

NATURAL HAZARDS

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1 Scope of Report

- [1] This Recommendation Report relates to the Natural Hazards chapter of the PDP and contains the Hearing Panel's recommendations to Council on the submissions and further submissions received on that chapter.
- [2] The Hearing Panel members for the Natural Hazards chapter were:
- Debra Hasson
 - Lindsay Daysh
 - Raewyn Solomon
 - Rob van Voorthuysen (Chair)
- [3] The initial Section 42A Report and the end of hearing Section 42A Report (Reply Report) for this topic were:
- Natural Hazards, 18 March 2022, Rachael Carruthers
 - Natural Hazards, 7 October 2022, Rachael Carruthers
- [4] The Hearing Panel's recommended amendments to the notified provisions of the Natural Hazards chapter are set out in Appendix 1. Amendments recommended by the Section 42A Report author that have been adopted by the Hearing Panel are shown in strike out and underlining. Further or different amendments recommended by the Hearing Panel are shown in strike out, underlining and red font.
- [5] The Hearing Panel's recommended amendments to the notified planning maps also are set out in narrative form in Appendix 1.
- [6] Readers should also note that we have, at their request, amended all references to 'Trustpower' to 'Manawa Energy'.
- [7] We note that some of the numbering of individual clauses in the provisions may need to be consequentially amended and not all such amendments are shown in Appendix 1. We understand that will occur in the amended version of the entire PDP that will accompany the release of all of the Recommendation Reports.
- [8] Further submitters are not listed in the tables in this Recommendation Report because further submissions are either accepted or rejected in conformance with our recommendations on the original submissions to which they relate.

2 Hearing and Submitters Heard

- [9] The hearing for the Natural Hazards chapter was held on Tuesday 2 November 2021. The submitters who appeared at the hearing are listed below, together with an identification of whether they were an original submitter, a further submitter, or both.

Sub #	Submitter	Original	Further
DPR-0124	The Paul Cockburn Family Trust (The Trust)	✓	
DPR-0256	Rob Potts	✓	✓
DPR-0260	Canterbury Regional Council (Environment Canterbury)	✓	✓
DPR-0353	Horticulture New Zealand	✓	✓

Sub #	Submitter	Original	Further
DPR-0367	Orion New Zealand Limited ¹	✓	✓
DPR-0414	Kāinga Ora - Homes & Communities	✓	✓
DPR-0428	Ascot Park Limited (APL)	✓	
DPR-0441	Manawa Energy	✓	✓

[10] Some of the submitters were represented by counsel or had expert witnesses appear on their behalf. The counsel and witnesses we heard from are listed in Appendix 2. Copies of all the legal submissions and evidence (expert and non-expert) received are held by the Council. We do not separately summarise that material here, but we refer to some of it in the remainder of this Recommendation Report.

[11] Despite the very small number of submitters² who eventually availed themselves of the opportunity to present evidence to us at the hearing, we nevertheless record that we considered all submissions and further submissions and tabled documents, regardless of whether the submitter or further submitter appeared at the hearing and whether or not they were represented by counsel or expert witnesses.

3 Sub-topic Recommendations

[12] In this part of the Recommendation Report we assess the submissions by sub-topic, using the same general sequence of headings as the initial Section 42A Report. We have however amalgamated some of the headings, particularly where there are no recommended amendments to the notified provisions.

3.1 Location of coastal hazard provisions within the PDP

[13] For the following submitter and their submission points relating to the location of coastal hazard provisions within the Natural Hazards chapter rather than the Coastal Environment chapter, we adopt the recommendations and reasons of the Section 42A Report author. We note this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0414	Kāinga Ora	053, 054, 055, 056, 058, 060, 062, 064, 065 and 066

3.2 Notification clauses

[14] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0358	RWRL	169, 401
DPR-0363	IRHL	168, 426
DPR-0374	RIHL	174, 472
DPR-0384	RIDL	176, 505

[15] In particular, we agree that it is not appropriate to preclude limited or public notification for controlled and restricted discretionary activities on a chapter wide basis. The RMA contains a

¹ Commissioner Hasson recused herself from consideration of this submission due to a conflict of interest

² There were 61 original submitters and only eight eventually elected to speak at the hearing.

specific process for determining notification on a case-by-case basis and in our view that statutory process should only be circumvented where there is absolute certainty that potential adverse effects will not affect any other party. Having made this finding, we assess requests for non-notification for individual rules on their merits.

3.3 Activity Status

- [16] For the following submitters and their submission points requesting that all rules across the chapter be amended so that non-compliance results in a RDIS status, we adopt the recommendations and reasons of the Section 42A Report author. We note this will result in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0358	RWRL	170
DPR-0363	IRHL	169
DPR-0374	RIHL	175
DPR-0384	RIDL	177

3.4 Definitions

- [17] For the following submitters and their submission points relating to the definitions of ‘coastal hazard mitigation works’, ‘hard protection structure’, ‘high hazard area’ and ‘structure with special post disaster function’, we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0256	R Potts	002
DPR-0358	RWRL	026
DPR-0363	IRHL	025
DPR-0367	Orion	013
DPR-0370	Fonterra	035
DPR-0372	Dairy Holdings	021
DPR-0379	J Thomson	027
DPR-0384	RIDL	033
DPR-0414	Kāinga Ora	050
DPR-0427	DOC	005, 011

- [18] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Ms Carruthers’ recommendations to:

- amend the definition of ‘coastal hazard mitigation works’ to replace the word ‘seawall’ with the term ‘hard protection structure’ as sought by DOC and omit the word ‘groynes’, and
- remove duplication of the term ‘emergency service facilities’ within the definition of ‘structure with special post disaster function’ as sought by FENZ;

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

- [19] With regard to the issue of wildfires, submitter Jane West sought to amend the setbacks within NH-REQ7 to make the requirements more workable. Having considered her submission and her written answers to our written questions, we recommend amending the definition of

‘woodlot’ to exclude horticultural and agricultural crops as well as plantation forestry.³ In terms of s32AA of the RMA, we consider that to be a more efficient and effective option for achieving the purpose of the RMA and the relevant objectives of this Plan.

3.5 Natural Hazard Overlays

[20] For the following submitters and their submission points relating to the following natural hazard overlays we adopt the recommendations and reasons of the Section 42A Report author:

- Coastal Inundation Overlay
- Tsunami Policy Overlay
- Plains Flood Management Overlay
- High hazard areas within the Plains Flood Management Overlay
- Fault Awareness Overlay
- Greendale Fault Avoidance Overlay
- Liquefaction Damage Unlikely Overlay

Sub #	Submitter	Submission Points
DPR-0045	R Crooks	001
DPR-0099	F Bills	001
DPR-0125	BE Faulkner	009
DPR-0133	R Christie	001
DPR-0205	Lincoln University	029
DPR-0207	SDC	021
DPR-0208	Ngāi Tahu Property	001
DPR-0212	ESAI	018
DPR-0213	Plant and Food & Landcare	017
DPR-0215	Winstone	002,003, 004, 011
DPR-0217	Summerset	002, 005, 016
DPR-0234	M Booker & A Roberts	001
DPR-0238	M & D O’Brien	001
DPR-0242	C Byers	001
DPR-0248	M & R Beight	001
DPR-0256	R Potts	001
DPR-0260	CRC	055
DPR-0323	Investore Property	006
DPR-0335	K & P Bowman	001
DPR-0365	Stuart PC	042
DPR-0367	Orion	064
DPR-0370	Fonterra	042
DPR-0374	RIHL	007
DPR-0378	Ministry of Education	014
DPR-0379	J Thomson	010
DPR-0384	RIDL	007
DPR-0388	Craigmore	009
DPR-0390	RIL	012
DPR-0392	CSI	005
DPR-0402	M Brown	002
DPR-0419	Hughes	001

³ Answers to our written questions dated 9 November 2021.

Sub #	Submitter	Submission Points
DPR-0428	APL	002
DPR-0453	Midland & Lyttelton Ports	059
DPR-0455	P & F McOscar	001
DPR-0466	GR & LS Barker	001

[21] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Ms Carruthers' recommendations to:

- retain the Coastal Inundation Overlay, Tsunami Policy Overlay, Fault Awareness Overlay and Liquefaction Damage Unlikely Overlay as notified;⁴
- amend the Plains Flood Management Overlay as requested by CRC to address the gaps or limitations that have resulted from directly mapping the Plains Flood Management Overlay based on the raw rain-on-grid and Selwyn River flooding model results. We note that the amended overlay will take the form of a single polygon overlay; and
- retain the 'Greendale Fault Avoidance Overlay', but amend its title to 'Greendale Fault Overlay' as requested by Ngāi Tahu Property;

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[22] With regards to the Plains Flood Management Overlay, we adopt Ms Carruthers' s32AA assessment that is set out in paragraphs 9.29 to 9.34 of the Section 42A Report.

[23] We note that Kāinga Ora sought to delete the Plains Flood Management Overlay and that instead the Canterbury Maps 200-year ARI maps would be referred to as an external document residing outside the PDP. Having acknowledged what we understood to be Kāinga Ora's concerns we asked them if adopting the CRC submission to introduce a floor level certification process would meet their concerns and counsel for Kāinga Ora indicated that it would.

