

Appendix 2: Recommended amendments

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

Proposed amendments recommended by the 18 March 2022 right of reply report are highlighted in green

Proposed amendments recommended by this 7 October 2022 right of reply report are highlighted in blue.

Planning maps

Greendale Fault Avoidance Overlay – amend the name to Greendale Fault Avoidance Overlay¹

Plains Flood Management Overlay – replace with the proposed overlay provided by CRC in the evidence of N Griffiths²

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 sand fences, seawalls, groynes, gabions, and revetments and hard protection structures</u> ³ .
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 ⁴

Natural Hazards chapter

NH-Objectives and Policies

NH-Objectives	
NH-O1	New subdivision, use, and development, (<u>except for other than</u> ⁵ new important infrastructure and land transport infrastructure <u>where NH-O2 applies instead</u>): ⁶ <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; andin 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-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> ⁷), unless the subdivision, use or development <u>either</u> ⁸ :

¹ DPR-0208.001 Ngāi Tahu Property

² DPR-0260 CRC, evidence of N Griffiths, figure 1b

³ DPR-0427.011 DOC, DPR-0427.005 DOC

⁴ DPR-0359.011 FENZ

⁵ DPR-0375.071 WKNZTA

⁶ DPR-0375.071 WKNZTA

⁷ DPR-0375.076 WKNZTA

⁸ DPR-0260 CRC, discussion at hearing

	<p>1. is;⁹</p> <p>a. 1. is¹⁰ not likely to result in loss of life or serious injuries; and</p> <p>b. 2. is¹¹ not likely to suffer significant damage or loss; and</p> <p>c. 3. is¹² not likely to require new or upgraded natural¹³ hazard mitigation works to mitigate or avoid the natural hazard; and</p> <p>4. either is:</p> <p>d. a.¹⁴ 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 2013¹⁵ 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 Zone¹⁶, 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 zone¹⁷.</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 appropriately ¹⁸ mitigated.
NH-Policies - Flooding	
NH-P10	<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; and¹⁹</p> <p>2. any other²⁰ new subdivision, use, and development (other than important infrastructure and land transport infrastructure)²¹ 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 (including important infrastructure) ²² 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.
NH-Policies – Geotechnical hazards	

⁹ DPR-0260 CRC, discussion at hearing

¹⁰ DPR-0260 CRC, discussion at hearing

¹¹ DPR-0260 CRC, discussion at hearing

¹² DPR-0260 CRC, discussion at hearing

¹³ DPR-0260.022 CRC

¹⁴ DPR-0260 CRC, discussion at hearing

¹⁵ DPR-0260 CRC, discussion at hearing

¹⁶ DPR-0260.022 CRC

¹⁷ DPR-0260 CRC, discussion at hearing

¹⁸ DPR-0353 Statement of Evidence of LP Warfe, para 8.5-8.6

¹⁹ DPR-0453.66 Midland & Lyttleton Ports

²⁰ DPR-0453.66 Midland & Lyttleton Ports

²¹ DPR-0453.66 Midland & Lyttleton Ports

²² DPR-0367.070 Orion

NH-P13	Provide for subdivision on flat land where the liquefaction hazard risk ²³ 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 hazard risk ²⁴ has been appropriately identified and assessed, and can be adequately remedied or mitigated.
NH-P15	<p>Within the Greendale Fault Avoidance²⁵ Overlay, avoid the development or use of land, buildings or structures for any:</p> <ol style="list-style-type: none"> 1. community facility; or 2. important infrastructure; or 3. land transport infrastructure; or 4. Major Hazard Facility <p>unless the activity:</p> <ol style="list-style-type: none"> a. does not pose a significant risk, or exacerbate an existing risk, to people or property; and b. either: <ol style="list-style-type: none"> i. has a functional need or operational need to be in that location; or ii. is not vulnerable to the natural hazard; and c. contributes to the resilience of the community in the event of a natural disaster.
NH-P18	<p>Restrict subdivision or rezoning within any of the:</p> <ol style="list-style-type: none"> 1. Greendale Fault Avoidance²⁶ Overlay; or 2. Fault Investigation Overlay <p>unless the fault hazard has been appropriately identified and assessed, and the risk can be adequately remedied or mitigated.</p>
NH-Policies – Wildfire	
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. ²⁷

