

## Appendix 2: Recommended amendments

Proposed amendments recommended by the s42a report are highlighted in yellow.

Proposed amendments recommended by the right of reply report are highlighted in blue.

### Planning maps

Greendale Fault Avoidance Overlay – amend the name to Greendale Fault Avoidance Overlay<sup>1</sup>

Plains Flood Management Overlay – replace with the proposed overlay provided by CRC in the evidence of N Griffiths<sup>2</sup>

### 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, <u>seawalls, groynes</u> , gabions, <u>and</u> revetments <u>and hard protection structures</u> <sup>3</sup> .
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; <u>emergency service facilities such as fire, police station and emergency vehicle garages</u> ; designated emergency shelters, centres and ancillary facilities; and utilities required as backup for these buildings and facilities <sup>4</sup>

### Natural Hazards chapter

#### NH-Objectives and Policies

NH-Objectives	
NH-O1	New subdivision, use, and development, ( <u>except for other than</u> <sup>5</sup> new important infrastructure and land transport infrastructure <u>where NH-O2 applies instead</u> ): <sup>6</sup> <ol style="list-style-type: none"><li>is avoided in areas where the risks from natural hazards to people, property and infrastructure are assessed as being unacceptable; and</li><li>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.</li></ol>
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> ), unless the subdivision, use or development <u>either</u> <sup>8</sup> : <u>1. is</u> : <sup>9</sup>

<sup>1</sup> DPR-0208.001 Ngāi Tahu Property

<sup>2</sup> DPR-0260 CRC, evidence of N Griffiths, figure 1b

<sup>3</sup> DPR-0427.011 DOC, DPR-0427.005 DOC

<sup>4</sup> DPR-0359.011 FENZ

<sup>5</sup> DPR-0375.071 WKNZTA

<sup>6</sup> DPR-0375.071 WKNZTA

<sup>7</sup> DPR-0375.076 WKNZTA

<sup>8</sup> DPR-0260 CRC, discussion at hearing

<sup>9</sup> DPR-0260 CRC, discussion at hearing

	<p>a. 1. is<sup>10</sup> not likely to result in loss of life or serious injuries; and</p> <p>b. 2. is<sup>11</sup> not likely to suffer significant damage or loss; and</p> <p>c. 3. is<sup>12</sup> not likely to require new or upgraded natural<sup>13</sup> hazard mitigation works to mitigate or avoid the natural hazard; and</p> <p>4. either is:</p> <p>d. a.<sup>14</sup> not likely to exacerbate the effects of the natural hazard; or</p> <p>or</p> <p>b. 2. proposed to be is located in any of the following areas as at 6 December 2013<sup>15</sup> a an area that was a Living Zone (but not a Living 3 Zone) or Business Zone on 6 December 2013; Residential Zone, Commercial Zone or Industrial Zone<sup>16</sup>, in which case the effects of the natural hazard must be avoided or appropriately mitigated:</p> <p>a. a Living 1 zone, Living X zone or Living Z zone;</p> <p>b. in Lincoln, a Living 2 zone; or</p> <p>c. a Business zone<sup>17</sup>.</p>
<b>NH-P3</b>	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 <sup>18</sup> appropriately mitigated.
<b>NH-Policies - Flooding</b>	
<b>NH-P10</b>	<p>In areas within the Plains Flood Management Overlay that are not a high hazard area, provide for:</p> <p>1. important infrastructure and land transport infrastructure; and<sup>19</sup></p> <p>2. any other<sup>20</sup> new subdivision, use, and development (other than important infrastructure and land transport infrastructure)<sup>21</sup> 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>
<b>NH-P11</b>	Avoid locating any residential unit or other asset of high value (including important infrastructure) <sup>22</sup> 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.
<b>NH-Policies – Geotechnical hazards</b>	
<b>NH-P13</b>	Provide for subdivision on flat land where the liquefaction hazard risk <sup>23</sup> has been appropriately identified and assessed, and can be adequately remedied or mitigated.

