

## Chapter: NH – Natural Hazards

Feed-back No.	Section	Sub-section	Plan Provision	Feedback	Relief sought
120.2	NH – Natural hazards			<p><i>My submission(s) commence with a copy of my earlier submission (13-02-2017). While all aspects raised in that document are still relevant, there is definately scope for both updating and additional detail to be considered and I thank the Planning Staff for the opportunity to have my views aired. This submission will have four sections -</i></p> <ol style="list-style-type: none"> <li><i>1.. The original document of nearly four years ago</i></li> <li><i>2.. Updating details of that document and further pertinent details</i></li> <li><i>3.. Lookout Road issues</i></li> <li><i>4.. Dog Control issues</i></li> </ol> <p><i>1.. (copy original submission)</i></p> <p><i>2.. While there can be no qualms about the Floodplain Zoning for that area immediately East of the [REDACTED] and most (if not all) those property holders in that area actually welcome the fact that it stops the intensive development and crowding which we are starting to see in other parts of [REDACTED]</i></p> <p><i>However, there are five sections only partially within this area and three of them have existing (pre 1975) dwellings on them. The houses on these three sections are above the Floodplain boundaries and it is only their access tracks that are within this zoning. The fourth and fifth properties ([REDACTED] [REDACTED] and [REDACTED] [REDACTED] are, at this time, vacant sections and there are early indications these blocks will have Building Consent Applications submitted. While [REDACTED] is the same situation as the three dwellings mentioned earlier i.e. access track is on the Floodplain, [REDACTED] [REDACTED] is different where the only portion of that block liable to flooding is at the Southwest corner and this is where an inadequate culvert across [REDACTED] situated. My submission relating to all of these blocks is that none of them should have any extra restrictions placed upon them.</i></p> <p><i>Both the above mentioned sections and all other sections in the Floodplain area now enjoy wide ranging protective measures that have never been acknowledged by either the earlier District Plan(s) or the current proposal and this is the crux of my submission regarding items 1 &amp; 2.</i></p>	





			<p>Finally, thanks for the opportunity to make the above submissions. It certainly was a long winded effort but needed to be backed up by current evidence. I would welcome the opportunity to address the Planning Board.</p> <p>██████████</p> <p>████████████████████</p> <p>██████████</p>	
<a href="#">87.9</a>	NH – Natural hazards	General	<p>Support in part</p> <p>██████████ ██████████ is located in a Flood Assessment Area.</p> <p>Under the DDP, these areas are highly likely to be subject to flooding but require a site-specific assessment to determine the level of risk to people and property. The DDP provides a mechanism to determine this risk, as outlined by Standard NH-S1, whereby a Flood Risk Certificate (valid for 2 years), can be issued by Council for any specific site.</p> <p>Depending on the risk identified in the Flood Risk Certificate, the rules provide for new buildings and development as permitted activities (i.e., Rule NH-R5). ██████████ is comfortable with this approach.</p> <p>However, amendments are required that ensure that the rules apply in a consistent manner to potential development in Flood Assessment Areas.</p>	Amend NH-R1 - explained in that submission point
<a href="#">143.35</a>	NH – Natural hazards	General	<p><i>Natural Hazards</i></p> <ul style="list-style-type: none"> <li>· <i>Natural hazards of differing types are identified and risks from them are to be avoided or mitigated through design.</i></li> <li>· <i>Refers to 0.5% or 1 in 200 year events for flood risk baseline.</i></li> </ul>	<ul style="list-style-type: none"> <li>• ██████████ request that the mapping of non-static natural hazards should sit outside of the District Plan, but be provided for by way of</li> </ul>

			<ul style="list-style-type: none"> <li>· <i>Natural hazard areas, notably flood risk areas are mapped as a statutory layer on the Draft Plan's maps.</i></li> <li>· <i>Compliance with natural hazard (flooding) provisions required via a certification process whereby any certificates issued by TDC are valid for two years.</i></li> <li>· <i>The intention of the district plans is to ensure subdivision, use and development are appropriately protected from natural hazards, as is the need to align the flood event thresholds with Canterbury Regional Policy Statement requirements. In relation to the latter, the Draft Plan's qualified enablement of limited activities within defined high hazard areas is supported.</i></li> <li>· <i>With respect to methods to give effect to the objective and policies, [REDACTED] consider that the identification and mapping of natural hazards should sit outside of the RMA plan promulgation process (but be provided for by way of definition, rule and standard) and mapped as a non-statutory layer or on a separate map data base. This is because the natural hazard areas and their extents can change over time. Having these hazards as a non-statutory layer or on a non-statutory map database, allows for mapping to be updated without the need for any formal of Schedule 1 RMA process.</i></li> <li>· <i>[REDACTED] also query the 'Flood Risk Certificate' method (Rule NH-S1) and seek clarification on the lawfulness of this (i.e. is this a Certificate of Compliance for a particular rule only; what is the basis for compelling a certificate to be applied for; and how enforceable is a two year 'lapse' when they would be associated with a resource consent subject to a five-year lapse period?).</i></li> </ul>	<p>definition, rule and standard.</p> <ul style="list-style-type: none"> <li>• [REDACTED] also query the 'Flood Risk Certificate' method (Rule NH-S1) and recommend that TDC seek further clarification on the lawfulness of this practice.</li> </ul>
--	--	--	---	--