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.²⁸

²³ DPR-0260.032 CRC

²⁴ DPR-0260.033 CRC

²⁵ DPR-0208.001 Ngāi Tahu Property

²⁶ DPR-0208.001 Ngāi Tahu Property

²⁷ DPR-0353.109 HortNZ

²⁸ DPR-0260.045 CRC

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.²⁹

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.³⁰

NH-Rule List		
NH-R3	Earthworks in Natural Hazard Overlays ³¹	
NH-R4R3	Natural Hazard Mitigation Works - Coastal Hazard Mitigation Works	
NH-R5R4	Natural Hazard Mitigation Works – Defences Against Water and Public Flood, Erosion, and Drainage Works ³²	
NH-R6R5	Natural Hazard Mitigation Works - Retaining Walls and Land Instability Mitigation Works	
NH-R1	Existing Buildings and Structures in Natural Hazard Overlays	
Coastal Erosion Overlay	<p>Activity Status: PER</p> <p>1. The repair, maintenance,³³ alteration, reconstruction, or replacement of any existing building or structure residential unit or other principal building.³⁴</p> <p>Where:</p> <p>a. The residential unit or other principal building has not been damaged by the direct action of the sea.³⁵</p> <p>The building or structure is not a residential unit or other principal building that has not been³⁶ damaged by the direct action of the sea; or</p> <p>And this activity complies with the following rule requirements:</p> <p>NH-REQ1 Building Design</p> <p>NH-REQ2 Building Position</p> <p>NH-REQ3 Building Size</p>	<p>Activity status when compliance not achieved:</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>
Coastal Erosion Overlay	<p>Activity Status: PER</p> <p>4. The repair,³⁷ alteration, reconstruction, or replacement of any</p>	<p>Activity status when compliance not achieved:</p> <p>5. When compliance with any of NH-R1.4. is not achieved: RDIS</p>

²⁹ DPR-0260.048 CRC

³⁰ CI16

³¹ DPR-0414.067 Kāinga Ora

³² DPR-0260 CRC Evidence of S Leonard, Appendix 2

³³ DPR-0260.041 CRC

³⁴ Consequential amendment arising from DPR-0260.041 CRC

³⁵ DPR-0260.041 CRC

³⁶ DPR-0260.041 CRC

³⁷ DPR-0260.043 CRC

	<p>residential unit or other principal building that has been³⁸ damaged by the direct action of the sea.</p> <p>Where:</p> <p>a. The site has not eroded to less than 800m².</p> <p>And this activity complies with the following rule requirements:</p> <p>NH-REQ1 Building Design NH-REQ2 Building Position NH-REQ3 Building Size</p>	<p>6. When compliance with any rule requirement listed in this rule is not achieved: Refer to NH-Rule Requirements.</p> <p>Matters for discretion:</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 b. NH-MAT2 Coastal Erosion</p>
Coastal Inundation Overlay	<p>Activity Status: PER</p> <p>8. The repair, maintenance,³⁹ alteration, reconstruction, or replacement of any existing building or structure residential unit or other principal building.</p> <p>Where:</p> <p>a. The building or structure is not⁴⁰ a residential unit or other principal building that has not been⁴¹ damaged by the direct action of the sea.</p> <p>And this activity complies with the following rule requirements:</p> <p>NH-REQ1 Building Design NH-REQ2 Building Position</p>	<p>Activity status when compliance not achieved:</p> <p>9. When compliance with any of NH- R1.8.a.⁴² 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>
Coastal Inundation Overlay	<p>Activity Status: PER</p> <p>11. The repair,⁴³ alteration, reconstruction, or replacement of any residential unit or other principal building that has been⁴⁴ damaged by the direct action of the sea.</p> <p>Where:</p> <p>a. The site has not eroded to less than 800m².</p>	<p>Activity status when compliance not achieved:</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>Matters for discretion:</p> <p>14. The exercise of discretion in relation to NH-R1.12. is restricted to the following matters:</p>