<sup>10</sup> DPR-0260 CRC, discussion at hearing

<sup>11</sup> DPR-0260 CRC, discussion at hearing

<sup>12</sup> DPR-0260 CRC, discussion at hearing

<sup>13</sup> DPR-0260.022 CRC

<sup>14</sup> DPR-0260 CRC, discussion at hearing

<sup>15</sup> DPR-0260 CRC, discussion at hearing

<sup>16</sup> DPR-0260.022 CRC

<sup>17</sup> DPR-0260 CRC, discussion at hearing

<sup>18</sup> DPR-0353 Statement of Evidence of LP Warfe, para 8.5-8.6

<sup>19</sup> DPR-0453.66 Midland & Lyttleton Ports

<sup>20</sup> DPR-0453.66 Midland & Lyttleton Ports

<sup>21</sup> DPR-0453.66 Midland & Lyttleton Ports

<sup>22</sup> DPR-0367.070 Orion

<sup>23</sup> DPR-0260.032 CRC

<b>NH-P14</b>	Provide for subdivision, use, and development on hills and in the high country where the slope instability <b>hazard risk</b> <sup>24</sup> has been appropriately identified and assessed, and can be adequately remedied or mitigated.
<b>NH-P15</b>	<p>Within the Greendale Fault <b>Avoidance</b><sup>25</sup> Overlay, avoid the development or use of land, buildings or structures for any:</p> <ol style="list-style-type: none"> <li>1. community facility; or</li> <li>2. important infrastructure; or</li> <li>3. land transport infrastructure; or</li> <li>4. Major Hazard Facility</li> </ol> <p>unless the activity:</p> <ol style="list-style-type: none"> <li>a. does not pose a significant risk, or exacerbate an existing risk, to people or property; and</li> <li>b. either: <ol style="list-style-type: none"> <li>i. has a functional need or operational need to be in that location; or</li> <li>ii. is not vulnerable to the natural hazard; and</li> </ol> </li> <li>c. contributes to the resilience of the community in the event of a natural disaster.</li> </ol>
<b>NH-P18</b>	<p>Restrict subdivision or rezoning within any of the:</p> <ol style="list-style-type: none"> <li>1. Greendale Fault <b>Avoidance</b><sup>26</sup> Overlay; or</li> <li>2. Fault Investigation Overlay</li> </ol> <p>unless the fault hazard has been appropriately identified and assessed, and the risk can be adequately remedied or mitigated.</p>
<b>NH-Policies – Wildfire</b>	
<b>NH-P22</b>	<b>Restrict the establishment of any new residential unit if it is located in a position that increases the wildfire risk to that building.</b> <sup>27</sup>

## NH-Rules

**Note for Plan Users:** There may be a number of Plan provisions that apply to an activity, building or structure and site. In some cases, consent may be required under rules in this Chapter as well as rules in other District Wide or Area Specific Chapters in the Plan. In those cases, unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps Plan users should take to determine the status of an activity is provided 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.**<sup>28</sup>

**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**

<sup>24</sup> DPR-0260.033 CRC

<sup>25</sup> DPR-0208.001 Ngāi Tahu Property

<sup>26</sup> DPR-0208.001 Ngāi Tahu Property

<sup>27</sup> DPR-0353.109 HortNZ

<sup>28</sup> DPR-0260.045 CRC

requirement applies. <sup>29</sup>		
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. <sup>30</sup>		
<b>NH-Rule List</b>		
<b>NH-R3</b>	Earthworks in Natural Hazard Overlays <sup>31</sup>	
<b>NH-R4R3</b>	Natural Hazard Mitigation Works - Coastal Hazard Mitigation Works	
<b>NH-R5R4</b>	Natural Hazard Mitigation Works – Defences Against Water and Public Flood, Erosion, and Drainage Works <sup>32</sup>	
<b>NH-R6R5</b>	Natural Hazard Mitigation Works - Retaining Walls and Land Instability Mitigation Works	
<b>NH-R1</b>	<b>Existing Buildings and Structures in Natural Hazard Overlays</b>	
<b>Coastal Erosion Overlay</b>	<p><b>Activity Status:</b> PER</p> <p>1. The repair, maintenance,<sup>33</sup> alteration, reconstruction, or replacement of any existing building or structure residential unit or other principal building.<sup>34</sup></p> <p><b>Where:</b></p> <p>a. The residential unit or other principal building has not been damaged by the direct action of the sea.<sup>35</sup></p> <p>The building or structure is not a residential unit or other principal building that has not been<sup>36</sup> damaged by the direct action of the sea; or</p> <p><b>And this activity complies with the following rule requirements:</b></p> <p>...</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any of NH-R1.1.a is not achieved: Refer to NH-R1.4</p> <p>3. When compliance with any rule requirement listed in this rule is not achieved: Refer to NH-Rule Requirements.</p>
<b>Coastal Erosion Overlay</b>	<p><b>Activity Status:</b> PER</p> <p>4. The repair,<sup>37</sup> alteration, reconstruction, or replacement of any residential unit or other principal building that has been<sup>38</sup> damaged by the direct action of the sea.</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>5. When compliance with any of NH-R1.4. is not achieved: RDIS</p> <p>6. When compliance with any rule requirement listed in this rule is not achieved: Refer to NH-Rule Requirements.</p>