[24] We also asked Mr Potts if having a 'drop down' box on the Plains Flood Management Overlay maps that listed the limitations he outlined in his evidence would address his concerns. Mr Potts advised that while he would prefer more accurate mapping, a 'drop down' box would suffice. He also agreed with the need for a Plains Flood Management Overlay and was also of the opinion that the CRC floor level certification process was appropriate.

[25] We discuss the CRC's suggested floor level certification process in section 3.9.1 of this Recommendation Report.

3.6 NH-Overview

[26] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0358	RWRL	147
DPR-0363	IRHL	146
DPR-0374	RIHL	152

⁴ We note SDC has made a clause 16(2) amendments to the Tsunami Policy Overlay.

Sub #	Submitter	Submission Points
DPR-0384	RIDL	154

3.7 Objectives

3.7.1 NH-01

- [27] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0215	Winstone	024
DPR-0217	Summerset	007
DPR-0260	CRC	018
DPR-0343	CDHB	017
DPR-0353	HortNZ	106
DPR-0358	RWRL	148
DPR-0363	IRHL	147
DPR-0367	Orion	065
DPR-0372	Dairy Holdings	022
DPR-0374	RIHL	153
DPR-0375	WKNZTA	071
DPR-0384	RIDL	155
DPR-0388	Craigmore	010
DPR-0390	RIL	013
DPR-0427	DOC	026
DPR-0441	Manawa Energy	063
DPR-0446	Transpower	068
DPR-0448	NZDF	026
DPR-0458	KiwiRail	039

- [28] For these submissions and submission points we are satisfied that Ms Carruthers' recommended amendment to remove the transport network from the scope of the objective as sought by Waka Kotahi is the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.
- [29] In that regard we note that NH-01 is not intended to apply to new important infrastructure or land transport infrastructure, because there are circumstances where that infrastructure has a functional or operational need to be located in such areas. Conversely, NH-02 is intended to apply to new important infrastructure and land transport infrastructure.

3.7.2 NH-02

- [30] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0260	CRC	019
DPR-0358	RWRL	149
DPR-0359	FENZ	041
DPR-0363	IRHL	148
DPR-0367	Orion	066
DPR-0370	Fonterra	043
DPR-0374	RIHL	154
DPR-0375	WKNZTA	072

Sub #	Submitter	Submission Points
DPR-0384	RIDL	156
DPR-0446	Transpower	069
DPR-0448	NZDF	025
DPR-0458	KiwiRail	040

- [31] We differ from Ms Carruthers regarding the submission of Manawa Energy that the objective be amended to better recognise the functional and operational constraints of regionally significant infrastructure. We agree with the evidence of Romae Calland for Manawa Energy that there will at times be a functional and operational need to locate that infrastructure in areas that are subject to significant natural hazard risk. A prime example would be hydroelectricity assets in and adjacent to watercourses that are prone to flooding natural hazards. Failing to acknowledge that fact would be neither efficient nor effective and nor would it give effect to higher order statutory documents including the NPS-REG.
- [32] Consequently, we recommended inserting a reference to 'a functional or operational need to locate in that environment'. We recommend:

Sub #	Submitter	Submission Point	Accept in part
DPR-0441	Trustpower	064	✓

3.7.3 NH-03 and NH-04

- [33] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no changes to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0260	CRC	020, 012
DPR-0279	R Verity	002
DPR-0358	RWRL	150, 151
DPR-0363	IRHL	149, 150
DPR-0367	Orion	067
DPR-0372	Dairy Holdings	023
DPR-0374	RIHL	155, 156
DPR-0375	WKNZTA	073, 074
DPR-0384	RIDL	157, 158
DPR-0390	RIL	014
DPR-0427	DOC	027
DPR-0441	Manawa Energy	065, 066
DPR-0446	Transpower	070
DPR-0458	KiwiRail	041, 042

3.8 Policies

3.8.1 NH-P1

- [34] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0260	CRC	022
DPR-0343	CDHB	018
DPR-0358	RWRL	152

Sub #	Submitter	Submission Points
DPR-0363	IRHL	151
DPR-0370	Fonterra	036
DPR-0372	Dairy Holdings	024, 134
DPR-0372	Dairy Holdings	134
DPR-0374	RIHL	157
DPR-0375	WKNZTA	076
DPR-0384	RIDL	159
DPR-0388	Craigmore	011
DPR-0388	Craigmore	056
DPR-0390	RIL	015, 097
DPR-0441	Manawa Energy	067
DPR-0446	Transpower	071
DPR-0448	NZDF	027
DPR-0453	Midland & Lyttelton Ports	060
DPR-0458	KiwiRail	043

[35] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Ms Carruthers' recommendations to:

- amend the policy to more closely reflect the text of CRPS Policy 11.3.1 as sought by CRC; and
- clarify the relationship between NH-P1 and NH-P2 in response to the submission of Waka Kotahi;

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[36] In our questions to Ms Carruthers we queried the format of NH-P1. We suggested that the use of the word 'and' meant that CRPS Policy 11.3.1(1) to (4) were conjunctive provisions. Namely they must all apply to an activity for it to be excluded from the 'avoid' requirement. We considered that meant that NH-P1 clauses 1, 2, 3 and 4a should all be grouped together to form one exemption with four conjunctive criteria. The notified clause 4b would then form a separate exemption. At the hearing Mr Leonard, the CRC planning witness, agreed with our understanding of these NH-P1 clauses.

[37] Accordingly, notwithstanding Ms Carruthers' response (no change was recommended) we remain of the view outlined above and recommend amending NH-P1. We do not consider that this formatting clarification requires a s32AA assessment.

3.8.2 NH-P2 to NH-P9

[38] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0215	Winstone	025
DPR-0260	CRC	023, 024, 025, 026, 027, 028
DPR-0343	CDHB	019, 020
DPR-0353	HortNZ	107
DPR-0358	RWRL	153, 156
DPR-0358	RWRL	154, 155

Sub #	Submitter	Submission Points
DPR-0359	FENZ	042
DPR-0363	IRHL	152, 153, 154, 155
DPR-0367	Orion	068
DPR-0370	Fonterra	037, 038, 044
DPR-0372	Dairy Holdings	025, 026, 135, 136
DPR-0374	RIHL	158, 159, 160, 161
DPR-0375	WKNZTA	077
DPR-0375	WKNZTA	075, 078
DPR-0384	RIDL	160, 161, 162, 163
DPR-0388	Craigmore	012, 057, 058
DPR-0390	RIL	016, 017, 098, 099
DPR-0427	DOC	028, 029, 030, 031
DPR-0446	Transpower	072
DPR-0448	NZDF	028
DPR-0453	Midland & Lyttelton Ports	061, 062
DPR-0458	KiwiRail	044, 045

3.8.3 NH-P10

- [39] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0068	MetroPort	013
DPR-0215	Winstone	026
DPR-0217	Summerset	008
DPR-0260	CRC	029
DPR-0276	A Taylor	001
DPR-0343	CDHB	021
DPR-0358	RWRL	157
DPR-0360	WMDRA	001
DPR-0363	IRHL	156
DPR-0367	Orion	069
DPR-0370	Fonterra	045
DPR-0372	Dairy Holdings	027
DPR-0374	RIHL	162
DPR-0384	RIDL	164
DPR-0388	Craigmore	013, 059
DPR-0390	RIL	018, 100
DPR-0414	Kāinga Ora	057
DPR-0446	Transpower	073
DPR-0453	Midland & Lyttelton Ports	066

- [40] For these submissions and submission points we are satisfied that Ms Carruthers' recommendation to amend NH-P10 to clarify that important infrastructure and land transport infrastructure do not form part of this policy as sought by MetroPort is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.8.4 NH-P11

- [41] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0260	CRC	030
DPR-0358	RWRL	158
DPR-0360	WMDRA	002
DPR-0363	IRHL	157
DPR-0367	Orion	070
DPR-0372	Dairy Holdings	028
DPR-0374	RIHL	163
DPR-0375	WKNZTA	079
DPR-0384	RIDL	165
DPR-0390	RIL	019

- [42] For these submissions and submission points we are satisfied that Ms Carruthers' recommendation to amend NH-P11 to explicitly include important infrastructure as an asset of high value as sought by Orion is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.8.5 NH-P12

- [43] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Point
DPR-0215	Winstone	027
DPR-0217	Summerset	009
DPR-0260	CRC	031
DPR-0358	RWRL	159
DPR-0363	IRHL	158
DPR-0372	Dairy Holdings	029
DPR-0374	RIHL	164
DPR-0384	RIDL	166
DPR-0388	Craigmore	014
DPR-0390	RIL	020
DPR-0427	DOC	032

3.8.6 NH-P13 to NH-P21

- [44] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that we have grouped our recommendations for these four policies as only very minor amendments are recommended, reflecting the high degree of submitter support for the provisions as notified.