<a href="#">91.1</a>	NH – Natural hazards	General	General	<p>█████ understands the intent of the natural hazard chapter and is generally supportive of the objectives and policies drafted. However, it has concerns that some of the rules are not ‘workable’ and will have considerable unintended restrictions on █████ ability to operate and maintain its Tata property, which has been included in the proposed ‘Flood Assessment Area’ Overlay.</p>	
<a href="#">100.8</a>	NH – Natural hazards	General	General	<p>Over recent years, New Zealand has been subject to a wide range of significant natural hazards, including flooding, earthquakes, liquefaction, landslides, droughts, and wildfires. These have produced devastating effects on property and livelihoods, and also impact both the environment and our wellbeing.</p> <p>Farmers within the District know the devastation that can come through these events. Weather and natural disasters are typically beyond our control at the time they occur, but there are ways in which we can reduce their impact by improving our resilience, our preparation, and our agility to respond and recover.</p>	
<a href="#">68.21</a>	NH – Natural hazards	Introduction	The Timaru district is framed by hills and mountains	<p>The introduction makes note of climate projections, but fails to reference what projections are utilised.</p>	
<a href="#">158.16</a>	NH – Natural hazards	Introduction	The Timaru district is framed by hills and mountains	<ol style="list-style-type: none"> <li>1. We note that there is a statement in the introduction, stating ‘The Natural Hazards chapter contains a policy direction to address the management of risk from natural hazards in the District (noting that coastal hazards are addressed within the Coastal Environment chapter).’</li> <li>2. We understand this to mean that the natural hazards chapter objectives and policies do not apply to areas only subject to coastal hazards. We recommend that this be made more explicit by adding another sentence to say just that, otherwise there is the potential for argument over whether the natural hazard chapter objectives and policies apply in addition to the coastal hazard provisions. It’s a small matter, but we have recently experienced similar arguments about similar wording in relation to another District Plan.</li> </ol>	

<a href="#">93.14</a>	NH – Natural hazards	NH-P1 Identification of natural hazards and approach to management within natural hazard areas	General	<p><i>Liquefaction Areas</i></p> <p><i>The Overlay as proposed is unlikely to conflict with █████ activity now and future changes. █████ would like to be involved in any discussions or investigations that may change the location or extent of this overlay as it affects █████ █████</i></p>	
<a href="#">93.15</a>	NH – Natural hazards	NH-P1 Identification of natural hazards and approach to management within natural hazard areas	General	<p><i>Overland Flow Paths</i></p> <p><i>The Overlay as proposed is unlikely to conflict with █████ activity now and future changes. █████ would like to be involved in any discussions or investigations that may change the location or extent of this overlay as it affects █████ █████</i></p>	
<a href="#">100.9</a>	NH – Natural hazards	NH-R3 Farm building with an unsealed or permeable floor	General	<p><i>NH-R3 Support. Farm buildings with an unsealed or permeable floor are a very low risk in areas prone to flooding.</i></p>	

<a href="#">43.28</a>	NH – Natural hazards	Objectives	NH-O1 Areas subject to natural hazards	<p><i>Amend as follows:</i></p> <p><i>Risk to human life and critical infrastructure, and significant risk to property, from natural hazards is:</i></p> <p><i>1. avoided in high hazard areas; and</i></p> <p><i>2. avoided or mitigated elsewhere <del>where practicable or otherwise mitigated</del> to an acceptable level.</i></p> <p><i>This clarifies that the approach is consistent with the natural hazards management hierarchy as set out in the CRPS.</i></p>			
<a href="#">96.16</a>	NH – Natural hazards	Objectives	NH-O1 Areas subject to natural hazards	<p>█████ understands the need to locate infrastructure away from high hazard levels where practicable. However it is noted that this is not always practical for fire stations from an operational or functional standpoint.</p>			
<a href="#">141.95</a>	NH – Natural hazards	Objectives	NH-O1 Areas subject to natural hazards	NH-O1 Areas subject to natural hazards	Oppose in part	<p>█████ supports avoiding risk in identified high hazard areas but considers that ‘elsewhere where practicable or otherwise mitigated to an acceptable level’ is too vague an objective and does not provide certainty in the approach. For instance, the extensive ‘hazard assessment areas’ means that there is no certainty as to what is intended in those areas.</p>	Delete from NH-O1 ‘elsewhere where practicable or otherwise mitigated to an acceptable level’
<a href="#">145.66</a>	NH – Natural hazards	Objectives	NH-O1 Areas subject to natural hazards	<p><i>Support with amendment - this is supportable because of the words “where practicable” however could seek a change to add “or functional and operational need”</i></p>		seek a change to add “or functional and operational need”	
<a href="#">145.81</a>	NH – Natural hazards	Objectives	NH-O2 Regionally significant	<p><i>Support with amendment this is supportable because of the words “where practicable” however could seek a change to add “or functional and operational need”</i></p> <p><i>The telecommunications are Lifeline Utilities and as such design and construct the networks to CDEM requirements and have to provide infrastructure through and in natural hazard areas –the objectives</i></p>			

			infrastructure	<i>and policies should recognise this need and usually there is no option to avoid so the networks are designed to reasonable function in these areas.</i>		
<a href="#">141.97</a>	NH – Natural hazards	Policies		NH-PX New policy and rule for biosecurity	There is considerable risk to the community through management of incursions of unwanted organisms in the district. This is where a new organism is found under the Biosecurity Act. There is a council role to enable the removal and destruction of infected material through provision for burial of infected material and removal, particularly from areas such as riparian margins where vegetation removal is restricted.	<p>Include a new policy in NH - PX:</p> <p>Biosecurity risk: Enable the removal and destruction of material infected by unwanted organisms that are being managed as part of Biosecurity response under the Biosecurity Act 1993.</p> <p>Include a definition for 'material infected by unwanted organisms':</p> <p>'Material infected by unwanted organisms as declared by MPI Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993'.</p> <p>Include a rule to provide for:</p> <p>'removal and burying of infected material for biosecurity purposes' as a Permitted Activity.</p>