³⁸ DPR-0260.043 CRC

³⁹ DPR-0260.042 CRC

⁴⁰ DPR-0260.042 CRC

⁴¹ DPR-0260.042 CRC

⁴² Consequential amendment arising from DPR-0260.041 CRC

⁴³ DPR-0260.043 CRC

⁴⁴ DPR-0260.043 CRC

	<p>And this activity complies with the following rule requirements:</p> <p>NH-REQ1 Building Design NH-REQ2 Building Position</p>	<p>a. NH-MAT1 Natural Hazards Generally b. NH-MAT2 Coastal Erosion</p>
Plains Flood Management Overlay	<p>Activity Status: PER</p> <p>15. The alteration, or addition to,⁴⁵ 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>b.⁴⁷ The building finished floor height complies with one of:</p> <p>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 25m², compared to the floor area of the residential unit or other principal building on [date this rule has effect]; or</p> <p>ii. a minimum 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 300mm above a 200 year Average Recurrence Interval (ARI) flood hazard event that⁴⁸ 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.</p> <p>And this activity complies with the following rule requirements:</p> <p>NH-REQ2 Building position</p>	<p>Activity status when compliance not achieved:</p> <p>16. When compliance with any of NH.1.15. is not achieved: RDIS 17. When compliance with any rule requirement listed in this rule is not achieved: Refer to NH-Rule requirements</p> <p>Matters for discretion:</p> <p>18. The exercise of discretion in relation to NH-R1.16. is restricted to the following matters:</p> <p>a. NH-MAT1 Natural Hazards Generally</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>Activity status when compliance not achieved:</p> <p>4. When compliance with any of NH- R2.3.a. or NH-R2.3.b. is not achieved: NC 5. When compliance with any of NH- R2.3.c. is not achieved: RDIS</p>

⁴⁵ Consequential amendment to DPR-0215.028 Winstone, DPR-0217.010 Summerset

⁴⁶ DPR-0215.028 Winstone, DPR-0217.010 Summerset

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-0256.003 R Potts

	<p>a. The building is not located in a high hazard area; and</p> <p>b. The building is not located between any surface water body and any stopbank designed to contain floodwater from that surface water body; and</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 that⁴⁹ 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></p>	<p>Matters for discretion:</p> <p>6. The exercise of discretion in relation to NH-R2.5. is restricted to the following matters:</p> <p>a. NH-MAT1 Natural Hazards Generally</p>
NH-R3	Earthworks in Natural Hazard Overlays⁵⁰	
<p>Coastal Erosion Overlay</p> <p>Coastal Inundation Overlay</p> <p>Plains Flood Management Overlay</p> <p>Waimakariri Flood Management Overlay⁵¹</p>	<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 Earthworks⁵²</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.⁵³</p>
NH-R5 NH-R4⁵⁴	Natural Hazard Mitigation Works – Defences Against Water and Public Flood, Erosion, and Drainage Works⁵⁵	
All Zones	<p>Activity status: PER</p> <p>1. <u>The maintenance or operation of any existing flood, erosion, or drainage works administered by a Regional or Territorial Authority.</u></p> <p>2⁵⁶. <u>The maintenance or operation of any existing defence against water not subject to NH-R4.1⁵⁷</u></p> <p>The earthworks provisions in any chapter shall not apply to any activity</p>	<p>Activity status when compliance not achieved: N/A</p>