Sub #	Submitter	Submission Point
DPR-0208	Ngāi Tahu Property	002, 003
DPR-0260	CRC	032, 033, 034, 035, 036, 037, 038, 039, 040
DPR-0353	HortNZ	108
DPR-0358	RWRL	160, 161, 163, 164, 165, 166, 167, 168
DPR-0359	FENZ	043, 044
DPR-0363	IRHL	159, 160, 162, 163, 164, 165, 166, 167
DPR-0374	RIHL	165, 166, 168, 169, 170, 171, 172, 173
DPR-0375	WKNZTA	080, 081
DPR-0379	J Thomson	037, 038
DPR-0384	RIDL	167, 168, 170, 171, 172, 173, 174, 175

Sub #	Submitter	Submission Point
DPR-0392	CSI	011
DPR-0422	FFNC	122
DPR-0427	DOC	033, 034
DPR-0441	Manawa Energy	068
DPR-0446	Transpower	074, 075, 076
DPR-0448	NZDF	029, 030

[45] For these submissions and submission points we are satisfied that Ms Carruthers' recommendation to replace the word 'risk' with the word 'hazard' in NH-P13 and NH-P14 as sought by CRC is appropriate because referring to the slope instability hazard will provide more accurate terminology than referring to the risk.

[46] We also endorse Ms Carruthers' recommendation to reject the submissions of HortNZ and FFNC who sought to amend the word 'Restrict' to 'Manage' in NH-P20. As we have discussed in other Recommendation Reports, we consider that the word 'manage' is generally meaningless and inappropriate for use in policies because it provides no guidance to decision-makers. All activities are 'managed' under the Plan in one form or another.

3.8.7 New Policy NH-P22

[47] For the following submitter and their submission point we adopt the recommendation and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0353	HortNZ	109

[48] HortNZ requested a new policy that would require residential units and accessways in the GRUZ to be setback from boundaries in order to mitigate potential wildfire risk. As noted by Ms Carruthers, wildfire is a different type of natural hazard when compared to the others managed by the PDP, because the actions of people can have a direct and immediate impact on the level of threat to themselves and to others.

[49] We agree that it is sensible to require new residential units to be positioned in a manner that will not subject them to an increased risk of wildfire. However, in response to the submissions of Jane West and Jill Thomson on other wildfire policies (NH-P20 and NH-P21) we consider that the new policy should also refer explicitly to shelterbelts and woodlots. In terms of s32AA of the RMA that addition reflects our recommended definition of 'woodlot' which will exclude plantation forestry, horticultural and agricultural crops. In other words, there will be no restriction on new residential units in relation to their proximity to those lower risk land uses.

[50] We agree with Ms Carruthers that it is not always possible for an accessway to be set back from a boundary, because in the case of an access lot, access leg or private road, it is the area contained between two boundaries which are less than 30m apart. We agree that the new policy should therefore not refer to accessways.

[51] In terms of s32AA of the RMA we adopt Ms Carruthers' assessment set out in paragraphs 16.23 to 16.28 of the section 42A report.

3.9 Rules, Rule Requirements and Schedules

3.9.1 *NH-R1 and NH-R2 and NH-REQ1 to NH-REQ3 and New NH-SCHED – Flood Assessment Certificates*

[52] We note that NH-R1 and NH-R2 relate to buildings and structures in areas that are subject to coastal or freshwater flooding, or a combination of the two. We agree with the Section 42A Report author that the submission points and decisions requested are consistent, and so to avoid repetition we have grouped them, along with their associated rule requirements NH-REQ1, NH-REQ2 and NH-REQ3.

[53] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0031	W Pettigrew	001
DPR-0068	MetroPort	014, 015
DPR-0212	ESAI	019, 020, 022, 023
DPR-0215	Winstone	028, 029, 030
DPR-0217	Summerset	010, 011, 012
DPR-0256	R Potts	003, 004, 005, 006, 007, 008
DPR-0260	CRC	042, 043, 044, 045, 046, 047, 048, 049, 052
DPR-0323	Investore Property	011
DPR-0358	RWRL	172, 178
DPR-0363	IRHL	171, 172, 177
DPR-0367	Orion	071
DPR-0370	Fonterra	039, 046, 040, 047
DPR-0372	Dairy Holdings	030, 137, 031, 033, 138
DPR-0374	RIHL	177, 178, 183
DPR-0378	MoE	015, 016
DPR-0384	RIDL	179, 180, 185
DPR-0388	Craigmore	015, 060, 061, 062
DPR-0390	RIL	021, 022, 101, 102, 103
DPR-0410	Urban Estates	002, 003
DPR-0414	Kāinga Ora	059, 061
DPR-0419	Hughes	002
DPR-0427	DOC	141, 142
DPR-0453	Midland & Lyttelton Ports	063, 064, 067, 068, 095

[54] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Ms Carruthers' recommendations to:

- refine the activities that NH-R1 applies to within the Coastal Erosion and Coastal Inundation Overlays as sought by CRC; and
- clarify within NH-R1 that permitted activity status should be limited to the alteration or addition to an existing residential unit in the Plains Flood Management Overlay where the building finished floor height is at an appropriate level as was sought by a number of submitters;

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[55] In particular we agree that repair and maintenance in the Coastal Erosion and Coastal Inundation Overlays as noted by CRC, and reconstruction and replacement of residential units

in the Plains Flood Management Overlay, as noted by Winstone and Summerset, do not need to be included in the rules because such activities clearly fall within the scope of an existing use right.

- [56] We also agree that in response to the submission of CRC requesting an advice note be included with NH-R1.15, that the 'Note to Plan Users, at the start of the Rules section should be amended to:
- advise that information showing the modelled flood characteristics within specific parts of the District is publicly available online via Canterbury Maps;
 - that this information is indicative only and will be updated to reflect the best information as it becomes available, and
 - that a party may provide the SDC with a site-specific flood assessment prepared by a suitably qualified and experienced person.
- [57] We understand that issues of concern to submitters, including Robb Potts, regarding how improvements to the mapping so as to reduce uncertainties will occur, that the 'updating' could include matters such as looking at catchment areas, river maintenance hazard areas and secondary flow paths.
- [58] We are of the same view regarding CRC's request for an advice note to be included in NH-R1.19, stating that the existing finished floor level will still be subject to Building Act requirements.
- [59] A substantial issue related to CRC's request that NH-R1.15.b.ii, NH-R2.3.c and NH-REQ2.6.b be amended to refer to compliance with a flood assessment certificate issued in accordance with a schedule be inserted in the PDP. Ms Carruthers noted that would be consistent with the approach taken in Christchurch District Plan Rule 5.4.1.2, and NH-S1 of the recently notified Proposed Waimakariri District Plan, providing a level of consistency in approach across the three districts.
- [60] We consider the CRC request to have considerable merit. In particular we found the submissions of counsel and the evidence of Sam Leonard (CRC Planner) to be persuasive. Counsel stated:⁵

"The Flood Assessment Certificate approach proposed by the Regional Council would confirm whether an activity is located in a high hazard area as defined by the pSDP. Under the relevant rules, an activity is only permitted if it is not located in a high hazard area.

Plan users will be able to determine whether or not they are located in the Plains Flood Management Overlay based on the maps in the pSDP. Certification would then be required to determine if they are located within a high hazard area. That certification would be based on the assessment criteria in the definition of high hazard (i.e. water depth and water velocity) which are sufficiently certain and able to be objectively determined."

⁵ Legal Submissions on behalf of Canterbury Regional Council in relation to Natural Hazards, 21 October 2021, M A Mehlhopt, paragraphs 36 and 37.

[61] Mr Leonard stated:⁶

“Whilst it is my opinion that the notified provisions already give effect to CRPS Policies 11.3.1 and 11.3.2, I consider that the floor level certification process would provide more certainty for both SDC and the public. It would also provide a more regionally consistent approach, particularly in greater Christchurch, aligning with the operative Christchurch City District plan and the proposed Waimakariri District Plan.

A floor level certification process should provide the same outcome as the notified provisions but in a clearer and more transparent way. Mr Griffiths has outlined in his evidence how the process for obtaining certification could work in practice. The benefits of a floor level certification process is that it gives clear effect to the CRPS by establishing whether or not proposed development will be located in a high hazard area (triggering a non-complying activity status if it is high hazard) and establishes an appropriate floor level above the 200 year ARI design flood level for areas that are not high hazard. It also provides clarity on the process and information that will be used to determine the floor level height.

In my opinion this would provide greater clarity to developers and landowners on what is needed to fulfil the requirements of the pSDP and will provide certainty that development can proceed in accordance with the certificate. It also provides a clear avenue for the involvement of the Regional Council in providing technical advice where necessary, to support the identification of an appropriate floor levels through the certification process ...”

[62] The CRC representatives at the hearing helpfully reiterated that the Canterbury Maps referred to by some submitters (including Kāinga Ora) were for guidance purposes only and carried no statutory weight. This will now be reflected in the amended “Note to Plan Users” at the start of the Rules section.

