivision which creates building platforms within the coastal and river flood hazard areas, and Non-Complying activity status for subdivision which creates building platforms within high-risk hazard areas. We also support requiring a report prepared by a suitably qualified and experienced engineer that provides site-specific assessment of the natural hazard risks and how the proposal will manage those risks with any resource consent application in relation to sites that are potentially affected by natural hazards.	That the provision is retained.

EW-P2	**Manage the effects of earthworks** Manage the adverse effects of earthworks by ensuring: [...] 3. The stability of land is maintained, including the stability of adjoining land, infrastructure, buildings and structures;	Support	NHC supports requiring that earthworks do not increase land instability or the risk of landslides on the property or adjoining properties.	That the provision is retained.