<sup>29</sup> DPR-0260.048 CRC

<sup>30</sup> CI16

<sup>31</sup> DPR-0414.067 Kāinga Ora

<sup>32</sup> DPR-0260 CRC Evidence of S Leonard, Appendix 2

<sup>33</sup> DPR-0260.041 CRC

<sup>34</sup> Consequential amendment arising from DPR-0260.041 CRC

<sup>35</sup> DPR-0260.041 CRC

<sup>36</sup> DPR-0260.041 CRC

<sup>37</sup> DPR-0260.043 CRC

<sup>38</sup> DPR-0260.043 CRC

	<p><b>Where:</b></p> <p>a. The site has not eroded to less than 800m<sup>2</sup>.</p> <p><b>And this activity complies with the following rule requirements:</b></p> <p>NH-REQ1 Building Design</p> <p>NH-REQ2 Building Position</p> <p>NH-REQ3 Building Size</p>	<p><b>Matters for discretion:</b></p> <p>7. The exercise of discretion in relation to NH-R1.5. is restricted to the following matters:</p> <p>a. NH-MAT1 Natural Hazards Generally</p> <p>b. NH-MAT2 Coastal Erosion</p>
<b>Coastal Inundation Overlay</b>	<p><b>Activity Status:</b> PER</p> <p>8. The repair, maintenance,<sup>39</sup> alteration, reconstruction, or replacement of any existing building or structure residential unit or other principal building.</p> <p><b>Where:</b></p> <p>a. The building or structure is not<sup>40</sup> a residential unit or other principal building that has not been<sup>41</sup> damaged by the direct action of the sea.</p> <p><b>And this activity complies with the following rule requirements:</b></p> <p>NH-REQ1 Building Design</p> <p>NH-REQ2 Building Position</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>9. When compliance with any of NH- R1.8.a.<sup>42</sup> is not achieved: Refer to Rule NH-R1.11.</p> <p>10. When compliance with any rule requirement listed in this rule is not achieved: Refer to NH-Rule Requirements.</p>
<b>Coastal Inundation Overlay</b>	<p><b>Activity Status:</b> PER</p> <p>11. The repair,<sup>43</sup> alteration, reconstruction, or replacement of any residential unit or other principal building that has been<sup>44</sup> damaged by the direct action of the sea.</p> <p><b>Where:</b></p> <p>a. The site has not eroded to less than 800m<sup>2</sup>.</p> <p><b>And this activity complies with the following rule requirements:</b></p> <p>NH-REQ1 Building Design</p> <p>NH-REQ2 Building Position</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>12. When compliance with any of NH- R1.11. is not achieved: RDIS</p> <p>13. When compliance with any rule requirement listed in this rule is not achieved: Refer to NH-Rule Requirements.</p> <p><b>Matters for discretion:</b></p> <p>14. The exercise of discretion in relation to NH-R1.12. is restricted to the following matters:</p> <p>a. NH-MAT1 Natural Hazards Generally</p> <p>b. NH-MAT2 Coastal Erosion</p>

<sup>39</sup> DPR-0260.042 CRC

<sup>40</sup> DPR-0260.042 CRC

<sup>41</sup> DPR-0260.042 CRC

<sup>42</sup> Consequential amendment arising from DPR-0260.041 CRC

<sup>43</sup> DPR-0260.043 CRC

<sup>44</sup> DPR-0260.043 CRC

<b>Plains Flood Management Overlay</b>	<p><b>Activity Status:</b> PER</p> <p>15. The alteration, <u>or addition to</u>,<sup>45</sup> <u>reconstruction or replacement</u><sup>46</sup> of any existing residential unit or other principal building.</p> <p><b>Where:</b></p> <p>a. <u>The building is not located in a high hazard area; and</u></p> <p>b.<sup>47</sup> The building finished floor height complies with one of:</p> <ul style="list-style-type: none"> <li>i. The building finished floor height of the existing building, where any addition after [date this rule has effect] results in a maximum total increase in residential unit or other principal building floor area of 25m<sup>2</sup>, compared to the floor area of the residential unit or other principal building on [date this rule has effect]; or</li> <li>ii. a minimum building finished floor level 300mm above a 200 year Average Recurrence Interval (ARI) flood hazard event <u>that</u><sup>48</sup> 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.</li> </ul> <p><b>And this activity complies with the following rule requirements:</b></p> <p>NH-REQ2 Building position</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>16. When compliance with any of NH.1.15. is not achieved: RDIS</p> <p>17. When compliance with any rule requirement listed in this rule is not achieved: Refer to NH-Rule requirements</p> <p><b>Matters for discretion:</b></p> <p>18. The exercise of discretion in relation to NH-R1.16. is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>a. NH-MAT1 Natural Hazards Generally</li> </ul>
<b>NH-R2</b>	<b>New Buildings and Structures in Natural Hazard Overlays</b>	
<b>Plains Flood Management Overlay</b>	<p><b>Activity status:</b> PER</p> <p>3. The establishment of any new residential unit or other principal building.</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The building is not located in a high hazard area; and</li> <li>b. The building is not located between any surface water body and any stopbank designed to contain floodwater from that surface water body; and</li> <li>c. a minimum building finished floor level 300mm above a 200 year Average Recurrence Interval (ARI) flood hazard event <u>that</u><sup>49</sup> is</li> </ul>	<p><b>Activity status when compliance not achieved:</b></p> <p>4. When compliance with any of NH- R2.3.a. or NH-R2.3.b. is not achieved: NC</p> <p>5. When compliance with any of NH- R2.3.c. is not achieved: RDIS</p> <p><b>Matters for discretion:</b></p> <p>6. The exercise of discretion in relation to NH-R2.5. is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>a. NH-MAT1 Natural Hazards Generally</li> </ul>

<sup>45</sup> Consequential amendment to DPR-0215.028 Winstone, DPR-0217.010 Summerset

<sup>46</sup> DPR-0215.028 Winstone, DPR-0217.010 Summerset

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

<sup>48</sup> DPR-0256.003 R Potts

<sup>49</sup> DPR-0256.004 R Potts

	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.	
<b>NH R3</b>	<b>Earthworks in Natural Hazard Overlays<sup>50</sup></b>	
<b>Coastal Erosion Overlay Coastal Inundation Overlay Plains Flood Management Overlay Waimakariri Flood Management Overlay<sup>51</sup></b>	<b>Activity Status: PER</b> 1. Earthworks  <b>Where the activity complies with the following rule requirements:</b> NH-REQ4 Natural Hazards and Earthworks <sup>52</sup>	<b>Activity status when compliance not achieved:</b> 2. When compliance with any rule requirement listed in this rule is not achieved: Refer to NH Rule Requirements. <sup>53</sup>
<b>NH R5 NH-R4<sup>54</sup></b>	<b>Natural Hazard Mitigation Works – Defences Against Water and Public Flood, Erosion, and Drainage Works<sup>55</sup></b>	
<b>All Zones</b>	<b>Activity status: PER</b> 1. The maintenance or operation of any existing flood, erosion, or drainage works administered by a Regional or Territorial Authority. 2 <sup>56</sup> . The maintenance or operation of any existing defence against water not subject to NH-R4.1. <sup>57</sup> The earthworks provisions in any chapter shall not apply to any activity permitted under NH-R5.1 NH-R4.1 <sup>58</sup> or NH-R4.2. <sup>59</sup>	<b>Activity status when compliance not achieved: N/A</b>
<b>All Zones</b>	<b>Activity status: DIS</b> 3. The upgrading of any existing flood, erosion, or drainage works administered by a Regional or Territorial Authority <sup>60</sup> 2.4. The upgrading of any existing defence against water not subject to NH-R4.3. <sup>61</sup> 5. The establishment of any new flood, erosion, or drainage works	<b>Activity status when compliance not achieved: N/A</b>