[63] In her October 2022 Section 42A Reply Report Ms Carruthers continued to support the relief sought by CRC. She helpfully outlined how the certification process would work:

1. *Applicant requests a minimum floor height certificate, providing relevant supporting information.*
 - a. *Where this is in association with a rural site, CRC staff would continue to provide advice based on the most recent information available to them (generally the model results and the application of specialist interpretation) and issue advice on that basis.*
 - b. *Within townships, applicants can use the most recent available model results (most likely to occur only on locations where no recent development works have taken place); or use the model results provided as part of a subdivision s224 certification process for the site.*
 - c. *In any location, an applicant could choose to provide a site-specific assessment undertaken by an appropriately qualified and experienced engineer.*
2. *Based on the information provided, Council would then issue a floor height certificate in accordance with NH-SCHED1, valid for two years. Where a certificate is requested in association with a subdivision, a single certificate could cover multiple sites.*

⁶ EIC Sam Leonard, CRC, paragraphs 50, and 51 and 53

3. *The applicant would then either build in accordance with the requirements of the certificate, or apply for a resource consent under NH-R1 or NH-R2, as appropriate.*
4. *Where building work does not proceed within the life of the certificate, a new certificate would be required. Where there is no new information, the minimum floor height would be unchanged and a new certificate issued based on the existing information. Where there is new information, such as where a model has been re-run as a result of other development or changed climate change predictions resulting in new rainfall parameters, the minimum floor height may be different and the options in Step 1 would apply.*

[64] Ms Carruthers also outlined how in order to provide the information required to make an assessment under proposed SUB-R17, a RDIS subdivision applicant within the Plains Flood Management Overlay would need to undertake an assessment to demonstrate that every site was outside a high hazard area to enable a Flood Assessment Certificate to be issued for every site created. Where ground levels would change as a result of the subdivision, new modelling would be required to take these altered levels into account. Once completed, those new modelling results would be incorporated into CRC's Canterbury Maps.

[65] In terms of s32AA of the RMA, for CRC's submission and submission points regarding a certification process, we are satisfied that Ms Carruthers' recommendations to adopt that process is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In that regard we also adopt Ms Carruthers' s32AA evaluation that is set out in Paragraphs 2.8 to 2.11 of the October 2022 Section 42A Reply Report.

3.9.2 NH-R3 and NH-REQ4

[66] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0154	E Moorhead	005
DPR-0205	Lincoln University	030
DPR-0212	ESAI	021, 024
DPR-0213	Plant and Food & Landcare	018
DPR-0215	Winstone	031, 032
DPR-0217	Summerset	013, 014
DPR-0260	CRC	050, 053
DPR-0269	HNZPT	007, 007
DPR-0358	RWRL	174, 179
DPR-0363	IRHL	173, 178
DPR-0367	Orion	072
DPR-0372	Dairy Holdings	032, 034
DPR-0374	RIHL	179, 184
DPR-0384	RIDL	181, 186
DPR-0388	Craigmore	016
DPR-0390	RIL	023, 024
DPR-0414	Kāinga Ora	063, 067
DPR-0427	DOC	039, 143

[67] In response to the submission of Kāinga Ora that both NH-R3 and NH-REQ4 be moved to the Earthworks chapter, Ms Carruthers recommended that it would improve Plan effectiveness and efficiency to accept the Kāinga Ora submission in part by deleting NH-R3 and instead inserting NH-REQ4 as a rule requirement to be complied with for each of:

- EW-R1 Earthworks subject to a building consent
- EW-R2 Earthworks
- EW-R4 Earthworks in the Dairy Processing Zone, and
- EW-R5 Stockpiling

[68] We agree with that recommendation, together with her recommendation that because NH-REQ4 implements the natural hazard objectives and policies, it needs to remain in the Natural Hazards chapter.

3.9.3 NH-R4

[69] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0358	RWRL	175
DPR-0363	IRHL	174
DPR-0374	RIHL	180
DPR-0384	RIDL	182
DPR-0427	DOC	040

3.9.4 NH-R5

[70] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no change to the notified wording of the rule itself.

Sub #	Submitter	Submission Points
DPR-0358	RWRL	176
DPR-0363	IRHL	175
DPR-0374	RIHL	181
DPR-0375	WKNZTA	082
DPR-0384	RIDL	183
DPR-0427	DOC	041

[71] However, we were persuaded by the evidence of Sam Leonard for CRC⁷ that the title of the rules should be amended to read 'Natural Hazard Mitigation Works - Public flood, erosion or drainage works.' We therefore recommend:

Sub #	Submitter	Submission Point	Accept in part
DPR-0260	CRC	051	✓

⁷ Paragraphs 31 to 33.

3.9.5 NH-R6

- [72] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no change to the notified wording of the rule.

Sub #	Submitter	Submission Points
DPR-0269	HNZPT	007
DPR-0358	RWRL	177
DPR-0363	IRHL	176
DPR-0374	RIHL	182
DPR-0375	WKNZTA	083
DPR-0384	RIDL	184

3.9.6 NH-REQ4

- [73] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter Name	Submission Point
DPR-0154	E Moorhead	005
DPR-0205	Lincoln University	030
DPR-0212	ESAI	024
DPR-0215	Winstone	032
DPR-0217	Summerset	014
DPR-0260	CRC	053
DPR-0269	HNZPT	007
DPR-0358	RWRL	179
DPR-0363	IRHL	178
DPR-0367	Orion	072
DPR-0372	Dairy Holdings	034
DPR-0374	RIHL	184
DPR-0384	RIDL	186
DPR-0388	Craigmore	016
DPR-0390	RIL	024
DPR-0414	Kāinga Ora	067

- [74] In response to the submission of CRC, the Section 42A report author recommended clarification of the wording for NH-REQ4.1. We adopt that same recommendation.

3.9.7 NH-REQ5

- [75] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0124	The Paul Cockburn Trust	002
DPR-0358	RWRL	180
DPR-0363	IRHL	179
DPR-0367	Orion	073
DPR-0370	Fonterra	041
DPR-0372	Dairy Holdings	035, 039
DPR-0374	RIHL	185
DPR-0375	WKNZTA	084
DPR-0384	RIDL	187
DPR-0388	Craigmore	017, 064

Sub #	Submitter	Submission Points
DPR-0390	RIL	025, 104
DPR-0441	Manawa Energy	069
DPR-0446	Transpower	077
DPR-0453	Midland & Lyttelton Ports	065

[76] For these submissions and submission points we are satisfied that Ms Carruthers' recommendation to clarify which Energy and Infrastructure and Transport rules should be subject to NH-REQ5 is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[77] In particular we adopt Ms Carruthers' recommendations to:

- not have NH-REQ5.1 apply to EI-R10 with respect to flooding, while noting that it would still apply in relation to the Coastal Erosion Overlay and the Greendale Fault Overlay, as these areas are potentially subject to permanent changes in landform, rather than the relatively temporary effects of inundation; and
- similarly, not have NH-REQ5.1 apply to EI-R9, EI-R14, EI-R15, EI-R17, EI-R19, EI-R22, EI-R24 and EI-R28, and that this should be implemented by amending NH-REQ5 such that NH-REQ5.1 requires avoidance of the Coastal Erosion Overlay with the flood high hazard areas moved to NH-REQ5.3, so that where compliance with all of NH-REQ5 is required, avoidance of the flood high hazard areas is still required.

3.9.8 NH-REQ6

[78] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no change to the notified wording of the provision.

Sub #	Submitter	Submission Points
DPR-0358	RWRL	181
DPR-0374	RIHL	186
DPR-0375	WKNZTA	085
DPR-0384	RIDL	188

3.9.9 NH-REQ7, NH-MAT5, GRUZ-R23 and GRUZ-R25

[79] We have followed the lead of the Section 42A Report author in grouping the provisions that relate to wildfire setbacks and matters to be considered when dealing with consent applications relating to those setbacks, including in the GRUZ provisions relating to woodlots and shelterbelts.

[80] For the following submitters and their submission points we generally adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0212	ESAI	025
DPR-0299	S & J West	006
DPR-0301	UWRG	037
DPR-0305	A Fitzjohn	001
DPR-0353	HortNZ	250
DPR-0359	FENZ	045
DPR-0375	WKNZTA	086

Sub #	Submitter	Submission Points
DPR-0379	J Thomson	039, 040
DPR-0422	FFNC	123
DPR-0427	DOC	036, 037, 038

[81] For these submissions and submission points we are satisfied that Ms Carruthers' recommendations to:

- not amend GRUZ-R25 as was sought by HortNZ (that would result in NH-REQ7 not applying to GRUZ-R25). We agree that accepting the HortNZ request would leave shelterbelts being subject to NH-REQ7, but woodlots would not, which is nonsensical as the two types of vegetation pose a similar risk in relation to the spread of wildfire;
- in response to the submission of HortNZ, amend the setbacks for residential units in the GRUZ by way of an amendment to GRUZ-REQ4 and to amend NH-MAT5 to include the wider issue of the degree of risk posed to life and property. In particular we adopt Ms Carruthers' detailed assessment in paragraphs 18.30 to 18.43 of the Section 42A report, but do not repeat that assessment here for the sake of brevity. However, we do not include the specific amendment in Appendix 1 as it is included in the GRUZ Recommendation Report; and
- in response to the submission of Jill Thomson, amend NH-REQ7.1 by inserting the word 'new' between 'any' and 'woodlot' where they first appear

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. More particularly, in terms of s32AA of the RMA, for the above recommendations we adopt Ms Carruthers' assessment that is set out in paragraphs 18.51 to 18.55 of the Section 42A report.