<a href="#">43.22</a>	NH – Natural hazards	Policies	NH-P13 Buildings and structures located rive	<i>Amend as follows: <del>Prohibit</del> Avoid the construction of any new buildings or structures on the river side of a stopbank that is owned or managed by the Canterbury Regional Council, except where this is for public utilities, utility services, or hazard mitigation works.</i>	
<a href="#">68.24</a>	NH – Natural hazards	Policies	NH-P13 Buildings and structures located rive	<i>This policy is unrealistic. For example, there is a need for some infrastructure to be on the river side of a stopbank, such as electricity transmission pylons and poles, irrigation intakes, storm-water outlets, bridges, communications lines, water and sewage pipelines, which cross rivers either on bridges or as stand alone structures.</i>	
<a href="#">43.26</a>	NH – Natural hazards	Policies	NH-P2 Consideration of tsunami risk Take	<i>Retain as proposed or preserve the original intent. █ supports the consideration of tsunami risk when considering the location of sensitive activities.</i>	
<a href="#">158.17</a>	NH – Natural hazards	Policies	NH-P2 Consideration of tsunami risk Take	<i>1. Policy NH-P2 regarding tsunami risk, we support this as a matter for consideration only and therefore assessment on a case by case basis, as relevant.</i>	
<a href="#">145.35</a>	NH – Natural hazards	Policies	NH-P6 Subdivision and critical infrastructure	<i>support</i>	retain
<a href="#">43.27</a>	NH – Natural hazards	Policies	NH-P7 Slope stability and	<i>Consider amending the policy to clarify whether all hazard risk must be avoided, or only significant hazard risk.</i>	

			subsidence risk	<i>e.g. Require subdivision, use and development in areas subject to risks of slope instability and subsidence to demonstrate the appropriateness of the site for subdivision, use or development in a way that can avoid significant hazard risks to people and property.</i>			
<a href="#">141.96</a>	NH – Natural hazards	Policies	NH-P1 Identification of natural hazards and	NH-P1 Identification of natural hazards and approach to management within natural hazard areas	Support	Generally, [REDACTED] supports the proposed approach but notes that any rules need to be practical and reflect genuine and quantified risk to human life, critical infrastructure and property and be proportionate to the level of risk that exists.	Ensure that rules reflect the quantified level of risk that exists.
<a href="#">68.23</a>	NH – Natural hazards	Policies	NH-P10 Critical infrastructure in natural ha	<i>The inclusion of the word 'any' in item 3 will in time prove problematic.</i>			
<a href="#">96.19</a>	NH – Natural hazards	Policies	NH-P10 Critical infrastructure in natural ha	<i>The policy has accounted for the potential operational need or functional need for critical infrastructure to be located in that area. This covers fire stations/emergency service facilities.</i>			
				<i>Retain</i>			
<a href="#">145.36</a>	NH – Natural hazards	Policies	NH-P10 Critical infrastructure in natural ha	<i>support</i>		retain	
<a href="#">43.25</a>	NH – Natural hazards	Policies	NH-P11 High hazard areas	<i>Retain as proposed or preserve the original intent.</i>			

			Avoid subdiv					
<a href="#">141.100</a>	NH – Natural hazards	Policies	NH-P11 High hazard areas Avoid subdiv	<table border="1"> <tr> <td>NH-P11 High hazard areas</td> <td>Support in part</td> <td>NH-P11 1 provides for farm buildings in a Rural Zone that only has an unsealed or permeable floor. The clause should also provide for rural structures as well as buildings.</td> </tr> </table>	NH-P11 High hazard areas	Support in part	NH-P11 1 provides for farm buildings in a Rural Zone that only has an unsealed or permeable floor. The clause should also provide for rural structures as well as buildings.	Amend NH-P11 by including rural buildings and structures.
NH-P11 High hazard areas	Support in part	NH-P11 1 provides for farm buildings in a Rural Zone that only has an unsealed or permeable floor. The clause should also provide for rural structures as well as buildings.						
<a href="#">145.37</a>	NH – Natural hazards	Policies	NH-P12 Critical infrastructure in high hazard	<i>support</i>	retain			
<a href="#">43.13</a>	NH – Natural hazards	Policies	NH-P3 Role of natural features and vegetatio	<i>Consider amending the policy wording to make it clear whether the proviso ‘where appropriate’ applies to ‘protect’, ‘maintain’, and ‘restore’, or if it only applies to the latter of the options.</i>				
<a href="#">101.10</a>	NH – Natural hazards	Policies	NH-P3 Role of natural features and vegetatio	<i>It is suggested appropriate vegetation is planted. As an example, crack willow is an unwanted organism and an inappropriate species to be planted along rivers as its branches break easily and will sprout downstream to form dense concentrations on the riverbed and its margins.</i>				
<a href="#">96.17</a>	NH – Natural hazards	Policies	NH-P4 Subdivision, use and development in fl	<i>Oppose</i>  <i>Fire stations are identified under critical infrastructure, but often have a functional need to be located in particular areas.</i>				

				<p><i>Additionally, fire stations can be built to meet the other specific conditions set out in the policy.</i></p> <p><b>█</b> <i>have concerns that this may limit the ability to construct and operated fire stations where needed. It is suggested that emergency services facilities are specifically excluded from this.</i></p> <p><i>Amend policy as follows:</i></p> <p><i>Emergency Services Facilities, provided they meet the conditions outlined in (1), are exempt from this exclusion.</i></p>				
<a href="#">141.98</a>	NH – Natural hazards	Policies	NH-P4 Subdivision, use and development in flood risk areas	<table border="1"> <tr> <td>NH-P4 Subdivision, use, and development in flood risk areas</td> <td>Oppose in part</td> <td>NH-P4 1) e) requires that hazardous substance storage facilities will not be inundated. The focus of provisions for storage of hazardous substances is on significant hazardous facilities and this should be the focus in NH-P4 1e).</td> </tr> </table>	NH-P4 Subdivision, use, and development in flood risk areas	Oppose in part	NH-P4 1) e) requires that hazardous substance storage facilities will not be inundated. The focus of provisions for storage of hazardous substances is on significant hazardous facilities and this should be the focus in NH-P4 1e).	Amend NH-P4 1e) to be significant hazardous facilities will not be inundated.
NH-P4 Subdivision, use, and development in flood risk areas	Oppose in part	NH-P4 1) e) requires that hazardous substance storage facilities will not be inundated. The focus of provisions for storage of hazardous substances is on significant hazardous facilities and this should be the focus in NH-P4 1e).						
<a href="#">145.67</a>	NH – Natural hazards	Policies	NH-P4 Subdivision, use and development in flood risk areas	<i>support</i>				
<a href="#">96.18</a>	NH – Natural hazards	Policies	NH-P5 Subdivision and critical infrastructure	<p><i>The policy has accounted for the potential operational need or functional need for critical infrastructure to be located in that area. This covers fire stations/emergency service facilities.</i></p> <p><i>Retain</i></p>				
<a href="#">145.68</a>	NH – Natural hazards	Policies	NH-P5 Subdivision and critical infrastructure	<i>support</i>	retain			