<sup>50</sup> DPR-0414.067 Kāinga Ora

<sup>51</sup> DPR-0414.067 Kāinga Ora

<sup>52</sup> DPR-0414.067 Kāinga Ora

<sup>53</sup> DPR-0414.067 Kāinga Ora

<sup>54</sup> Consequential amendment to DPR-0414.067 Kāinga Ora

<sup>55</sup> DPR-0260 CRC Evidence of S Leonard, Appendix 2

<sup>56</sup> DPR-0260 CRC Evidence of S Leonard, Appendix 2

<sup>57</sup> DPR-0260 CRC Evidence of S Leonard, Appendix 2

<sup>58</sup> Consequential amendment to DPR-0414.067 Kāinga Ora

<sup>59</sup> DPR-0260 CRC Evidence of S Leonard, Appendix 2

<sup>60</sup> DPR-0260 CRC Evidence of S Leonard, Appendix 2

<sup>61</sup> DPR-0260 CRC Evidence of S Leonard, Appendix 2

	administered by a Regional or Territorial Authority <sup>62</sup> 6.3. The establishment of any new defence against water not subject to NH-R4.5. <sup>63</sup>	
--	--	--

## NH-Rule Requirements

NH-REQ2	Building Position	
Plains Flood Management Overlay	6. Any reconstruction or replacement of an existing building either: a. is in the same or substantially the same position on the site as the building it replaces; or b. a minimum building finished floor level 300mm above a 200 year Average Recurrence Interval (ARI) flood hazard event <u>that</u> <sup>64</sup> 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.	<b>Activity status when compliance not achieved:</b> 7. When compliance with any of NH-REQ2.6. is not achieved: RDIS  <b>Matters for discretion:</b> 8. The exercise of discretion in relation to NH-REQ2.7. is restricted to the following matters: a. NH-MAT1 Natural Hazards Generally
NH-REQ4	Natural Hazards and Earthworks	
Coastal Inundation Overlay Plains Flood Management Overlay Waimakariri Flood Management Overlay	1. The activity does not <u>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.</u> <sup>65</sup>	<b>Activity status when compliance not achieved:</b> 2. When compliance with any of NH- REQ4.1 is not achieved: RDIS  <b>Matters for discretion:</b> 3. The exercise of discretion in relation to NH-R4.2. is restricted to the following matters: a. NH-MAT1 Natural Hazards Generally
NH-REQ5	Natural Hazards and Infrastructure	
All Zones	1. The activity is located outside all of: a. <u>The Coastal Erosion Overlay Any high hazard area</u> <sup>66</sup> ; and b. The Greendale Fault <u>Avoidance</u> <sup>67</sup> Overlay	<b>Activity status when compliance not achieved:</b> 2. When compliance with any of NH- REQ5.1. is not achieved: NC
All Zones	3. The activity is located outside all of: a. <u>The Coastal Inundation Overlay;</u> <sup>68</sup>	<b>Activity status when compliance not achieved:</b> 4. <u>When compliance with any of NH-REQ5.3.a, NH-REQ5.3.b or NH-REQ5.3.c is not achieved: NC</u> <sup>73</sup>

<sup>62</sup> DPR-0260 CRC Evidence of S Leonard, Appendix 2

<sup>63</sup> DPR-0260 CRC Evidence of S Leonard, Appendix 2

<sup>64</sup> DPR-0256.005 R Potts

<sup>65</sup> DPR-0260.053 CRC

<sup>66</sup> DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

<sup>67</sup> DPR-0208.001 Ngāi Tahu Property

<sup>68</sup> DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

<sup>73</sup> DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore



	<p>b. <u>Every high hazard area within the Plains Flood Management Overlay</u>; <sup>69</sup></p> <p>c. <u>The Waimakariri Flood Management Overlay</u>; <sup>70</sup></p> <p>d. <sup>71</sup> The Fault Investigation Overlay; and</p> <p>e. <sup>72</sup> The Fault Awareness Overlay</p>	<p>5. <sup>74</sup> When compliance with any of NH-REQ5.3.d. or NH-REQ5.3.e <sup>75</sup> is not achieved: RDIS</p> <p><b>Matters for discretion:</b></p> <p>5. <sup>76</sup> The exercise of discretion in relation to <u>NH-REQ5.5 NH-REQ5.4</u> <sup>77</sup> is restricted to the following matters:</p> <p>a. NH-MAT3 Geotechnical Considerations</p>
<b>NH-REQ7</b>	<b>Wildfire Setbacks</b>	
<b>GRUZ</b>	<p>1. Any <u>new</u> <sup>78</sup> woodlot or shelterbelt shall comply with the following separation distances, measured from the outside extent of the canopy:</p> <p>a. 30m from any residential unit or other principal building on an adjoining property; and</p> <p>b. 30m from any zone that is not a rural zone; and</p> <p>c. 5m from any adjoining legally established accessway to a residential unit or other principal building.</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any of NH- REQ7.1. is not achieved: RDIS</p> <p><b>Matters for discretion:</b></p> <p>3. The exercise of discretion in relation to NH-REQ7.2. is restricted to the following matters:</p> <p>a. <u>The degree of risk posed to life and property because of the non-compliance-NH-MAT5.1</u> <sup>79</sup></p> <p><b>Notification:</b></p> <p>4. Any application arising from NH-REQ7.2. shall not be subject to public notification.</p>

