

## To the Planning Team, Makenzie District Council

Name of submitter: Sarah-Jayne McCurrach

Organisation: Natural Hazards Commission Toka Tū Ake (NHC)

Email: [resilience@naturalhazards.govt.nz](mailto:resilience@naturalhazards.govt.nz)

Date: 24 February 2025

Thank you for the opportunity to submit further on Plan Change 28 – Hazards and Risks, Historic Heritage and Notable Trees.

NHC encourages territorial authorities to use risk-based frameworks in district plans to reduce risk and increase resilience to natural hazards. In alignment with our original submission, we support some submissions on Plan Change 28 in this regard, and we have identified some submissions that we oppose.

In particular, NHC supports aligning definitions and provisions within this chapter with CRPS definitions and articles. Consistent approaches to natural hazard management across districts is an important part of increasing New Zealand's resilience as a whole. In addition, we support some of Meridian Energy's submissions related to natural hazard provisions and oppose Springwater Trust's submission that visitor accommodation should be permitted in Hydro Inundation Areas.

Our comments on these submissions can be found in the attached Further Submission Table.

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, NHC

## Form 6, Clause 8 of Schedule 1, Resource Management Act 1991

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### Natural Hazards Commission Toka Tū Ake Further Submission on Mackenzie District Plan Change 28 - Plan Change 28 – Hazards and Risks, Historic Heritage and Notable Trees, and Variations

**To:** Mackenzie District Council

Via Council submission email:  
districtplan@mackenzie.govt.nz

**Submitter:** Natural Hazards Commission Toka Tū Ake (NHC)

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**1. This is a further submission on the following:**

Mackenzie District Plan Change 28 - Plan Change 28 – Hazards and Risks, Historic Heritage and Notable Trees, and Variations

**2. NHC is a person who has an interest in the proposal that is greater than the interest the general public has.**

As NHC is the ‘first loss’ insurer for residential damage resulting from natural hazards listed in the NHI Act, NHC carries significant financial risk on behalf of the Crown. This means that NHC has a strong interest in reducing risk from, and building resilience to, natural hazards across New Zealand

**3. NHC supports, is neutral, or opposes the submissions of original submitters to the extent outlined in this submission.**

**4. NHC does not wish to be heard in support of this further submission.**

Date: 24/02/2025

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## NHC Further Submission

Original Submitter	Submission Number	Description	Support/ Oppose	Reasoning	Requested Action
Canterbury Regional Council	PC28.50 50.04	Amend definition as follows: Means areas where the product of water depth (metres) multiplied by velocity (metres per second) equals or exceeds 1, <u>or where depths are greater than 1 metre</u> , in areas subject to inundation during a <del>an event</del> of 500 year ARI flood event.	Support	NHC supports aligning definitions and provisions within this chapter with CRPS definitions and articles. Consistent approaches to natural hazard management across districts is an important part of increasing New Zealand's resilience as a whole.  We support including flood depths of greater than 1 metre in the definition of High Flood Hazard Area. This depth of flooding is hazardous to children, elderly and vehicles according to Australian Institute for Disaster Resilience flood hazard curves.	That this submission be allowed
Canterbury Regional Council	PC28.50 50.15	Amend as follows: Activity status when compliance is not achieved with R1.1: RDIS Matters of discretion are restricted to: The extent to which hazardous substances can be safely contained to avoid inundation by floodwater or contamination of land or water in the event of a 0.52% AEP flood event.	Support	The contamination of floodwater by hazardous substances can pose serious hazard to people and land which is inundated by the contaminated flood, and further contaminate groundwater. We support requiring containment of hazardous substances to be safely contained to avoid inundation by a 0.2% AEP flood event.	That this submission be allowed

Canterbury Regional Council	PC28.50 50.18	Amend Introduction as follows: ...The natural hazards managed by this chapter of the District Plan are: • Flood hazards; • Surface fault rupture as a result of earthquakes; • Liquefaction as a result of earthquakes; and • Wildfire hazards; and • <u>Landslide hazards</u> ; ...The District Plan assists with managing the risk of wildfire spread by managing vegetation at the rural-urban interface <del>which is identified in the Rural – Urban Interface Overlay</del> and requiring water supply for firefighting...	Support	Landslides are one of the most common natural hazard events that occur in New Zealand. Historically, landslides have killed more people in New Zealand than any other hazard, and they can cause significant damage to land and property. As such NHC supports including landslide hazard as a natural hazard managed by this plan.	That this submission be allowed
Meridian Energy Limited	PC28.39 39.09	Insert a new objective as follows: <u>NH-O1A Critical Infrastructure</u> <u>New subdivision, use and development of land for critical infrastructure avoids increasing the risks of natural hazards to people, property and infrastructure or, where avoidance is not practicable, mitigation measures minimise such risks.</u>	Support with amendment	We support critical infrastructure avoiding increasing the risks from natural hazards to neighbouring people, property and infrastructure. We understand that critical infrastructure sometimes has an operational or functional need to be located in an area which will increase the risk of natural hazard to neighbouring people, properties, and infrastructure. In this case mitigation should minimise the risk to neighbouring people, properties and infrastructure to as low as reasonably practicable. This should be stated explicitly to lessen the extent to	Insert a new objective as follows: <u>NH-O1A Critical Infrastructure</u> <u>New subdivision, use and development of land for critical infrastructure avoids increasing the risks of natural hazards to people, property and infrastructure or, where avoidance is not practicable, mitigation measures minimise such risks to as low as</u>