			infrastruc tur					
<a href="#">141.99</a>	NH – Natural hazards	Policies	NH-P8 Overland flow paths Require sub	<table border="1"> <tr> <td>NH-P8 Overland flow paths</td> <td>Oppose</td> <td>There is concern that the mapped overland flow paths are not generally considered to be such flow paths – being more just a dip in a paddock. The rules that stem from the policy are severely limiting and do not reflect the supposed risk from such areas.</td> </tr> </table>	NH-P8 Overland flow paths	Oppose	There is concern that the mapped overland flow paths are not generally considered to be such flow paths – being more just a dip in a paddock. The rules that stem from the policy are severely limiting and do not reflect the supposed risk from such areas.	<p>Verify on the ground that mapped overland flow paths actually exist.</p> <p>Do not limit normal rural production activities, e.g. fences and earthworks, in overland flow paths</p>
NH-P8 Overland flow paths	Oppose	There is concern that the mapped overland flow paths are not generally considered to be such flow paths – being more just a dip in a paddock. The rules that stem from the policy are severely limiting and do not reflect the supposed risk from such areas.						
<a href="#">43.19</a>	NH – Natural hazards	Policies	NH-P9 Hazard mitigatio n works Only al	<p><i>Consider amending this policy to provide policy support for hazard mitigation works where they are for the benefit or protection of the community.</i></p> <p><i>Alternatively, consider excluding hazard mitigation works for community benefit from this policy and addressing it in a second policy which allows consideration of its benefits.</i></p> <p><i>Restricting flood protection works to this extent where they are for the good of the community rather than for private land owners seems counterintuitive considering that flooding is identified as being a significant hazard risk to the district.</i></p>				
<a href="#">68.22</a>	NH – Natural hazards	Policies	NH-P9 Hazard mitigatio n works Only al	<p><i>The inclusion of the word 'any' in item 5 will in time prove problematic.</i></p>				
<a href="#">122.1</a>	NH – Natural hazards	Policies	NH-P9 Hazard mitigatio n works Only al	<p><i>I disagree with this policy NH-P9, as it is too restrictive and effectively ties ones hands behind ones back and prevents mitigation of natural hazards.</i></p> <p><i>Protection of property should be included in point 1.</i></p> <p><i>If people are prepared to defend their property, they should be able to do so, without planning rules being an obstacle.</i></p>				

				<p><i>In my view the Plan should encourage mitigation of natural hazards, not discourage it, particularly when climate change is increasing the number and frequency of natural hazards.</i></p> <p><i>I am concerned setting an unreasonably high threshold, and not including protection of property in the criteria to allow hazard mitigation works will cause the unnecessary loss of property and amenity that could otherwise be protected.</i></p> <p><i>By allowing property owners to perform hazard mitigation works, within reasonable standards, will not only help protect property and amenity but will also encourage community engagement and empower people to become active in protecting property either permanently or extend its life, rather than passively accepting preventable loss.</i></p>	
<a href="#">43.17</a>	NH – Natural hazards	Rules	NH-R4 Addition to an existing building at or	<p><i>The provisions could be further simplified by removing this rule because most first floor extensions would be permitted by rule NH-R5. Could instead consider amending Rule NH-R% to apply to ground floor extensions only if Council think it is likely that first floor extensions would always meet floor level requirements.</i></p>	
<a href="#">99.11</a>	NH – Natural hazards	Rules	NH-R4 Addition to an existing building at or	<p>██████ position is:</p> <p><i>Support in full</i></p> <p><i>Comments relating to feedback</i></p>	

				<p>■■■ supports permitted activity status for additions to existing buildings at or above the first floor within flood assessment areas, flood depression areas and overland flow paths.</p> <p><i>Feedback on the provisions</i></p> <p><i>Retain NH-R4 as drafted.</i></p>	
<a href="#">43.21</a>	NH – Natural hazards	Rules	NH-R5 New buildings and structures, and additions	<p><i>Consider amending this rule to refine which buildings this should apply to. E.g. is it intended to capture all buildings, or only habitable or residential buildings?</i></p> <p><i>Also, note that flood hazard areas are not mapped as ‘flood hazard areas’ which may lead to some confusion if that is what people are searching for on the planning maps.</i></p>	
<a href="#">91.4</a>	NH – Natural hazards	Rules	NH-R5 New buildings and structures, and additions	<ol style="list-style-type: none"> <li>1. ■■■ is unclear on the exact application on this rule. To the extent that it requires a flood risk certificate for new buildings and structures and additional to existing buildings/structures not specified in NH-R3 and NH-R4, then it seems likely that any other buildings used in a farming operation could materially impact on flood flows – especially if (for example) NH-R3 permits farm buildings with an unsealed or permeable floor.</li> <li>2. ■■■ suggests that this requirement be deleted.</li> </ol>	
<a href="#">43.18</a>	NH – Natural hazards	Rules	NH-R21 Buildings and/or Structures located on	<p><i>PR-1</i></p> <p><i>The activity involves constructing new buildings and/or structures on the river side of a Regional Council stopbank, excluding public utilities, utility services, and hazard mitigation works.</i></p>	
<a href="#">68.25</a>	NH – Natural hazards	Rules	NH-R21 Buildings and/or Structures	<p><i>As for NH - P13:</i></p>	