## NH-Matters for Control or Discretion

<b>NH-MAT1</b>	<b>Natural Hazards Generally</b>
<b>All Zones</b>	<p>1. The <u>extent of any adverse</u> <sup>80</sup> effects of natural hazards on people and property.</p> <p>2. The <u>potential for the</u> <sup>81</sup> location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure <u>in relation</u> <sup>82</sup> to <u>increase or</u></p>

<sup>69</sup> DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

<sup>70</sup> DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

<sup>71</sup> Consequential amendment to DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

<sup>72</sup> Consequential amendment to DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

<sup>74</sup> Consequential amendment to DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

<sup>75</sup> Consequential amendment to DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

<sup>76</sup> Consequential amendment to DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

<sup>77</sup> Consequential amendment to DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

<sup>78</sup> DPR-0379.039 J Thomson

<sup>79</sup> DPR-0353.110 HortNZ

<sup>80</sup> DPR-0215.033 Winstone, DPR-0217.015 Summerset

<sup>81</sup> DPR-0215.033 Winstone, DPR-0217.015 Summerset

<sup>82</sup> DPR-0215.033 Winstone, DPR-0217.015 Summerset

	<p><b>exacerbate</b><sup>83</sup> natural hazard risk.</p> <ol style="list-style-type: none"> <li>3. The clearance or retention of vegetation or other natural features to mitigate natural hazard risk.</li> <li>4. The timing, location, scale and nature of any earthworks in relation to natural hazard risk.</li> <li>5. The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site.</li> <li>6. Any adverse effects on the environment of any proposed mitigation measures.</li> <li>7. <b>The effectiveness of any proposed mitigation measures.</b><sup>84</sup></li> </ol>
<b>NH-MAT3</b>	<b>Geotechnical Considerations</b>
<b>All Zones</b>	<ol style="list-style-type: none"> <li>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: <ol style="list-style-type: none"> <li>a. outside the Liquefaction Damage Unlikely Overlay; or</li> <li>b. within the Liquefaction Damage Unlikely Overlay and the activity is any of: <ol style="list-style-type: none"> <li>i. subdivision that will result in 15 or more sites (excluding any access, reserve, or infrastructure site); or</li> <li>ii. land use that will result in 15 or more residential units; or</li> </ol> </li> <li>c. within the Greendale Fault <b>Avoidance</b><sup>85</sup> Overlay; or</li> <li>d. within the Fault Investigation Overlay and the activity is any of: <ol style="list-style-type: none"> <li>i. subdivision; or</li> <li>ii. new important infrastructure; or</li> </ol> </li> <li>e. within the Fault Awareness Overlay and the activity is new important infrastructure.</li> </ol> </li> <li>2. Plans and information submitted in relation to NH-MAT3.1 shall: <ol style="list-style-type: none"> <li>a. identify all geotechnical hazards relevant to the site, including: <ol style="list-style-type: none"> <li>i. liquefaction</li> <li>ii. slips</li> <li>iii. rockfall</li> <li>iv. tunnel gully erosion</li> <li>v. fault lines and folds</li> <li>vi. avalanche</li> </ol> </li> <li>b. identify any areas that require particular mitigation in relation to all identified geotechnical hazards, and recommendations for such mitigation, such as ground strengthening or strengthened building foundations</li> <li>c. identify any areas which should be excluded from built development, due to geotechnical constraints, or which require geotechnical setbacks, including areas near any of: <ol style="list-style-type: none"> <li>i. the edges of rivers, streams, lakes, wetlands, stormwater detention areas, or swales</li> <li>ii. the edges of cliffs or gullies;</li> </ol> </li> </ol> </li> </ol>

<sup>83</sup> DPR-0215.033 Winstone, DPR-0217.015 Summerset

<sup>84</sup> DPR-0215.033 Winstone, DPR-0217.015 Summerset

<sup>85</sup> DPR-0208.001 Ngāi Tahu Property

	<p>iii. any active fault trace</p> <p>d. indicate any options and recommended locations for the likely or proposed land use, land transport infrastructure and other infrastructure recommended by the geotechnical engineer.</p>
<b>NH-MAT5</b>	<b>Wildfire</b>
<b>All Zones</b>	<p><b>1. The degree of risk posed to life and property because of the non-compliance</b><sup>86</sup></p> <p><b>2.1</b><sup>87</sup> 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.</p>