[82] However, we are not persuaded that it is necessary to amend GRUZ-R23 in response to the submission of S & J West, because we consider that the inclusion of NH-REQ7 Wildfire Setbacks imposes a clear obligation and does not require further qualification. In saying that we acknowledge that the risk of wildfire in the Selwyn District is a real and significant risk to life and property that needs to be avoided or mitigated in a reasonable manner that does not impose unduly onerous requirements on property owners and residents.

[83] We agree with Ms Carruthers that following the amendment to NH-MAT5, consequential amendments are required to NATC-REQ3, NFL-REQ4, NFL-REQ5, NFL-REQ8 and GRUZ-REQ1, 2 and 3. We note that NATC-REQ3 is relevant to vegetation planting, hence new NH-MAT5.A is the correct reference.

[84] NH-MAT5 as notified only had one clause, and so the identification of NH-MAT5.2 in each of the other provisions is a consequential amendment to retain only that original clause as a matter for discretion, rather than unintentionally expanding the matters to be considered to include what Ms Carruthers has recommended as a new clause. She was of the view that there was no scope to introduce that new matter (NH-MAT5.A1) into those other provisions and we accept her view.

3.10 Matters for Control or Discretion

3.10.1 NH-MAT1

[85] For the following submitters and their submission points we generally adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0215	Winstone	033
DPR-0217	Summerset	015
DPR-0358	RWRL	171, 182
DPR-0363	IRHL	170, 181
DPR-0367	Orion	074
DPR-0374	RIHL	187
DPR-0384	RIDL	178, 189

[86] For these submissions and submission points we are satisfied that Ms Carruthers' recommendation to amend NH-MAT1.1, NH-MAT1.2 and insert new NH-MAT1.7 to improve the clarity of the provisions and SDC's ability to appropriately assess the potential risks to activities from natural hazards as sought by Winstone and Summerset are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.10.2 NH-MAT3 and NH-MAT4

[87] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0217	Summerset	017
DPR-0269	HNZPT	007

4 Other Matters

[88] DOC sought an amendment to CE-R3 to address a perceived overlap in provisions and ensure that effects on natural character and effects of natural hazard risk were appropriately considered. We accept Ms Carruthers' recommendation to reject that submission as there is little geographic alignment between the natural character areas and natural hazard areas.

[89] A number of submitters sought amendments to SUB-R17 Subdivision and Natural Hazards. We adopt Ms Carruthers' recommendations in relation to those submissions, including that of CRC relating to SUB-R17.4b (Subdivision within the Plains Flood Management Overlay outside high hazard areas) requesting a reference to a flood assessment certificate.

[90] Consequently, for the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0212	ESAI	074
DPR-0260	CRC	125
DPR-0358	RWRL	219
DPR-0363	IRHL	208
DPR-0374	RIHL	214

Sub #	Submitter	Submission Points
DPR-0384	RIDL	226
DPR-0414	Kāinga Ora	111
DPR-0422	FFNC	208
DPR-0427	DOC	076

- [91] The recommended amendments to the PDP provisions contained in Appendix 1 are those that result from this Hearing Panel's assessment of submissions and further submissions. However, readers should note that further or different amendments to these provisions may have been recommended by:
- Hearing Panels considering submissions and further submissions on other chapters of the PDP;
 - the Hearing Panels considering rezoning requests, and
 - the Independent Hearing Panel (IHP) considering submissions and further submissions on Variation 1 to the PDP
- [92] Any such further or different amendments are not shown in Appendix 1 of this Recommendation Report. However, the Chair⁸ and Deputy Chair⁹ of the PDP Hearing Panels have considered the various recommended amendments and have ensured that the overall final wording of the consolidated version of the amended PDP is internally consistent.
- [93] In undertaking that 'consistency' exercise, care was taken to ensure that the final wording of the consolidated version of the amended PDP did not alter the intent of the recommended amendments contained in Appendix 1 of this Recommendation Report.
- [94] There are no other matters arising from our consideration of the submissions and further submissions or that arose during the hearing.

⁸ Who is also the Chair of the IHP.

⁹ Who chaired one stream of hearings.

Appendix 1: Recommended Amendments

Note to readers: Only provisions that have recommended amendments are included below. All other provisions remain as notified. Amendments recommended by the Section 42A Report author that have been adopted by the Hearing Panel are shown in strike out and underlining. Further or different amendments recommended by the Hearing Panel are shown in strike out, underlining and red font.

Amendments to the PDP Maps

The following spatial amendments are recommended to PDP Planning Maps:

Map Layer	Description of recommended amendment
Greendale Fault Avoidance Overlay	<ul style="list-style-type: none"> Amend the name to Greendale Fault Avoidance Overlay¹⁰
Plains Flood Management Overlay	<ul style="list-style-type: none"> Replace with the proposed overlay provided by CRC in the evidence of N Griffiths¹¹

Amendments to the PDP Text

Part 1 – Introduction and General Provisions

Interpretation

Definitions	
COASTAL HAZARD MITIGATION WORKS	Any work or structure designed to prevent or mitigate coastal hazards, such as coastal erosion and seawater inundation. It includes beach re-nourishment, dune replacement, <u>and</u> sand fences, seawalls, groynes, gabions, and revetments <u>and hard protection structures</u> ¹² .
STRUCTURE WITH SPECIAL POST DISASTER FUNCTION	Buildings and facilities designated as essential facilities; buildings and facilities with special post-disaster function; medical emergency or surgical facilities; emergency service facilities; emergency service facilities such as fire, police station and emergency vehicle garages; designated emergency shelters, centres and ancillary facilities; and utilities required as backup for these buildings and facilities ¹³
WOODLOT	A stand of more than one row of trees for the purposes of firewood, the creation of other wood products, a carbon sink, erosion control, pest, or wilding tree management purposes, but excluding plantation forestry <u>and horticultural and agricultural crops</u> . ¹⁴

¹⁰ DPR-0208.001 Ngāi Tahu Property

¹¹ DPR-0260 CRC, evidence of N Griffiths, figure 1b

¹² DPR-0427.011 DOC, DPR-0427.005 DOC

¹³ DPR-0359.011 FENZ

¹⁴ Consequential to DPR-0229.006 Jane West

Part 2 – District Wide Matters

Hazards and Risks

NH – Natural Hazards

NH-Objectives and Policies

NH-Objectives	
NH-O1	New subdivision, use, and development, (except for other than ¹⁵ new important infrastructure and land transport infrastructure <u>where NH-O2 applies instead</u>). ¹⁶ <ol style="list-style-type: none"> is avoided in areas where the risks from natural hazards to people, property and infrastructure are assessed as being unacceptable; and in all other areas, is undertaken in a manner that ensures that the risks of natural hazards to people, property and infrastructure are appropriately mitigated.
NH-O2	Important infrastructure and land transport infrastructure is only located within areas of significant natural hazard risk where there is <u>a functional or operational need to locate in that environment or there is</u> ¹⁷ no reasonable alternative and the important infrastructure or land transport infrastructure is designed so as not to exacerbate natural hazard risk to people and property.

NH-Policies	
General	
NH-P1	Avoid new subdivision, use, or development of land in high hazard areas (except for important infrastructure and land transport infrastructure <u>where NH-P2 applies instead</u>). ¹⁸ unless the subdivision, use or development <u>either</u> : <ol style="list-style-type: none"> is: <ol style="list-style-type: none"> not likely to result in loss of life or serious injuries; and is not likely to suffer significant damage or loss; and is not likely to require new or upgraded <u>natural</u>¹⁹ hazard mitigation works to mitigate or avoid the natural hazard; and either is: a not likely to exacerbate the effects of the natural hazard; or b proposed to be <u>alternatively it is</u> located in <u>any of the following areas as at 6 December 2013 Residential Zone, Commercial Zone or Industrial Zone</u>²⁰, in which case the effects of the natural hazard must be avoided or appropriately mitigated:

¹⁵ DPR-0375.071 WKNZTA

¹⁶ DPR-0375.071 WKNZTA

¹⁷ DPR-0441.064 Manawa Energy

¹⁸ DPR-0375.076 WKNZTA

¹⁹ DPR-0260.022 CRC

²⁰ DPR-0260.022 CRC

	<p>a. <u>Living 1 zone, Living X zone or Living Z zone;</u></p> <p>b. <u>in Lincoln, a Living 2 zone; or</u></p> <p>c. <u>a Business zone</u>²¹.</p>
NH-P3	Restrict new subdivision, use or development of land in areas outside high hazard areas but known to be vulnerable to a natural hazard, unless any potential risk of loss of life or damage to property is adequately mitigated.
Flood Hazards	
NH-P10	<p>In areas within the Plains Flood Management Overlay that are not a high hazard area, provide for:</p> <p>1. <u>important infrastructure and land transport infrastructure;</u> and²²</p> <p>2. any other²³ new subdivision, use, and development (other than important infrastructure and land transport infrastructure)²⁴ only where every new residential unit or principal building has an appropriate floor level above the 200 year Average Return Interval (ARI) design flood level.</p>
NH-P11	Avoid locating any residential unit or other asset of high value <u>(including important infrastructure)</u> ²⁵ between any waterbody and any defence against water designed or used to contain floodwater from that waterbody, unless that asset has a functional need or operational need to be in that location.
Geotechnical Hazards	
NH-P13	Provide for subdivision on flat land where the liquefaction <u>hazard risk</u> ²⁶ has been appropriately identified and assessed, and can be adequately remedied or mitigated.
NH-P14	Provide for subdivision, use, and development on hills and in the high country where the slope instability <u>hazard risk</u> ²⁷ has been appropriately identified and assessed, and can be adequately remedied or mitigated.
NH-P15	<p>Within the Greendale Fault Avoidance²⁸ Overlay, avoid the development or use of land, buildings or structures for any:</p> <p>.....</p>
NH-P18	<p>Restrict subdivision or rezoning within any of the:</p> <p>1. Greendale Fault Avoidance²⁹ Overlay; or</p> <p>2.</p>
Wildfire Hazards	
NH-P22	Restrict the establishment of any new residential unit if it is located in a position that increases the wildfire risk to that building <u>from shelterbelts or woodlots.</u> ³⁰

²¹ DPR-0260 CRC, discussion at hearing

²² DPR-0453.66 Midland & Lyttleton Ports

²³ DPR-0453.66 Midland & Lyttleton Ports

²⁴ DPR-0453.66 Midland & Lyttleton Ports

²⁵ DPR-0367.070 Orion

²⁶ DPR-0260.032 CRC

²⁷ DPR-0260.033 CRC

²⁸ DPR-0208.001 Ngāi Tahu Property

²⁹ DPR-0208.001 Ngāi Tahu Property

³⁰ DPR-0353.109 HortNZ **and responding to Jane West**

NH-Rules

Note for Plan Users: There ... in the How the Plan Works section.

Information showing the modelled flood characteristics within specific parts of the district is publicly available online via Canterbury Maps. This information is indicative only and will be updated to reflect the best information as it becomes available. A party may provide the Council with a site-specific flood assessment prepared by a suitably qualified and experienced person.³¹

Building Act requirements also apply, and may differ from District Plan requirements. Where this occurs, compliance with both is required and so the more stringent requirement applies.³²

The rules in this chapter do not relate to coastal hazards. For rules relating to coastal hazards, please refer to the Coastal Hazards section of the Coastal Environment chapter.

³³

NH-Rule List

NH-Rule List	
NH-R3	Earthworks in Natural Hazard Overlays ³⁴
NH-R5	Natural Hazard Mitigation Works - Defences Against Water Public flood, erosion or drainage works ³⁵

NH-R1		
Existing Buildings and Structures in Natural Hazard Overlays		
Coastal Erosion Overlay	<p>Activity Status: PER</p> <p>1. The repair, maintenance,³⁶ alteration, reconstruction, or replacement of any building or structure <u>residential unit or other principal building.</u>³⁷</p> <p>Where:</p> <p>a. <u>The residential unit or other principal building has not been damaged by the direct action of the sea.</u>³⁸</p> <p>The building or structure is not a residential unit or other principal building damaged by the direct action of the sea.</p>	<p>Activity status when compliance not achieved:</p> <p>....</p>

³¹ DPR-0260.045 CRC

³² DPR-0260.048 CRC

³³ Schedule 1 clause 16(2) amendment

³⁴ DPR-0414.067 Kāinga Ora

³⁵ DPR-0260 CRC Evidence of S Leonard, Appendix 2

³⁶ DPR-0260.041 CRC

³⁷ Consequential amendment arising from DPR-0260.041 CRC

³⁸ DPR-0260.041 CRC

	
Coastal Erosion Overlay	<p>Activity Status: PER</p> <p>4. The repair,³⁹ alteration, reconstruction, or replacement of any residential unit or other principal building <u>that has been</u>⁴⁰ damaged by the direct action of the sea.</p> <p>....</p>	<p>Activity status when compliance not achieved:</p> <p>....</p>
Coastal Inundation Overlay	<p>Activity Status: PER</p> <p>8. The repair, maintenance,⁴¹ alteration, reconstruction, or replacement of any existing building or structure <u>residential unit or other principal building</u>.</p> <p>Where:</p> <p>a. The building or structure is not a⁴² residential unit or other principal building <u>has not been</u>⁴³ damaged by the direct action of the sea.</p> <p>....</p>	<p>Activity status when compliance not achieved:</p> <p>....</p>
Coastal Inundation Overlay	<p>Activity Status: PER</p> <p>11. The repair,⁴⁴ alteration, reconstruction, or replacement of any residential unit or other principal building <u>that has been</u>⁴⁵ damaged by the direct action of the sea.</p> <p>...</p>	<p>Activity status when compliance not achieved:</p> <p>....</p>
Plains Flood Management Overlay	<p>Activity Status: PER</p> <p>15. The alteration of, or addition to, reconstruction or replacement⁴⁶ of any existing residential unit or other principal building.</p> <p>Where:</p> <p>a. The building is not located in a high hazard area; and</p>	<p>Activity status when compliance not achieved:</p> <p>....</p>

³⁹ DPR-0260.043 CRC

⁴⁰ DPR-0260.043 CRC

⁴¹ DPR-0260.042 CRC

⁴² DPR-0260.042 CRC

⁴³ DPR-0260.042 CRC

⁴⁴ DPR-0260.043 CRC

⁴⁵ DPR-0260.043 CRC

⁴⁶ DPR-0215.028 Winstone, DPR-0217.010 Summerset

	<p>b.⁴⁷ The building finished floor height complies with one of:</p> <p>....</p> <p>ii. a minimum building finished floor level <u>equal to or higher than the minimum floor level stated in a Flood Assessment Certificate issued in accordance with NH-SCHED1 Flood Assessment Certificates 300mm above a 200 year Average Recurrence Interval (ARI) flood hazard event that is identified a maximum of 2 years before the relevant building consent application is formally received by Council, and the building finished floor level is at or above that level.</u>⁴⁸</p>	
NH-R2	New Buildings and Structures in Natural Hazard Overlays	
Plains Flood Management Overlay	<p>Activity status: PER</p> <p>3. The establishment of any new residential unit or other principal building.</p> <p>Where:</p> <p>a. ...</p> <p>c. <u>The building finished floor level is equal to or higher than the minimum floor level stated in a Flood Assessment Certificate issued in accordance with NH-SCHED1 Flood Assessment Certificates a minimum building finished floor level 300mm above a 200 year Average Recurrence Interval (ARI) flood hazard event is identified a maximum of 2 years before the relevant building consent application is formally received by Council, and the building finished floor level is at or above that level</u>⁴⁹</p>	<p>Activity status when compliance not achieved:</p> <p>....</p>
NH-R3	Earthworks in Natural Hazard Overlays	
Coastal Erosion Overlay Coastal Inundation Overlay Plains Flood Management Overlay Waimakariri Flood	<p>Activity Status: PER</p> <p>1. Earthworks</p> <p>Where the activity complies with the following rule requirements:</p> <p>NH-REQ4 Natural Hazards and Earthworks</p>	<p>Activity status when compliance not achieved:</p> <p>2. When compliance with any rule requirement listed in this rule is not achieved: Refer to NH Rule Requirements.⁵⁰</p>

⁴⁷ DPR-0370.039 Fonterra, DPR-0372.137 Dairy Holdings, DPR-0388.060 Craigmore, DPR-0390.101 RIL, DPR-0453.063 Midland & Lyttelton Ports

⁴⁸ DPR-260.045, DPR-0260.046, DPR-0260.047, DPR-0260.049, DPR-0260.052 CRC

⁴⁹ DPR-260.045, DPR-0260.046, DPR-0260.047, DPR-0260.049, DPR-0260.052 CRC

⁵⁰ DPR-0414.067 Kāinga Ora

Management Overlay		
NH-R5	Natural Hazard Mitigation Works - Defences Against Water Flood, erosion or drainage works ⁵¹	
All Zones	Activity status: PER 1. The maintenance or operation of any existing defence against water <u>not</u> subject to NH-R5.1A. 1A. The maintenance or operation of any existing flood <u>or</u> erosion <u>protection works</u> or drainage works administered by a Regional <u>Council</u> or Territorial Authority. ⁵² The earthworks provisions in any chapter shall not apply to any activity permitted under NH-R5.1 <u>or</u> NH-R5.1A.	Activity status when compliance not achieved: N/A
All Zones	Activity status: DIS 2. The upgrading of any existing defence against <u>water not subject to NH-R5.2A</u> . 2A. The upgrading of any existing flood <u>or</u> erosion <u>protection works</u> or drainage works administered by a Regional <u>Council</u> or Territorial Authority. 2B. The establishment of any new flood <u>or</u> erosion <u>protection works</u> or drainage works administered by a Regional <u>Council</u> or Territorial Authority. ⁵³ 3. The establishment of any new defence against water <u>not subject to NH-R5.3A</u> .	Activity status when compliance not achieved: N/A