			s located o	<i>This policy is unrealistic. For example, there is a need for some infrastructure to be on the river side of a stopbank, such as electricity transmission pylons and poles, irrigation intakes, storm-water outlets, bridges, communications lines, water and sewage pipelines, which cross rivers either on bridges or as stand alone structures.</i>	
<a href="#">118.30</a>	NH – Natural hazards	Rules	NH-R21 Buildings and/or Structure s located o	<i>It is not clear whether Rule NH-R21 would apply to the National Grid. If Rule NH-R21 applies, ████████ opposes the Rule to the extent that it would prohibit the location of a National Grid structure in the bed of a river and could effectively prevent the National Grid from traversing a river. As such, the Rule would not give effect to the National Policy Statement on Electricity Transmission.</i>	
<a href="#">129.7</a>	NH – Natural hazards	Rules	NH-R21 Buildings and/or Structure s located o	<i>Rules NH-R20 and NH-R21 – These controls place non-complying and Prohibited Activity status on new buildings and structures, etc. within mapped high hazard areas and on the river side of a stopbank respectively. As noted in the general comments, in many cases such activities are already controlled by Regional Plans and Bylaws. Perhaps of greater significance, though is the potential effect such control will have on activities such as improving road infrastructure in these areas (for example, changing a gravel ford to a concrete ford or bridge) and, more particularly, prohibiting the use of culverts for such activities as temporary waterway crossings to facilitate fluvial gravel extraction. Because of their high threshold and prohibition, these rules may have a perverse effect on legitimate activities within floodable areas, and particularly riverbeds. It may also create conflicts with the directions of the Freshwater NPS and NES Freshwater Regulations.</i>	Relief sought – provide for structures used for waterway crossings and amend all rules to defer to Regional Council controls for works in the bed of waterways. Delete rules NH-R20 and NH-R21

<a href="#">129.6</a>	NH – Natural hazards	Rules	NH-R20 New buildings and structures, and add	<i>Rules NH-R20 and NH-R21 – These controls place non-complying and Prohibited Activity status on new buildings and structures, etc. within mapped high hazard areas and on the river side of a stopbank respectively. As noted in the general comments, in many cases such activities are already controlled by Regional Plans and Bylaws. Perhaps of greater significance, though is the potential effect such control will have on activities such as improving road infrastructure in these areas (for example, changing a gravel ford to a concrete ford or bridge) and, more particularly, prohibiting the use of culverts for such activities as temporary waterway crossings to facilitate fluvial gravel extraction. Because of their high threshold and prohibition, these rules may have a perverse effect on legitimate activities within floodable areas, and particularly riverbeds. It may also create conflicts with the directions of the Freshwater NPS and NES Freshwater Regulations.</i>	Relief sought – provide for structures used for waterway crossings and amend all rules to defer to Regional Council controls for works in the bed of waterways. Delete rules NH-R20 and NH-R21
<a href="#">43.20</a>	NH – Natural hazards	Rules	NH-R18 Subdivision in a flood assessment are	<i>Amend wording of DISC-2 as follows:  The subdivision is located on land that <del>has a risk level</del> is subject to flooding for rainfall events with an AEP between a 0.5% and 0.2% <del>AEP flood event</del> as stated in a flood risk certificate issued under DISC-1.  The existing wording may be confusing as land does not have an inherent risk level, but it is likely to flood during certain AEP rainfall events.</i>	
<a href="#">43.30</a>	NH – Natural hazards	Rules	NH-R17 Subdivision in a mapped flood hazard	<i>Retain as proposed or preserve the original intent.</i>	

<p><a href="#">43.15</a></p>	<p>NH – Natural hazards</p>	<p>Rules</p>	<p>NH-R19 Hazard mitigation works, excluding earthworks</p>	<p><i>Amend as follows:</i></p> <p><i>Title: <del>Hazard mitigation works</del> Stopbank construction, excluding earthworks</i></p> <p><i>DIS-1</i></p> <p><i>The activity involves constructing a new stopbank <del>hazard mitigation works</del>.</i></p> <p><i>‘Hazard mitigation works’ is a broad definition that includes activities such as planting of trees for erosion prevention, which may not warrant a discretionary activity status.</i></p>	
<p><a href="#">43.23</a></p>	<p>NH – Natural hazards</p>	<p>Rules</p>	<p>NH-R6 Regionally significant infrastructure</p>	<p><i>Amend PER-3 as follows:</i></p> <p><i>The flood risk certificate issued under PER-1 states that the activity is located on land that <del>has a risk level less</del> is subject to flooding in <del>than</del> a 0.5% AEP flood rainfall event.</i></p> <p><i>Amend RDIS-1 as follows:</i></p> <p><i>The activity is located on land that <del>has a risk level</del> is subject to flooding for rainfall events with an AEP between <del>a</del> 0.5% and 0.2% AEP <del>flood event</del> as stated in a flood risk certificate issued under PER-1.</i></p> <p><i>The current wording is confusing as the land itself does not have a risk level, it is simply subject to flooding at a certain AEP rainfall event. This may be improved by a change.</i></p>	
<p><a href="#">145.38</a></p>	<p>NH – Natural hazards</p>	<p>Rules</p>	<p>NH-R6 Regionally significant</p>	<p><i>Telecommunications infrastructure is generally narrow, limited to a pole and cabinets at ground level, or are underground cables. As such, they typically do not affect flood flows.</i></p>	

			t infrastruc ture	<i>Telecommunications should be excluded from this rule, or alternatively it should only apply to regionally significant infrastructure over a specified footprint.</i>				
<a href="#">43.24</a>	NH – Natural hazards	Rules	NH-R7 Fences in mapped overland flow paths	<i>Consider whether there is the possibility to have this as a permitted activity rule where the fence will not obstruct water, divert water, or alter the flow of water.</i>				
<a href="#">141.10</a> <a href="#">3</a>	NH – Natural hazards	Rules	NH-R7 Fences in mapped overland flow paths	<table border="1"> <tr> <td>NH-R7 Fences in mapped overland flow paths</td> <td>Oppose</td> <td>Fences should be able to be constructed in an overland flow path as water will move through them.</td> </tr> </table>	NH-R7 Fences in mapped overland flow paths	Oppose	Fences should be able to be constructed in an overland flow path as water will move through them.	Amend NH-R7 to permitted activity
NH-R7 Fences in mapped overland flow paths	Oppose	Fences should be able to be constructed in an overland flow path as water will move through them.						
<a href="#">145.39</a>	NH – Natural hazards	Rules	NH-R7 Fences in mapped overland flow paths	<i>As above, any fences associated with telecommunications should be excluded from this rule</i>	any fences associated with telecommunications should be excluded from this rule			
<a href="#">158.19</a>	NH – Natural hazards	Rules	NH-R7 Fences in mapped overland flow paths	<ol style="list-style-type: none"> <li><i>NH-P7 is at odds with proposed rules requiring fencing for screening purposes in the Industrial zone (albeit ████████ opposes those rules, as discussed below). Rules NH-R8 and NH-R9 are unreasonable in an existing fully developed Port area. It's assumed that NH-R10 may override NH-R9 in respect of Port buildings and structures, but this is not entirely clear. In either case, the rules are not particularly pragmatic. NH-R12, requiring resource consent for all Port activity in the liquefaction area, is onerous and unnecessary. The appropriateness of building foundations in</i></li> </ol>				