## Energy and Infrastructure

### EI-Rules

<b>EI-R22</b>	<b>Environmental Monitoring Equipment Associated with a Network Utility</b>	
<b>All Zones</b>	<p><b>Activity Status:</b> PER</p> <p>1. The establishment of new, or the expansion of existing environmental monitoring equipment (including but not limited to air quality, hydrological and meteorological) associated with a network utility.</p> <p><b>Where:</b></p> <p>The equipment does not exceed:</p> <p>a. 6m<sup>2</sup> in area; and</p> <p>b. 2.5m in height from the base of the equipment to the highest point.</p> <p><b>And this activity complies with the following rule requirements:</b></p> <p>EI-REQ3 Notable Trees</p> <p>EI-REQ4 Vegetation Clearance</p> <p>EI-REQ5 Earthworks in Special Areas</p> <p>EI-REQ8 Historic Heritage</p> <p>EI-REQ9 Natural Character Setback</p> <p>EI-REQ10 Noise</p> <p>EI-REQ11 Light</p> <p>EI-REQ12 Structures in Special Areas</p> <p>EI-REQ13 Height in Relation to Boundary</p> <p>EI-REQ14 Reflectivity</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any of EI-R22.1 is not achieved: RDIS unless otherwise specified in the relevant rule requirement.</p> <p>3. When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant rule requirements.</p> <p><b>Matters for discretion:</b></p> <p>4. The exercise of discretion in relation to EI-R22.2 is restricted to the following matters:</p> <p>a. EI-MAT1 General Matter</p> <p>b. The benefits of the monitoring data being collected and any statutory requirements for the monitoring equipment to be installed.</p>

<sup>86</sup> DPR-0353.110 HortNZ

<sup>87</sup> Consequential amendment to DPR-0353.110 HortNZ

	EI-REQ16 Setbacks EI-REQ23 West Melton Aerodrome Height Restriction NH-REQ5 Natural Hazards and Infrastructure GRUZ-REQ16 Springfield Airfield Height Restriction	
--	--	--

## Natural Character chapter

### NATC-Rule Requirements

NATC-REQ3	Setbacks from Surface Water Bodies – Vegetation Planting	
<b>GRUZ<sup>88</sup></b> <b>GRAZ</b> <b>MPZ</b> <b>SKIZ</b> <b>TEZ</b>	1. Vegetation plantings shall comply with the following setbacks from any surface water body: a. 20m from the bank of a surface water body listed in NATC-SCHED 2 or NATC-SCHED 3; and b. 10m from the bank of any other surface water body.	<b>Activity Status when compliance not achieved:</b> 2. When compliance with NATC-REQ3.1 is not achieved: RDIS  <b>Matters for discretion:</b> 3. The exercise of discretion in relation to NATC-REQ3.2 is restricted to the following matters: NATC-MAT1 SASM-MAT3
<b>GRUZ<sup>89</sup></b>	4. Vegetation plantings shall comply with the following setbacks from any surface water body: a. 20m from the bank of a surface water body listed in NATC-SCHED 2 or NATC-SCHED 3; and b. 10m from the bank of any other surface water body. <sup>90</sup>	<b>Activity Status when compliance not achieved:</b> 5. When compliance with NATC-REQ3.4 is not achieved: RDIS <sup>91</sup>  <b>Matters for discretion:</b> 6. The exercise of discretion in relation to NATC-REQ3.5 is restricted to the following matters: NATC-MAT1 Natural Character SASM-MAT3 Ngā Wai NH-MAT5.1 Wildfire <sup>92</sup>

## Natural Features and Landscapes chapter

### NFL-Rule Requirements

NFL-REQ4	Building and structure setbacks	
<b>ONL Overlay</b>	1. The minimum setback for all buildings and structures from each side	<b>Activity status when compliance not achieved:</b>

<sup>88</sup> DPR-0299.006 S & J West

<sup>89</sup> DPR-0299.006 S & J West

<sup>90</sup> DPR-0299.006 S & J West

<sup>91</sup> DPR-0299.006 S & J West

<sup>92</sup> DPR-0299.006 S & J West

<b>VAL Overlay</b>	of the centre line of SH73 or the Midland railway line is 300m.	<p>2. When compliance with NFL-REQ4.1 in any ONL Overlay area is not achieved: NC</p> <p>3. When compliance with NFL-REQ4.1 in any VAL Overlay area is not achieved: RDIS</p> <p><b>Matters for discretion:</b></p> <p>4. The exercise of discretion in relation to NFL-REQ4.3 is restricted to the following matters: NFL-MAT3 NH-MAT5.2<sup>93</sup> Wildfire</p> <p><b>Notification:</b></p> <p>5. NFL-REQ4.3 shall not be subject to public notification.</p>
<b>NFL-REQ5</b>	<b>Building and structure appearance</b>	
<b>ONL Overlay VAL Overlay</b>	<p>1. All buildings and structures in an ONL, excluding within the SKIZ, must be finished in materials with a maximum reflectance value of 30%</p> <p>2. All buildings and structures, except irrigators, must be finished in materials with a maximum reflectance value of 30%</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>3. When compliance with NFL-REQ5.1 is not achieved: NC</p> <p>4. When compliance with NFL-REQ5.2 is not achieved: RDIS</p> <p><b>Matters for discretion:</b></p> <p>5. The exercise of discretion in relation to NFL-REQ5.4 is restricted to the following matters: NFL-MAT3 NH-MAT5.2<sup>94</sup> Wildfire</p> <p><b>Notification:</b></p> <p>6. Any application arising from NFL-REQ5.4. shall not be subject to public or limited notification and shall be processed on a non-notified basis.</p>
<b>NFL-REQ6</b>	<b>Building and structure height</b>	
<b>VAL Overlay</b>	<p>1. The maximum building or structure height for any residential activity is 9m.</p> <p>2. The maximum building or structure height any rural production activity is 12m.</p> <p>3. The maximum height for any other Building is 4m.</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>5. When compliance with any of NFL-REQ6 is not achieved: RDIS</p> <p><b>Matters for discretion:</b></p> <p>6. The exercise of discretion in relation to NFL-REQ6.5 is restricted to the</p>