NH-Rule Requirements

NH-REQ2	Building Position	
Plains Flood Management Overlay	6. Any reconstruction or replacement of an existing building either: ... b. <u>has a building finished floor level equal to or higher than the minimum floor level stated in a Flood Assessment Certificate issued in accordance with NH-SCHED1 Flood Assessment Certificates-a minimum building finished floor level 300mm above a 200 year Average Recurrence Interval (ARI) flood hazard event is identified-a maximum of 2 years before the relevant building consent application is formally received by Council, and the building finished floor level is</u>	Activity status when compliance not achieved:

⁵¹ DPR-0260 CRC Evidence of S Leonard, Appendix 2⁵² DPR-0260 CRC Evidence of S Leonard, Appendix 2⁵³ DPR-0260 CRC Evidence of S Leonard, Appendix 2

	at or above that level. ⁵⁴	
NH-REQ4	Natural Hazards and Earthworks	
Coastal Inundation Overlay Plains Flood Management Overlay Waimakariri Flood Management Overlay	1. The activity does not alter the flow of flood water from or onto any other property, exacerbate flooding on any other property by displacing or diverting floodwater on surrounding land. ⁵⁵	Activity status when compliance not achieved:
NH-REQ5	Natural Hazards and Infrastructure	
All Zones	1. The activity is located outside all of: a. The Coastal Erosion Overlay Any high hazard area ⁵⁶ ; and b. The Greendale Fault Avoidance ⁵⁷ Overlay	Activity status when compliance not achieved: 2. When compliance with any of NH-REQ5.1. is not achieved: NC
All Zones	3. The activity is located outside all of: a. The Fault Investigation Overlay; and b. The Fault Awareness Overlay c. <u>The Coastal Inundation Overlay;</u> d. <u>Every high hazard area within the Plains Flood Management Overlay;</u> e. <u>The Waimakariri Flood Management Overlay.</u> ⁵⁸	Activity status when compliance not achieved: 4. When compliance with any of NH-REQ5.3.a. or NH-REQ5.3.b is not achieved: RDIS <u>4A. When compliance with any of NH-REQ5.3.c, NH-REQ5.3.d or NH-REQ5.3.e is not achieved: NC</u> ⁵⁹
NH-REQ7	Wildfire Setbacks	
GRUZ	1. Any <u>new</u> ⁶⁰ woodlot or shelterbelt shall comply with the following separation distances, measured from the outside extent of the canopy:	Activity status when compliance not achieved: 2. When compliance with any of NH- REQ7.1. is not achieved: RDIS Matters for discretion: 3. The exercise of discretion in relation to NH-REQ7.2. is restricted to the following matters: a. The degree of risk posed to life and property because of the

⁵⁴ DPR-260.045, DPR-0260.046, DPR-0260.047, DPR-0260.049, DPR-0260.052 CRC

⁵⁵ DPR-0260.053 CRC

⁵⁶ DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

⁵⁷ DPR-0208.001 Ngāi Tahu Property

⁵⁸ DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

⁵⁹ DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

⁶⁰ DPR-0379.039 J Thomson

		non-compliance. <u>NH-MAT5.A</u> ⁶¹
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NH-Matters for Control or Discretion

NH-MAT1	Natural Hazards Generally
All Zones	<ol style="list-style-type: none"> 1. The <u>extent of any adverse</u>⁶² effects of natural hazards on people and property. 2. The <u>potential for the</u>⁶³ location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure in relation to <u>increase or exacerbate</u>⁶⁴ natural hazard risk. 3. The clearance or retention of vegetation or other natural features to mitigate natural hazard risk. 4. The timing, location, scale and nature of any earthworks in relation to natural hazard risk. 5. The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site. 6. Any adverse effects on the environment of any proposed mitigation measures. 7. <u>The effectiveness of any proposed mitigation measures.</u>⁶⁵
NH-MAT3	Geotechnical Considerations
All Zones	<ol style="list-style-type: none"> 1. The outcome of a detailed geotechnical investigation and interpretation undertaken by a Chartered Professional Engineer with experience in geotechnical engineering or a Professional Engineering Geologist (IPENZ registered), and containing all relevant geotechnical information, presented in both a factual and interpretive manner, where the site is wholly or partly: ... c. within the Greendale Fault Avoidance⁶⁶ Overlay; or
NH-MAT5	Wildfire
All Zones	<ol style="list-style-type: none"> A. <u>The degree of risk posed to life and property.</u>⁶⁷ <ol style="list-style-type: none"> 1. The extent to which any vegetation required for visual screening of a principal building affects the wildfire risk to any residential unit or other principal building.

⁶¹ DPR-0353.110 HortNZ⁶² DPR-0215.033 Winstone, DPR-0217.015 Summerset⁶³ DPR-0215.033 Winstone, DPR-0217.015 Summerset⁶⁴ DPR-0215.033 Winstone, DPR-0217.015 Summerset⁶⁵ DPR-0215.033 Winstone, DPR-0217.015 Summerset⁶⁶ DPR-0208.001 Ngāi Tahu Property⁶⁷ DPR-0353.110 HortNZ

NH-Schedules

NH-SCHED1 Flood Assessment Certificates⁶⁸

A Flood Assessment Certificate will be issued by the Selwyn District Council (that is valid for 2 years from the date of issues) which specifies:

1. whether or not the site or activity is located on land that is within a High Hazard Area; and
2. whether or not the site or activity is likely to be subject to inundation in a 200-year Average Recurrence Interval (ARI) flood event and;
3. where the site or activity is not located on land that is within a High Hazard Area but is likely to be subject to inundation in a 200-year ARI flood event, a minimum finished floor level for any new building or structure (or part thereof) that is 300mm above the 200-year ARI flood level.

The minimum finished floor level will be determined with reference to:

- a. the most up to date models and maps held by Selwyn District Council or Canterbury Regional Council;
- b. any relevant field information; and
- c. any site-specific flood assessment prepared by a suitably qualified and experienced person

Advice Note:

Information showing the modelled flood characteristics within specific parts of the district is publicly available online via Canterbury Maps. This information is indicative only and will be updated to reflect the best information as it becomes available. A party may provide the Council with a site-specific flood assessment prepared by a suitably qualified and experienced person, to support the identification of minimum finished floor levels.⁶⁹

Energy, Infrastructure and Transport

EI – Energy and Infrastructure

EI-Rules

EI-R22	Environmental Monitoring Equipment Associated with a Network Utility	
All Zones	<p>Activity Status: PER</p> <p>And this activity complies with the following rule requirements:</p> <p>EI-REQ3 Notable Trees</p> <p>....</p> <p>EI-REQ23 West Melton Aerodrome Height Restriction</p> <p>NH-REQ5 Natural Hazards and Infrastructure⁷⁰</p> <p>GRUZ-REQ16 Springfield Airfield Height Restriction</p>	<p>Activity status when compliance not achieved:</p> <p>....</p>

⁶⁸ DPR-260.045, DPR-0260.046, DPR-0260.047, DPR-0260.049, DPR-0260.052 CRC

⁶⁹ DPR-0260 CRC Discussion at hearing

⁷⁰ Clause 16(2) amendment

Natural Environment Values

NATC – Natural Character

NATC-Rule Requirements

NATC-REQ3	Setbacks from Surface Water Bodies – Vegetation Planting
GRUZ ⁷¹ GRAZ MPZ SKIZ TEZ	<p>....</p> <p>Activity Status when compliance not achieved:</p> <p>....</p>
<u>GRUZ</u>	<p><u>4. Vegetation plantings shall comply with the following setbacks from any surface water body:</u></p> <p><u>a. 20m from the bank of a surface water body listed in NATC-SCHED 2 or NATC-SCHED 3; and</u></p> <p><u>b. 10m from the bank of any other surface water body.</u></p> <p>Activity Status when compliance not achieved:</p> <p><u>5. When compliance with NATC-REQ3.4 is not achieved: RDIS</u></p> <p>Matters for discretion:</p> <p><u>6. The exercise of discretion in relation to NATC-REQ3.5 is restricted to the following matters:</u></p> <p><u>NATC-MAT1 Natural Character</u></p> <p><u>SASM-MAT3 Ngā Wai</u></p>

NFL – Natural Features and Landscapes

NFL-Rule Requirements

NFL-REQ4	Building and structure setbacks
ONL Overlay VAL Overlay	<p>...</p> <p>Activity status when compliance not achieved:</p> <p>....</p> <p>Matters for discretion:</p> <p>4. The exercise of discretion in relation to NFL-REQ4.3 is restricted to the following matters:</p> <p>NFL-MAT3</p> <p>NH-MAT5.2⁷² Wildfire</p> <p>...</p>

⁷¹ DPR-0299.006 S & J West

⁷² Consequential amendment to DPR-0353.011 HortNZ

NFL-REQ5	Building and structure appearance	
ONL Overlay VAL Overlay	...	Activity status when compliance not achieved: Matters for discretion: 5. The exercise of discretion in relation to NFL-REQ5.4 is restricted to the following matters: NFL-MAT3 NH-MAT5.2 ⁷³ Wildfire ...
NFL-REQ6	Building and structure height	
VAL Overlay	...	Activity status when compliance not achieved: Matters for discretion: 6. The exercise of discretion in relation to NFL-REQ6.5 is restricted to the following matters: NFL-MAT3 NH-MAT5.2 ⁷⁴ Wildfire
NFL-REQ8	Building Coverage	
VAL Overlay	...	Activity status when compliance not achieved: Matters for discretion: 3. The exercise of discretion in relation to NFL-REQ8.2 is restricted to the following matters: NFL-MAT3 NH-MAT5.2 ⁷⁵ Wildfire