⁴⁹ DPR-0256.004 R Potts

⁵⁰ DPR-0414.067 Kāinga Ora

⁵¹ DPR-0414.067 Kāinga Ora

⁵² DPR-0414.067 Kāinga Ora

⁵³ DPR-0414.067 Kāinga Ora

⁵⁴ Consequential amendment to DPR-0414.067 Kāinga Ora

⁵⁵ DPR-0260 CRC Evidence of S Leonard, Appendix 2

⁵⁶ DPR-0260 CRC Evidence of S Leonard, Appendix 2

⁵⁷ DPR-0260 CRC Evidence of S Leonard, Appendix 2

	permitted under NH-R5.1 NH-R4.1 ⁵⁸ or NH-R4.2. ⁵⁹	
All Zones	Activity status: DIS 3. The upgrading of any existing flood, erosion, or drainage works administered by a Regional or Territorial Authority ⁶⁰ 2.4 The upgrading of any existing defence against water not subject to NH-R4.3. ⁶¹ 5. The establishment of any new flood, erosion, or drainage works administered by a Regional or Territorial Authority ⁶² 6.3 The establishment of any new defence against water not subject to NH-R4.5. ⁶³	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: a. is in the same or substantially the same position on the site as the building it replaces; or b. 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 that ⁶⁴ 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.	Activity status when compliance not achieved: 7. When compliance with any of NH-REQ2.6. is not achieved: RDIS Matters for discretion: 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	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. ⁶⁵	Activity status when compliance not achieved: 2. When compliance with any of NH- REQ4.1 is not achieved: RDIS Matters for discretion: 3. The exercise of discretion in relation to NH-R4.2. is restricted to the

⁵⁸ Consequential amendment to DPR-0414.067 Kāinga Ora

⁵⁹ DPR-0260 CRC Evidence of S Leonard, Appendix 2

⁶⁰ DPR-0260 CRC Evidence of S Leonard, Appendix 2

⁶¹ DPR-0260 CRC Evidence of S Leonard, Appendix 2

⁶² DPR-0260 CRC Evidence of S Leonard, Appendix 2

⁶³ DPR-0260 CRC Evidence of S Leonard, Appendix 2

⁶⁴ DPR-0256.005 R Potts

⁶⁵ DPR-0260.053 CRC

Management Overlay		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> ⁶⁶ ; and b. The Greendale Fault <u>Avoidance</u> ⁶⁷ 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. <u>The Coastal Inundation Overlay;</u> ⁶⁸ b. <u>Every high hazard area within the Plains Flood Management Overlay;</u> ⁶⁹ c. <u>The Waimakariri Flood Management Overlay;</u> ⁷⁰ <u>d.</u> ⁷¹ The Fault Investigation Overlay; and <u>e.</u> ⁷² The Fault Awareness Overlay	Activity status when compliance not achieved: 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> ⁷³ <u>5.</u> ⁷⁴ When compliance with any of NH-REQ5.3. <u>d. or NH-REQ5.3.e</u> ⁷⁵ is not achieved: RDIS Matters for discretion: <u>5 6</u> ⁷⁶ . The exercise of discretion in relation to <u>NH-REQ5.5 NH-REQ5.4.</u> ⁷⁷ is restricted to the following matters: a. NH-MAT3 Geotechnical Considerations
NH-REQ7	Wildfire Setbacks	
GRUZ	1. Any <u>new</u> ⁷⁸ woodlot or shelterbelt shall comply with the following separation distances, measured from the outside extent of the canopy: a. 30m from any residential unit or other principal building on an adjoining property; and b. 30m from any zone that is not a rural zone; and c. 5m from any adjoining legally established accessway to a residential unit or other principal building.	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. <u>The degree of risk posed to life and property because of the non-compliance-NH-MAT5.1</u> ⁷⁹

⁶⁶ DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

⁶⁷ DPR-0208.001 Ngāi Tahu Property

⁶⁸ DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

⁶⁹ DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

⁷⁰ DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

⁷¹ Consequential amendment to DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

⁷² Consequential amendment to DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

⁷³ DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

⁷⁴ Consequential amendment to DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

⁷⁵ Consequential amendment to DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

⁷⁶ Consequential amendment to DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

⁷⁷ Consequential amendment to DPR-0372.035 Dairy Holdings, DPR-0388.017 Craigmore

⁷⁸ DPR-0379.039 J Thomson

⁷⁹ DPR-0353.110 HortNZ

		Notification: 4. Any application arising from NH-REQ7.2. shall not be subject to public notification.
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NH-Matters for Control or Discretion