<sup>93</sup> Consequential amendment to DPR-0353.011 HortNZ

<sup>94</sup> Consequential amendment to DPR-0353.011 HortNZ

	<p>4. The highest point of any building or structure shall be at least:</p> <p>a. 20m vertically below any ridgeline; or</p> <p>b. 100m horizontally from any ridgeline</p>	<p>following matters:</p> <p>NFL-MAT3</p> <p>NH-MAT5.2<sup>95</sup> Wildfire</p> <p><b>Notification:</b></p> <p>6. Any application arising from NFL-REQ6.5 shall not be subject to public or limited notification and shall be processed on a non-notified basis.</p>
<b>NFL-REQ8</b>	<b>Building Coverage</b>	
<b>VAL Overlay</b>	<p>1. The maximum building coverage of a site shall be limited to:</p> <p>a. 500m<sup>2</sup> for every 20 ha of site area, or</p> <p>b. a maximum of 3,000m<sup>2</sup> per property (whichever is the lesser).</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any of NFL-REQ8 is not achieved: RDIS</p> <p><b>Matters for discretion:</b></p> <p>3. The exercise of discretion in relation to NFL-REQ8.2 is restricted to the following matters:</p> <p>NFL-MAT3</p> <p>NH-MAT5.2<sup>96</sup> Wildfire</p> <p><b>Notification:</b></p> <p>4. Any application arising from NFL-REQ8.2 shall not be subject to public or limited notification and shall be processed on a non-notified basis.</p>

## Earthworks chapter

### EW-Rules

<b>EW-R1</b>	<b>Earthworks subject to a Building Consent</b>	
<b>All Zones</b>	<p><b>Activity status:</b> PER</p> <p>1. Earthworks that are or will be subject to a building consent.</p> <p><b>Where:</b></p> <p>a. It occurs within 2m of the outer edge of the exterior wall of the building.</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with EW-R1.1.a. is not achieved: Refer to EW-R2.</p> <p>3. When compliance with any <b>EW Rule Requirement rule requirement</b><sup>98</sup> listed in this rule is not achieved: Refer to <b>EW Rule Requirements relevant rule requirement</b><sup>99</sup>.</p>

<sup>95</sup> Consequential amendment to DPR-0353.011 HortNZ

<sup>96</sup> Consequential amendment to DPR-0353.011 HortNZ

<sup>98</sup> Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

<sup>99</sup> Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

	<p><b>And this activity complies with the following rule requirements:</b></p> <p>EW-REQ3 – Excavation and filling</p> <p><b>NH-REQ4 Natural Hazards and Earthworks</b><sup>97</sup></p>	
<b>EW-R2</b>	<b>Earthworks</b>	
<b>All Zones, except GRAZ and DPZ</b>	<p><b>Activity status:</b> PER</p> <p>1. All other earthworks not covered by EW-R1.</p> <p><b>And this activity complies with the following rule requirements:</b></p> <p>EW-REQ1 Volume of Earthworks</p> <p>EW-REQ2 Maximum slope gradient</p> <p>EW-REQ3 Excavation and filling</p> <p>EW-REQ4 Rehabilitation and Reinstatement</p> <p>EW-REQ5 Bunding</p> <p><b>NH-REQ4 Natural Hazards and Earthworks</b><sup>100</sup></p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any <b>EW Rule Requirement rule requirement listed in this rule</b><sup>101</sup> is not achieved: Refer to <b>EW Rule Requirements-relevant rule requirement</b>.<sup>102</sup></p>
<b>EW-R4</b>	<b>Earthworks in the Dairy Processing Zone</b>	
<b>DPZ</b>	<p><b>Activity status:</b> PER</p> <p>1. All other earthworks not covered by EW-R1.</p> <p><b>And this activity complies with the following rule requirements:</b></p> <p><b>NH-REQ4 Natural Hazards and Earthworks</b><sup>103</sup></p> <p>EW-REQ3 Excavation and filling</p> <p>EW-REQ4 Rehabilitation and Reinstatement</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2, When compliance with any <b>EW Rule Requirement rule requirement</b><sup>104</sup> listed in this rule is not achieved: Refer to <b>EW Rule Requirements-relevant rule requirement</b>.<sup>105</sup></p>
<b>EW-R5</b>	<b>Stockpiling</b>	
<b>All Zones</b>	<p><b>Activity status:</b> PER</p> <p>1. Earthworks stockpiling.</p> <p><b>Where:</b></p> <p>a. all stockpiles greater than 250m<sup>3</sup> or 4m in height above natural</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance EW-R5.1.a. is not achieved: RDIS</p> <p><b>3. When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant rule requirement.</b><sup>107</sup></p>

<sup>97</sup> DPR-0414.63, DPR-0414.067 Kāinga Ora

<sup>100</sup> DPR-0414.63, DPR-0414.067 Kāinga Ora

<sup>101</sup> Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

<sup>102</sup> Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

<sup>103</sup> DPR-0414.63, DPR-0414.067 Kāinga Ora

<sup>104</sup> Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

<sup>105</sup> Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

<sup>107</sup> Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

	<p>ground level are to be located at least:</p> <ul style="list-style-type: none"> <li>i. 100m from any sensitive activity on an adjoining site held in different ownership; or</li> <li>ii. 100m from the boundary of a Residential, Māori Purpose, Town Centre, Local Commercial, Neighbourhood Commercial, or Knowledge Zone.</li> </ul> <p><b>And this activity complies with the following rule requirements:</b>  <b>NH-REQ4 Natural Hazards and Earthworks</b><sup>106</sup></p>	<p><b>Matters for discretion:</b>  <del>3-4</del><sup>108</sup>. The exercise of discretion in relation to EW-R5.2. is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>a. effects that result from the stockpiling in terms of visual amenity, landscape context and character, views, outlook, overlooking and privacy.</li> <li>b. the effectiveness of proposed management or mitigation measures to minimise any potential adverse effects beyond the property boundary of the activity.</li> </ul>
--	---	---