				<i>liquefaction areas can be assessed at building consent stage. Subdivision consents already have the ability to consider liquefaction. This rule only adds an unnecessary level of bureaucracy.</i>				
<a href="#">43.31</a>	NH – Natural hazards	Rules	NH-R3 Farm building with an unsealed or perm	<i>If desired, the provisions could be simplified by removing this rule and making it clear what type of buildings are captured by the othe flood rules and which are not.</i>				
<a href="#">99.10</a>	NH – Natural hazards	Rules	NH-R3 Farm building with an unsealed or perm	<p>████ position is:</p> <p><i>Support in full</i></p> <p><i>Comments relating to feedback</i></p> <p>████ supports permitted activity status for farm buildings with an unsealed or permeable floor within flood assessment areas, flood depression areas and overland flow paths within a Rural zone.</p> <p><i>Feedback on the provisions</i></p> <p><i>Retain NH-R3 as drafted.</i></p>				
<a href="#">119.9</a>	NH – Natural hazards	Rules	NH-R3 Farm building with an unsealed or perm	<i>Following a flood event there may be a need to promptly re-instate any dwellings, farm buildings and infrastructure in affected areas. Given the existing uses and activities in these areas, it is suggested that remedial works to re-instate existing infrastructure post events such as weather or flooding be a permitted activity. New buildings and structures, and additions to existing buildings and structures within a flood assessment area would be captured by the draft rules.</i>				
<a href="#">141.10</a> <a href="#">2</a>	NH – Natural hazards	Rules	NH-R3 Farm building with an unsealed or perm	<table border="1"> <tr> <td>NH-R3 Farm building with and unsealed or permeable floor</td> <td>Support in part</td> <td>The rule should also include structures.</td> </tr> </table>	NH-R3 Farm building with and unsealed or permeable floor	Support in part	The rule should also include structures.	Amend to include rural buildings and structures
NH-R3 Farm building with and unsealed or permeable floor	Support in part	The rule should also include structures.						

<p><a href="#">43.16</a></p>	<p>NH – Natural hazards</p>	<p>Rules</p>	<p>NH-R1 Earthworks All zones, within f</p>	<p><i>Clarify whether PER-4 is intended to set a higher bar for earthworks for hazard mitigation works than for any other earthworks.</i></p> <p><i>If so, please consider an exception when these earthworks are undertaken by a local authority to fulfill a statutory responsibility or for community benefit, and where PER-1, PER-2, and PER-3 are met.</i></p> <p><i>e.g. Amend PER-4 as follows:</i></p> <p><i>The earthworks are not for hazard mitigation works other than those carried out by the Canterbury Regional Council, Timaru District Council, or an agent authorised on their behalf.</i></p> <p><i>Also, consider amending to a similar approach as taken by Selwyn District Council in their proposed plan, where earthworks are permitted provided they do not alter the flow of flood water from or onto any other property. This approach is more effects-based and does not assume that any earthworks beneath a certain volume threshold are acceptable.</i></p>	
<p><a href="#">48.1</a></p>	<p>NH – Natural hazards</p>	<p>Rules</p>	<p>NH-R1 Earthworks All zones, within f</p>	<p>██████████ are uncomfortable with the Draft District Plan especially - Flood overlay NH- Ri. Then SASM/5 and SASM/23 re significance to Maori. EW-R1, the SNA's and GRUZ-1 all make our operation to restrictive and lack commonsense.</p>	
<p><a href="#">86.8</a></p>	<p>NH – Natural hazards</p>	<p>Rules</p>	<p>NH-R1 Earthworks All zones, within f</p>	<p>██████████ manufacturing site is located in a Flood Assessment Area.</p> <p><i>Under the Draft Plan, these areas are highly likely to be subject to flooding but require a site-specific assessment to determine the level of risk to people and property. The Draft Plan provides a mechanism to determine this risk, as outlined by Standard NH-S1, whereby a Flood Risk Certificate (valid for 2 years), can be issued by Council for any specific site.</i></p> <p><i>Depending on the risk identified in the Flood Risk Certificate, the rules provide for new buildings and development as permitted activities (i.e., Rule NH-R5). ██████████ is comfortable with this approach.</i></p> <p><i>However, amendments are required that ensure that the rules apply in a consistent manner to earthworks in Flood Assessment Areas.</i></p>	<p>Amend NH-R1 as follows:</p> <p>Where:</p> <p>PER-1</p> <p>A flood risk certificate for the activity has been issued in accordance with NH-S1; and</p> <p>PER-2</p> <p>The flood risk certificate issued under PER-1 states</p>

					<p>the activity is located on land that is not subject to flooding in a 0.5% AEP flood event;</p> <p>PER-3</p> <p>The flood risk certificate issued under PER-1 states that the activity is not located on land that is within an overland flow path; and</p> <p>PER-4</p> <p>The flood risk certificate issued under PER-1 states that the activity is not located on land that is identified as a high hazard area.</p> <p>Or if a flood risk certificate is not provided:</p> <p>PER-15</p> <p>The earthworks do not exceed 250m<sup>2</sup> in area in any calendar year in:</p> <ol style="list-style-type: none"><li>1. a mapped flood hazard area; or</li><li>2. in a mapped flood depression area; or</li></ol>
--	--	--	--	--	---