				which the appropriate level of mitigation is open to interpretation.	<i>reasonably practicable.</i>
Canterbury Regional Council	PC28.50 50.20	Amend as follows: 1. Critical infrastructure is <del>located and</del> designed to be resilient to the effects of natural hazards, <u>and located to be resilient to the effects of natural hazards as far as is practicable</u> ; and...	Support with amendment	We support critical infrastructure being, located to be resilient to the effects of natural hazards.  We consider that ‘as far as is <i>reasonably</i> practicable’ is better wording than ‘as far as is practical’, as ‘reasonably practicable’ is the phrase commonly used across government (e.g. in the RMA and Health and Safety at Work Act), and across risk management.  ‘Reasonably practicable’ considers the operating environment, costs and benefits of the mitigation works, and to what extent the mitigation is reasonable.	That this submission be allowed with the following amendment:  Amend as follows: 1. Critical infrastructure is located and designed to be resilient to the effects of natural hazards, <u>and located to be resilient to the effects of natural hazards as far as is <i>reasonably</i> practicable</u> ; and...
Canterbury Regional Council	PC28.50 50.22	Amend as follows:  Identify areas of natural hazards risk through the use of natural hazard overlays <u>and natural hazard assessments</u> , and use the most up to date information available to provide site specific natural hazard assessments.	Support	We support including natural hazard assessments within this provision as this better reflects the mechanism for identifying High Flood Hazard Areas outlined in the Plan Change	That this submission be allowed
Canterbury Regional Council	PC28.50 50.24	Amend as follows:  Within the Flood Hazard assessment Overlay (except High Flood Hazard Areas), enable:...	Support	We support including the requirement that subdivision, use and development does not increase flood risk on another site. Increased	That this submission be allowed

		3. any other new subdivision, use and development only where <u>it does not increase flood risk on another site, and where every new natural hazard sensitive building has an appropriate floor level above the 500 year ARI design flood level.</u>		runoff from subdivision and development frequently causes increased flood risk in neighbouring areas where there is not sufficient drainage engineering to prevent this.	
Canterbury Regional Council	PC28.50 50.25	Amend as follows:  Within any High Flood Hazard Area avoid any:...  2. Subdivision and new natural hazard sensitive buildings unless it is:  a) Not likely to result in loss of life or serious injuries; and  b) Not likely to suffer significant damage or loss; and  c) Not likely to require new or upgraded public natural hazard mitigation works to be undertaken by a local authority to mitigate or avoid the natural hazard; and  d) Not likely to exacerbate the effects of the natural hazard, <u>including by increasing flood risk on another site....</u>	Support	We support including the requirement that subdivision, use and development does not increase flood risk on another site. Increased runoff from subdivision and development frequently causes increased flood risk in neighbouring areas where there is not sufficient drainage engineering to prevent this.	That this submission be allowed
Canterbury Regional Council	PC28.50 50.30	Insert new rule as follows:  <u>NH-RX Above ground earthworks, new buildings and structures in the Flood Hazard Assessment Overlay Activity Status: PER Where:</u>	Support	We support restricted discretionary status for above ground earthworks, new buildings and structures in the Flood Hazard Assessment Overlay, where flooding will be worsened on another property through the	That this submission be allowed

		<p><u>1. Flooding will not be worsened on another property through the diversion or displacement of floodwaters</u></p> <p><u>Activity status when compliance is not achieved with RX.1: RDIS Matters of discretion are restricted to:</u></p> <p><u>1. The likely extent of flooding on the site</u></p> <p><u>2. The potential for the activity to exacerbate flooding on any other site</u></p> <p><u>3. The extent to which the earthworks or new building or structure impedes the free passage of floodwater.</u></p>		diversion or displacement of floodwaters.	
Meridian Energy Limited	PC28.39 39.15	<p>Amend the activity descriptor of NH-R8 as follows:</p> <p><u>Buildings and Structures Not Provided for by NH-R6 or Otherwise Provided For</u></p>	Support	We agree due to the overlap of the Ostler Fault Hazard Area overlay and the Fault Hazard (Critical Infrastructure) overlay that it is not clear whether critical infrastructure is regulated by NH-R8 or NH-R6.	That this submission be allowed
Springwater Trust	PC28.02 02.01	<p>Non complying activity status for residential visitor accommodation within Hydro Inundation overlay generally should be changed to a permitted activity, subject to the following rules:</p> <ul style="list-style-type: none"> <li>• That a community response plan is completed in conjunction with Civil Defence and is made available to visitors upon arrival at the accommodation.</li> </ul>	Oppose	<p>We support non-complying activity status for visitor accommodation within the Hydro Inundation overlay.</p> <p>Inundation from a hydrological dam failure could be very rapid and result in very dangerous flooding. Evacuation may not be possible, and such an event would not be able to be mitigated by engineering solutions.</p>	That this submission be disallowed

## NOT GOVERNMENT POLICY

		<ul style="list-style-type: none"> <li>• That the visitor accommodation has clearly displayed the actions required in the event of hydro inundation.</li> </ul>		<p>In addition, many visitors to New Zealand and the Mackenzie District do not have English as a first language and are not familiar with New Zealand hazards and civil defence. Making community response plans available to visitors may not be effective, and how the plans are exercised, evaluated and reviewed will be difficult to monitor as a permitted activity.</p>	
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