## General rural zone chapter

### GRUZ-Rules

GRUZ-R23	Woodlots	
	<p><b>Activity Status:</b> PER</p> <p>1. The establishment of a new, or expansion of an existing woodlot.</p> <p><b>Where this activity complies with the following rule requirements:</b>            GRUZ-REQ16 Springfield Airfield Height Restriction            EI-REQ23 West Melton Aerodrome Height Restriction            NH-REQ7 Wildfire Setbacks, <u>except where NATC-R3 Setbacks from Surface Water Bodies - Horticultural Planting, Woodlots and Shelterbelts applies to the activity</u><sup>109</sup></p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant rule requirements.</p>

### GRUZ-Rule Requirements

GRUZ-REQ1	Building Coverage	
	<p>1. The building coverage on a site shall not exceed:</p> <ul style="list-style-type: none"> <li>a. A maximum of 35% or 500m<sup>2</sup>, whichever is lesser for sites less than 1ha; or</li> <li>b. 5% for all other sites greater than 1ha.</li> </ul> <p>Excludes temporary activities and public amenity structures.</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any of GRUZ-REQ1.1 is not achieved: RDIS</p> <p><b>Matters for discretion:</b></p> <p>3. The exercise of discretion in relation to GRUZ-REQ1.2 is restricted to the following matters:            GRUZ-MAT2 Building Coverage</p>

<sup>106</sup> DPR-0414.63, DPR-0414.067 Kāinga Ora

<sup>108</sup> Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

<sup>109</sup> DPR-0299.006 S & J West



		<p>NH-MAT5.2<sup>110</sup> Wildfire</p> <p><b>Notification:</b></p> <p>4. Any application arising from GRUZ-REQ1.2 shall not be subject to public notification.</p>
<b>GRUZ-REQ2</b>	<b>Structure Height</b>	
	<p>1. The height of any structure when measured from ground level shall not exceed:</p> <p>a. 9m for any building designed or used for human occupation;</p> <p>b. 12m for any other structure or building, except silos; or</p> <p>c. 25m for silos.</p> <p>Excludes any chimney, mast, aerial, or other structure attached to the outside of the building.</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any of GRUZ-REQ2.1 is not achieved: RDIS</p> <p><b>Matters for discretion:</b></p> <p>3. The exercise of discretion in relation to GRUZ-REQ2.2 is restricted to the following matters:</p> <p>GRUZ-MAT1</p> <p>NH-MAT5.2<sup>111</sup> Wildfire</p> <p><b>Notification:</b></p> <p>4. Any application arising from GRUZ-REQ2.2 shall not be subject to public notification.</p>
<b>GRUZ-REQ3</b>	<b>Height in Relation to Boundary</b>	
	<p>1. All buildings shall comply with the relevant height in relation to boundary requirements in Appendix 3.</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any of GRUZ-REQ3.1 is not achieved: RDIS</p> <p><b>Matters for discretion:</b></p> <p>3. The exercise of discretion in relation to GRUZ-REQ3.2 is restricted to the following matters:</p> <p>GRUZ-MAT5 Height in Relation to Boundary</p> <p>NH-MAT5.2<sup>112</sup> Wildfire</p> <p><b>Notification:</b></p> <p>4. Any application arising from GRUZ-REQ3.1 shall not be subject to public notification.</p>
<b>GRUZ-REQ4</b>	<b>Structure Setbacks</b>	

<sup>110</sup> Consequential amendment arising from DPR-0353.011 HortNZ

<sup>111</sup> Consequential amendment arising from DPR-0353.011 HortNZ

<sup>112</sup> Consequential amendment arising from DPR-0353.011 HortNZ

	1. All structures, excluding public amenity structures, shall comply with the minimum setbacks listed in GRUZ-Table 1.	<b>Activity status when compliance not achieved:</b> 2. When compliance with GRUZ-REQ4.1 is not achieved: RDIS  <b>Matters for discretion:</b> 3. The exercise of discretion in relation to GRUZ-REQ4.2 is restricted to the following matters: GRUZ-MAT3 Internal Boundary Setback GRUZ-MAT4 Road boundary Setback NH-MAT5 Wildfire		
	4. New or expanding residential units and minor residential units shall be setback from the trunk line of plantation forestry by at least 40m.	<b>Activity status when compliance not achieved:</b> 5. When compliance with GRUZ-REQ4.4 is not achieved: NC		
GRUZ-TABLE1	Structure Setbacks			
	Structure type	Internal Boundary	Road Boundary with Arterial/Strategic Road	Road Boundary with Other Road
	Any structure excluding irrigators, stock fences, fences less than 2m in height, stock water troughs, and flag poles	5m	10m	10m
	Any accessory building	5m	10m	10m
	Any residential unit <sup>113</sup>	30m <sup>114</sup>	20m <sup>115</sup>	10m <sup>116</sup>
	Any other building	5m	20m	10m

<sup>113</sup> DPR-0353.011 HortNZ

<sup>114</sup> DPR-0353.011 HortNZ

<sup>115</sup> Consequential amendment arising from DPR-0353.011 HortNZ

<sup>116</sup> Consequential amendment arising from DPR-0353.011 HortNZ