					<p>3. in a flood assessment area where the site is not located in a Rural zone or a Strategic Rural Industrial Zone.</p> <p>PER-26</p> <p>The earthworks do not exceed 2,000m<sup>2</sup> in area in any calendar year in a flood assessment area in a Rural zone or a Strategic Rural Industrial Zone.</p> <p>PER-37</p> <p>The earthworks are in a mapped overland flow path(s); and</p> <ol style="list-style-type: none"><li>1. are required to enable the undergrounding of utilities; or</li><li>2. are required to enable the repair and/or maintenance of underground utilities; and/or</li><li>3. there will be no change to the existing contours/topography of the site.</li></ol>
--	--	--	--	--	---

					PER-48  The earthworks are not for hazard mitigation works.
<a href="#">87.10</a>	NH – Natural hazards	Rules	NH-R1 Earthworks All zones, within f	<p>Support in part</p> <p>██████████ ██████████ is located in a Flood Assessment Area.</p> <p>Under the DDP, these areas are highly likely to be subject to flooding but require a site-specific assessment to determine the level of risk to people and property. The DDP provides a mechanism to determine this risk, as outlined by Standard NH-S1, whereby a Flood Risk Certificate (valid for 2 years), can be issued by Council for any specific site.</p> <p>Depending on the risk identified in the Flood Risk Certificate, the rules provide for new buildings and development as permitted activities (i.e., Rule NH-R5). ██████████ is comfortable with this approach.</p> <p>However, amendments are required that ensure that the rules apply in a consistent manner to potential development in Flood Assessment Areas.</p>	Amend Rule NH-R1 – earthworks so that it is consistent with the approach contained in permitted rules that provide for development activities in Flood Assessments Areas where a flood risk certificate has been issued.
<a href="#">91.2</a>	NH – Natural hazards	Rules	NH-R1 Earthworks All zones, within f	<p>1. ██████████ is concerned that there is no overlay in the Draft Plan identifying the locations and spatial extent of the ‘flood hazard area’. This means it is unclear what the Council is referring to when it defines a ‘flood hazard area’ as:</p> <p><i>an area which has been modelled as subject to a 0.5% AEP (1 in 200 year) rainfall event, plus a 5% AEP (1 in 20 year) tide event, plus 250mm freeboard, and allowance for climate change and 1m sea level rise.</i></p> <p>1. Without sufficient definition, landowners cannot ascertain whether their property is within a ‘flood hazard area’ and therefore do not know if the flood hazard area rules apply. ██████████ considers that the Draft Plan should clearly identify any land which meets the above definition in a mapped overlay. The land to be contained in that overlay should be determined using a robust methodology, and accurately identify land that is exposed to a high flood risk.</p>	

				<p>2. If [REDACTED] property is, in fact, within a flood hazard area, the 250m<sup>2</sup> per year limit of earthworks proposed in NH-R1 (PER-1) and the 2000m<sup>2</sup> per year limit of earthworks proposed in NH-R1 (PER-2) will severely limit its ability to maintain and improve its Tata farm. Activities that will be significantly restricted include (but are not limited to):</p> <ul style="list-style-type: none"> <li>○ shallow ripping of wet areas to break up pans to enable water to dissipate into the topsoil layer;</li> <li>○ contouring to enable water flow (to avoid ponding);</li> <li>○ backfilling to eliminate 'low spots';</li> <li>○ installing culverts to enable flow and eliminate ponding;</li> <li>○ fencing off and planting ponded areas;</li> <li>○ filtering buffer areas to discharge points; and</li> <li>○ creating soak holes with filter buffers as a last resort if the above solutions are unable to be achieved.</li> </ul> <p>3. By way of example, [REDACTED] property has 2.28 hectares of lanes (which translates to 22,800m<sup>2</sup>). Under this draft Rule NH-R1 (PER-2), it would take at least 11.4 years to maintain these lanes if the work was to be undertaken without requiring resource consent.</p> <p>4. [REDACTED] considers that a 10,000m<sup>2</sup> limit would be appropriate for earthworks undertaken in a flood assessment area in a rural zone, where they are for the purpose of maintaining or improving farmland. Alternatively, these maintenance works could simply be excluded from the natural hazards chapter.</p>	
<a href="#">99.9</a>	NH – Natural hazards	Rules	NH-R1 Earthworks All zones, within f	<p>[REDACTED] position is:</p> <p><i>Support in full</i></p> <p><i>Comments relating to feedback</i></p> <p><i>Earthworks at the levels contemplated by NH-R1 are appropriate to service the ongoing rural and pastoral activities in a flood assessment area in a Rural zone.</i></p> <p><i>Feedback on the provisions</i></p> <p><i>Retain NH-R1 as drafted.</i></p>	