⁷³ Consequential amendment to DPR-0353.011 HortNZ

⁷⁴ Consequential amendment to DPR-0353.011 HortNZ

⁷⁵ Consequential amendment to DPR-0353.011 HortNZ

SUB – Subdivision

SUB-Rules

SUB-R17	Subdivision and Natural Hazards	
Plains Flood Management Overlay	<p>Activity Status: RDIS</p> <p>4. Subdivision within the Plains Flood Management Overlay. This rule does not apply to any subdivision under SUB-R15.</p> <p>Where:</p> <p>a. Every site created is outside a high hazard area; and</p> <p>b. A minimum building finished floor level 300mm above a 200 year Average Recurrence Interval (ARI) flood hazard event is identified for each site a maximum of 2 years before the relevant subdivision consent application is formally received by Council.⁷⁶</p> <p>Matters for discretion:</p> <p>5. The exercise of discretion in relation to SUB-R17.4. is restricted to the following matters:</p> <p>a. NH-MAT1 Natural Hazards Generally</p> <p>b. <u>Any additional information required to enable a Flood Assessment Certificate to be issued for every site created in accordance with NH-SCHED1.</u>⁷⁷</p>	<p>Activity status when compliance not achieved:</p> <p>6. When compliance with any of SUB-R17.4. is not achieved: NC</p>

⁷⁶ DPR-0260.125 CRC

⁷⁷ DPR-0260.125 CRC

General District Wide Matters

EW – Earthworks

EW-Rules

EW-R1	Earthworks subject to a Building Consent	
All Zones	Activity status: PER And this activity complies with the following rule requirements: EW-REQ3 – Excavation and filling <u>NH-REQ4 Natural Hazards and Earthworks</u> ⁷⁸	Activity status when compliance not achieved: 2. When compliance with EW-R1.1.a. is not achieved: Refer to EW-R2. 3. When compliance with any EW-Rule Requirement rule <u>requirement</u> ⁷⁹ listed in this rule is not achieved: Refer to EW-Rule Requirements <u>relevant rule requirement</u> ⁸⁰ .
EW-R2	Earthworks	
All Zones, except GRAZ and DPZ	Activity status: PER 1. All other earthworks not covered by EW-R1. And this activity complies with the following rule requirements: EW-REQ1 Volume of Earthworks EW-REQ2 Maximum slope gradient EW-REQ3 Excavation and filling EW-REQ4 Rehabilitation and Reinstatement EW-REQ5 Bunding <u>NH-REQ4 Natural Hazards and Earthworks</u> ⁸¹	Activity status when compliance not achieved: 2. When compliance with any EW-Rule Requirement rule <u>requirement</u> listed in this rule ⁸² is not achieved: Refer to EW-Rule Requirements <u>relevant rule requirement</u> ⁸³ .
EW-R4	Earthworks in the Dairy Processing Zone	
DPZ	Activity status: PER 1. All other earthworks not covered by EW-R1. And this activity complies with the following rule requirements:	Activity status when compliance not achieved: 2, When compliance with any EW-Rule Requirement rule <u>requirement</u> ⁸⁵ listed in this rule is not achieved: Refer to EW-Rule

⁷⁸ DPR-0414.63, DPR-0414.067 Kāinga Ora⁷⁹ Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements⁸⁰ Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements⁸¹ DPR-0414.63, DPR-0414.067 Kāinga Ora⁸² Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements⁸³ Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements⁸⁵ Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

	EW-REQ3 Excavation and filling EW-REQ4 Rehabilitation and Reinstatement NH-REQ4 Natural Hazards and Earthworks ⁸⁴	Requirements <u>relevant rule requirement.</u> ⁸⁶
EW-R5	Stockpiling	
All Zones	Activity status: PER 1. Earthworks stockpiling. <u>And this activity complies with the following rule requirements:</u> <u>NH-REQ4 Natural Hazards and Earthworks</u> ⁸⁷	Activity status when compliance not achieved: 2. When compliance EW-R5.1.a. is not achieved: RDIS <u>2A. When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant rule requirement.</u> ⁸⁸

Part 3 – Area Specific Matters

Zones

Rural Zones

GRUZ – General Rural Zone

GRUZ-Rule Requirements

GRUZ-REQ1	Building Coverage	
	...	Activity status when compliance not achieved: 2. When compliance with any of GRUZ-REQ1.1 is not achieved: RDIS Matters for discretion: 3. The exercise of discretion in relation to GRUZ-REQ1.2 is restricted to the following matters: GRUZ-MAT2 Building Coverage NH-MAT5.2 ⁸⁹ Wildfire ...

⁸⁴ DPR-0414.63, DPR-0414.067 Kāinga Ora

⁸⁶ Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

⁸⁷ DPR-0414.63, DPR-0414.067 Kāinga Ora

⁸⁸ Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

⁸⁹ Consequential amendment arising from DPR-0353.011 HortNZ

GRUZ-REQ2	Structure Height				
		Activity status when compliance not achieved: 2. When compliance with any of GRUZ-REQ2.1 is not achieved: RDIS Matters for discretion: 3. The exercise of discretion in relation to GRUZ-REQ2.2 is restricted to the following matters: GRUZ-MAT1 NH-MAT5.2 ⁹⁰ Wildfire		
GRUZ-REQ3	Height in Relation to Boundary				
	...		Activity status when compliance not achieved: 2. When compliance with any of GRUZ-REQ3.1 is not achieved: RDIS Matters for discretion: 3. The exercise of discretion in relation to GRUZ-REQ3.2 is restricted to the following matters: GRUZ-MAT5 Height in Relation to Boundary NH-MAT5.2 ⁹¹ Wildfire		
GRUZ-REQ4	Structure Setbacks				
GRUZ-TABLE1	Structure Setbacks				
	Structure type	Internal Boundary	Road Boundary with Arterial/Strategic Road	Road Boundary with Other Road	Structure type
	Any structure excluding irrigators, stock fences, fences less than 2m in height, stock water troughs, and flag poles	5m	10m	10m	Any structure excluding irrigators, stock fences, fences less than 2m in height, stock water troughs, and flag poles
	Any accessory building	5m	10m	10m	Any accessory building

⁹⁰ Consequential amendment arising from DPR-0353.011 HortNZ

⁹¹ Consequential amendment arising from DPR-0353.011 HortNZ

	<u>Any residential unit</u> ⁹²	<u>30m</u> ⁹³	<u>20m</u> ⁹⁴	<u>10m</u> ⁹⁵	<u>Any residential unit</u> ⁹⁶
	Any other building	5m	20m	10m	Any other building

⁹² DPR-0353.011 HortNZ

⁹³ DPR-0353.011 HortNZ

⁹⁴ Consequential amendment arising from DPR-0353.011 HortNZ

⁹⁵ Consequential amendment arising from DPR-0353.011 HortNZ

⁹⁶ DPR-0353.011 HortNZ

Appendix 2: List of Appearances and Tabled Evidence

Hearing Appearances

Sub #	Submitter	Author	Role
DPR-0124	The Paul Cockburn Family Trust (The Trust)	Suzannah Tait	Planner
DPR-0256	Rob Potts	Self	
DPR-0260	Canterbury Regional Council	Michelle Mehlhopt Nick Griffiths Sam Leonard	Counsel Technical Planner
DPR-0353	Horticulture New Zealand	Rachel McClung Lynette Wharfe	Representative Planner
DPR-0367	Orion New Zealand Limited	Amy Hill Garry Heyes Melanie Foote	Counsel Representative Planner
DPR-0414	Kāinga Ora - Homes & Communities	Lauren Semple Heather Philip Joe Jeffries	Counsel Counsel Planner
DPR-0428	Ascot Park Limited (APL)	Paul Crozier	Representative
DPR-0441	Manawa Energy	Shelby Macfarlane Hill Romae Calland	Representative Planner

Tabled Evidence

Sub #	Submitter	Author	Role
DPR-0212	Ellesmere Sustainable Agriculture Inc.	Carey Barnett	Representative
DPR-0299	Jane West		
DPR-0358	RWRL	Jeremy Phillips	Planner
DPR-0363	IRHL		
DPR-0374	RIHL		
DPR-0384	RIDL		
DPR-0375	Waka Kotahi NZTA	Richard Shaw	Planner
DPR-0378	Ministry of Education	Adriene Grafia	Planner
DPR-0422	Federated Farmers of NZ	Elisha Young-Ebert	Planner
DPR-0453	Midland Port, Lyttleton Port Company	Matthew Bonis	Planner

We put written questions to Carey Barnett (EASI), Jane West and counsel for IRHL, RIHL, RWRL, RIDL and to the submitter's planner Jeremy Phillips. Those questions were answered in writing and we had regard to the answers provided.