NH-MAT1	Natural Hazards Generally
All Zones	<ol style="list-style-type: none"> The extent of any adverse⁸⁰ effects of natural hazards on people and property. The potential for the⁸¹ location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure in relation⁸² to increase or exacerbate⁸³ natural hazard risk. The clearance or retention of vegetation or other natural features to mitigate natural hazard risk. The timing, location, scale and nature of any earthworks in relation to natural hazard risk. The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site. Any adverse effects on the environment of any proposed mitigation measures. The effectiveness of any proposed mitigation measures.⁸⁴
NH-MAT3	Geotechnical Considerations
All Zones	<ol style="list-style-type: none"> 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"> outside the Liquefaction Damage Unlikely Overlay; or within the Liquefaction Damage Unlikely Overlay and the activity is any of: <ol style="list-style-type: none"> subdivision that will result in 15 or more sites (excluding any access, reserve, or infrastructure site); or land use that will result in 15 or more residential units; or within the Greendale Fault Avoidance⁸⁵ Overlay; or within the Fault Investigation Overlay and the activity is any of: <ol style="list-style-type: none"> subdivision; or new important infrastructure; or within the Fault Awareness Overlay and the activity is new important infrastructure. Plans and information submitted in relation to NH-MAT3.1 shall: <ol style="list-style-type: none"> identify all geotechnical hazards relevant to the site, including:

⁸⁰ DPR-0215.033 Winstone, DPR-0217.015 Summerset

⁸¹ DPR-0215.033 Winstone, DPR-0217.015 Summerset

⁸² DPR-0215.033 Winstone, DPR-0217.015 Summerset

⁸³ DPR-0215.033 Winstone, DPR-0217.015 Summerset

⁸⁴ DPR-0215.033 Winstone, DPR-0217.015 Summerset

⁸⁵ DPR-0208.001 Ngāi Tahu Property

	<ul style="list-style-type: none"> i. liquefaction ii. slips iii. rockfall iv. tunnel gully erosion v. fault lines and folds vi. avalanche <p>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</p> <p>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:</p> <ul style="list-style-type: none"> i. the edges of rivers, streams, lakes, wetlands, stormwater detention areas, or swales ii. the edges of cliffs or gullies; iii. any active fault trace <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>
NH-MAT5	Wildfire
All Zones	<p>1. The degree of risk posed to life and property because of the non-compliance⁸⁶</p> <p>2.4.⁸⁷ 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>

NH-Schedules

NH-SCHED1 Flood Assessment Certificates ⁸⁸
<p>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:</p> <ul style="list-style-type: none"> 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. <p>The minimum finished floor level will be determined with reference to:</p> <ul style="list-style-type: none"> 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 <p>Advice Note:</p> <p>Information showing the modelled flood characteristics within specific parts of the district is publicly available online via Canterbury Maps. This information is indicative only</p>

⁸⁶ DPR-0353.110 HortNZ

⁸⁷ Consequential amendment to DPR-0353.110 HortNZ

⁸⁸ DPR-0260 CRC Discussion at hearing

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.⁸⁹

Energy and Infrastructure

El-Rules

EI-R22	Environmental Monitoring Equipment Associated with a Network Utility	
All Zones	<p>Activity Status: 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>Where:</p> <p>The equipment does not exceed:</p> <p>a. 6m² in area; and</p> <p>b. 2.5m in height from the base of the equipment to the highest point.</p> <p>And this activity complies with the following rule requirements:</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>EI-REQ16 Setbacks</p> <p>EI-REQ23 West Melton Aerodrome Height Restriction</p> <p>NH-REQ5 Natural Hazards and Infrastructure</p> <p>GRUZ-REQ16 Springfield Airfield Height Restriction</p>	<p>Activity status when compliance not achieved:</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>Matters for discretion:</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>

Natural Character chapter

⁸⁹ DPR-0260 CRC Discussion at hearing

NATC-Rule Requirements

NATC-REQ3	Setbacks from Surface Water Bodies – Vegetation Planting	
GRUZ⁹⁰ GRAZ MPZ SKIZ TEZ	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.	Activity Status when compliance not achieved: 2. When compliance with NATC-REQ3.1 is not achieved: RDIS Matters for discretion: 3. The exercise of discretion in relation to NATC-REQ3.2 is restricted to the following matters: NATC-MAT1 SASM-MAT3
GRUZ⁹¹	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. ⁹²	Activity Status when compliance not achieved: 5. When compliance with NATC-REQ3.4 is not achieved: RDIS ⁹³ Matters for discretion: 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 ⁹⁴