<a href="#">141.10</a> <a href="#">1</a>	NH – Natural hazards	Rules	NH-R1 Earthworks All zones, within f	<table border="1"> <tr> <td data-bbox="683 199 898 394">NH-R1 Earthworks</td> <td data-bbox="898 199 1055 394">Oppose in part</td> <td data-bbox="1055 199 1762 394"> <p>The rules should differentiate based on level of risk and focus on the high hazard areas.</p> <p>The flood assessment areas within the rural zone are extensive and limiting earthworks in the manner proposed</p> </td> </tr> </table>	NH-R1 Earthworks	Oppose in part	<p>The rules should differentiate based on level of risk and focus on the high hazard areas.</p> <p>The flood assessment areas within the rural zone are extensive and limiting earthworks in the manner proposed</p>	Delete requirements relating to flood assessment area and overland flow paths in the Rural Zone.
NH-R1 Earthworks	Oppose in part	<p>The rules should differentiate based on level of risk and focus on the high hazard areas.</p> <p>The flood assessment areas within the rural zone are extensive and limiting earthworks in the manner proposed</p>						
<a href="#">66.1</a>	NH – Natural hazards	Rules	NH-R1 Earthworks	<p><i>There are existing established farming activities, and associated infrastructure, in areas at risk of flooding, and captured as flood assessment areas within the plan (for example the South Branch of the Rangitata River). There is also essential infrastructure (in particular power lines) within flood assessment areas.</i></p> <p><i>Following a flood event there may be a need to promptly re-instate infrastructure in affected areas. Given the existing uses and activities in these areas, it is suggested that remedial works to re-instate existing infrastructure post events such as weather or flooding be a permitted activity. New buildings and structures, and additions to existing buildings and structures within a flood assessment area would be captured by the draft rules.</i></p>				
<a href="#">91.3</a>	NH – Natural hazards	Rules	NH-R2 Impervious surfaces All zones,	<ol style="list-style-type: none"> <li><i>Given there is no overlay of flood hazard areas, [REDACTED] is unsure whether NH-R2 would affect its farming operations. However, if [REDACTED] property is within a flood hazard area, this draft rule is of concern to [REDACTED]</i></li> <li><i>A dairy shed yard is an impervious surface. [REDACTED] notes that yard areas for a dairy shed can be up to 1000m2. Run-off from yards is stored in effluent ponds. [REDACTED] considers that areas that collect effluent, such as a dairy shed yard, should be excluded from the 100m2.</i></li> </ol>				

<a href="#">145.41</a>	NH – Natural hazards	Rules	NH-R11 Regionally significant infrastructure	<p><i>Telecommunications infrastructure is generally narrow, limited to a pole and cabinets at ground level, or are underground cables. As such, they typically do not affect flood flows.</i></p> <p><i>Telecommunications should be excluded from this rule, or alternatively it should only apply to regionally significant infrastructure over a specified footprint</i></p>	
<a href="#">158.21</a>	NH – Natural hazards	Rules	NH-R9 New buildings and structures, and addi	<p><i>NH-P7 is at odds with proposed rules requiring fencing for screening purposes in the Industrial zone (albeit ████████ opposes those rules, as discussed below). Rules NH-R8 and NH-R9 are unreasonable in an existing fully developed Port area. It's assumed that NH-R10 may override NH-R9 in respect of Port buildings and structures, but this is not entirely clear. In either case, the rules are not particularly pragmatic. NH-R12, requiring resource consent for all Port activity in the liquefaction area, is onerous and unnecessary. The appropriateness of building foundations in liquefaction areas can be assessed at building consent stage. Subdivision consents already have the ability to consider liquefaction. This rule only adds an unnecessary level of bureaucracy.</i></p>	
<a href="#">145.40</a>	NH – Natural hazards	Rules	NH-R10 Regionally significant infrastructure	<p><i>Telecommunications infrastructure is generally narrow, limited to a pole and cabinets at ground level, or are underground cables. As such, they typically do not affect flood flows.</i></p> <p><i>Telecommunications should be excluded from this rule, or alternatively it should only apply to regionally significant infrastructure over a specified footprint</i></p>	
<a href="#">145.42</a>	NH – Natural hazards	Rules	NH-R12 Regionally significant infrastructure	<p><i>Telecommunications infrastructure is generally narrow, limited to a pole and cabinets at ground level, or are underground cables. As such, they typically do not affect flood flows.</i></p> <p><i>Telecommunications should be excluded from this rule, or alternatively it should only apply to regionally significant infrastructure over a specified footprint</i></p>	
<a href="#">158.22</a>	NH – Natural hazards	Rules	NH-R12 Regionally	<p><i>NH-P7 is at odds with proposed rules requiring fencing for screening purposes in the Industrial zone (albeit ████████ opposes those rules, as discussed below). Rules NH-R8 and NH-R9 are unreasonable in an existing fully developed Port area. It's assumed that NH-R10 may override</i></p>	

			significant infrastructure	<i>NH-R9 in respect of Port buildings and structures, but this is not entirely clear. In either case, the rules are not particularly pragmatic. NH-R12, requiring resource consent for all activity in the liquefaction area, is onerous and unnecessary. The appropriateness of building foundations in liquefaction areas can be assessed at building consent stage. Subdivision consents already have the ability to consider liquefaction. This rule only adds an unnecessary level of bureaucracy.</i>	
<a href="#">145.43</a>	NH – Natural hazards	Rules	NH-R13 Regionally significant infrastructure	<p><i>Amend there should be a threshold where a fault investigation is and is not required, as opposed to a blanket requirement to provide one, eg a cabinet and fibre shouldn't need a fault investigation as they won't affect it.</i></p> <p><i>The standards are hard or expensive to comply – get Lifelines &amp; Telecommunications excluded as we already design to engineering standards PS4 certificates confirm this.</i></p> <p><i>The information about hazards is critical as it enables our Engineers to design the infrastructure accordingly.</i></p>	
<a href="#">158.20</a>	NH – Natural hazards	Rules	NH-R8 New buildings and structures, and additions	<i>NH-P7 is at odds with proposed rules requiring fencing for screening purposes in the Industrial zone (albeit ████████ opposes those rules, as discussed below). Rules NH-R8 and NH-R9 are unreasonable in an existing fully developed Port area. It's assumed that NH-R10 may override NH-R9 in respect of Port buildings and structures, but this is not entirely clear. In either case, the rules are not particularly pragmatic. NH-R12, requiring resource consent for all Port activity in the liquefaction area, is onerous and unnecessary. The appropriateness of building foundations in liquefaction areas can be assessed at building consent stage. Subdivision consents already have the ability to consider liquefaction. This rule only adds an unnecessary level of bureaucracy.</i>	
<a href="#">83.18</a>	NH – Natural hazards	Rules	General	<i>██████████ seek to ensure that a clear permitted activity pathway is provided for maintenance, replacement and upgrading of a range of underground infrastructure, not just utilities as defined in the draft plan. This will encourage the upgrade of underground infrastructure like fuel storage tanks, stormwater treatment devices, and ancillary infrastructure, which will not increase the consequence of natural hazards.</i>	