Natural Features and Landscapes chapter

NFL-Rule Requirements

NFL-REQ4	Building and structure setbacks	
ONL Overlay VAL Overlay	1. The minimum setback for all buildings and structures from each side of the centre line of SH73 or the Midland railway line is 300m.	Activity status when compliance not achieved: 2. When compliance with NFL-REQ4.1 in any ONL Overlay area is not achieved: NC 3. When compliance with NFL-REQ4.1 in any VAL Overlay area is not achieved: RDIS Matters for discretion: 4. The exercise of discretion in relation to NFL-REQ4.3 is restricted to the

⁹⁰ DPR-0299.006 S & J West

⁹¹ DPR-0299.006 S & J West

⁹² DPR-0299.006 S & J West

⁹³ DPR-0299.006 S & J West

⁹⁴ DPR-0299.006 S & J West

		<p>following matters:</p> <p>NFL-MAT3</p> <p>NH-MAT5.2⁹⁵ Wildfire</p> <p>Notification:</p> <p>5. NFL-REQ4.3 shall not be subject to public notification.</p>
NFL-REQ5	Building and structure appearance	
ONL Overlay VAL Overlay	<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>Activity status when compliance not achieved:</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>Matters for discretion:</p> <p>5. The exercise of discretion in relation to NFL-REQ5.4 is restricted to the following matters:</p> <p>NFL-MAT3</p> <p>NH-MAT5.2⁹⁶ Wildfire</p> <p>Notification:</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>
NFL-REQ6	Building and structure height	
VAL Overlay	<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>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>Activity status when compliance not achieved:</p> <p>5. When compliance with any of NFL-REQ6 is not achieved: RDIS</p> <p>Matters for discretion:</p> <p>6. The exercise of discretion in relation to NFL-REQ6.5 is restricted to the following matters:</p> <p>NFL-MAT3</p> <p>NH-MAT5.2⁹⁷ Wildfire</p> <p>Notification:</p> <p>6. Any application arising from NFL-REQ6.5 shall not be subject to public</p>

⁹⁵ Consequential amendment to DPR-0353.011 HortNZ

⁹⁶ Consequential amendment to DPR-0353.011 HortNZ

⁹⁷ Consequential amendment to DPR-0353.011 HortNZ

		or limited notification and shall be processed on a non-notified basis.
NFL-REQ8	Building Coverage	
VAL Overlay	<p>1. The maximum building coverage of a site shall be limited to:</p> <p>a. 500m² for every 20 ha of site area, or</p> <p>b. a maximum of 3,000m² per property (whichever is the lesser).</p>	<p>Activity status when compliance not achieved:</p> <p>2. When compliance with any of NFL-REQ8 is not achieved: RDIS</p> <p>Matters for discretion:</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-MAT5⁹⁸ Wildfire</p> <p>Notification:</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>

Subdivision chapter

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.⁹⁹</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>Activity status when compliance not achieved:</p> <p>6. When compliance with any of SUB-R17.4. is not achieved: NC</p>

⁹⁸ Consequential amendment to DPR-0353.011 HortNZ

⁹⁹ DPR-0260.125 CRC

	b. Any additional information required to enable a Flood Assessment Certificate to be issued for every site created in accordance with NH-SCHED1. ¹⁰⁰	
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Earthworks chapter

EW-Rules

EW-R1	Earthworks subject to a Building Consent	
All Zones	<p>Activity status: PER</p> <p>1. Earthworks that are or will be subject to a building consent.</p> <p>Where:</p> <p>a. It occurs within 2m of the outer edge of the exterior wall of the building.</p> <p>And this activity complies with the following rule requirements:</p> <p>EW-REQ3 – Excavation and filling</p> <p>NH-REQ4 Natural Hazards and Earthworks¹⁰¹</p>	<p>Activity status when compliance not achieved:</p> <p>2. When compliance with EW-R1.1.a. is not achieved: Refer to EW-R2.</p> <p>3. When compliance with any EW Rule Requirement rule requirement¹⁰² listed in this rule is not achieved: Refer to EW Rule Requirements relevant rule requirement¹⁰³.</p>
EW-R2	Earthworks	
All Zones, except GRAZ and DPZ	<p>Activity status: PER</p> <p>1. All other earthworks not covered by EW-R1.</p> <p>And this activity complies with the following rule requirements:</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>NH-REQ4 Natural Hazards and Earthworks¹⁰⁴</p>	<p>Activity status when compliance not achieved:</p> <p>2. When compliance with any EW Rule Requirement rule requirement¹⁰⁵ listed in this rule is not achieved: Refer to EW Rule Requirements relevant rule requirement.¹⁰⁶</p>

¹⁰⁰ DPR-0260.125 CRC

¹⁰¹ DPR-0414.63, DPR-0414.067 Kāinga Ora

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

¹⁰³ Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

¹⁰⁴ DPR-0414.63, DPR-0414.067 Kāinga Ora

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

¹⁰⁶ Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

EW-R4	Earthworks in the Dairy Processing Zone	
DPZ	<p>Activity status: PER</p> <p>1. All other earthworks not covered by EW-R1.</p> <p>And this activity complies with the following rule requirements:</p> <p>NH-REQ4 Natural Hazards and Earthworks¹⁰⁷</p> <p>EW-REQ3 Excavation and filling</p> <p>EW-REQ4 Rehabilitation and Reinstatement</p>	<p>Activity status when compliance not achieved:</p> <p>2. When compliance with any EW-Rule Requirement rule requirement¹⁰⁸ listed in this rule is not achieved: Refer to EW Rule Requirements relevant rule requirement.¹⁰⁹</p>
EW-R5	Stockpiling	
All Zones	<p>Activity status: PER</p> <p>1. Earthworks stockpiling.</p> <p>Where:</p> <p>a. all stockpiles greater than 250m³ or 4m in height above natural ground level are to be located at least:</p> <p>i. 100m from any sensitive activity on an adjoining site held in different ownership; or</p> <p>ii. 100m from the boundary of a Residential, Māori Purpose, Town Centre, Local Commercial, Neighbourhood Commercial, or Knowledge Zone.</p> <p>And this activity complies with the following rule requirements:</p> <p>NH-REQ4 Natural Hazards and Earthworks¹¹⁰</p>	<p>Activity status when compliance not achieved:</p> <p>2. When compliance EW-R5.1.a. is not achieved: RDIS</p> <p>3. When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant rule requirement.¹¹¹</p> <p>Matters for discretion:</p> <p>3-4¹¹². The exercise of discretion in relation to EW-R5.2. is restricted to the following matters:</p> <p>a. effects that result from the stockpiling in terms of visual amenity, landscape context and character, views, outlook, overlooking and privacy.</p> <p>b. the effectiveness of proposed management or mitigation measures to minimise any potential adverse effects beyond the property boundary of the activity.</p>

General rural zone chapter

GRUZ-Rules

GRUZ-R23	Woodlots	
	<p>Activity Status: PER</p> <p>1. The establishment of a new, or expansion of an existing woodlot.</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 relevant rule requirements.</p>

¹⁰⁷ DPR-0414.63, DPR-0414.067 Kāinga Ora

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

¹⁰⁹ Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

¹¹⁰ DPR-0414.63, DPR-0414.067 Kāinga Ora

¹¹¹ Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

¹¹² Consequential amendment to DPR-0414.63, DPR-0414.067 Kāinga Ora, for consistency with PDP drafting requirements

	<p>Where this activity complies with the following rule requirements:</p> <p>GRUZ-REQ16 Springfield Airfield Height Restriction</p> <p>EI-REQ23 West Melton Aerodrome Height Restriction</p> <p>NH-REQ7 Wildfire Setbacks, <u>except where NATC-R3 Setbacks from Surface Water Bodies - Horticultural Planting, Woodlots and Shelterbelts applies to the activity</u>¹¹³</p>	
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GRUZ-Rule Requirements

GRUZ-REQ1	Building Coverage	
	<p>1. The building coverage on a site shall not exceed:</p> <p>a. A maximum of 35% or 500m², whichever is lesser for sites less than 1ha; or</p> <p>b. 5% for all other sites greater than 1ha.</p> <p>Excludes temporary activities and public amenity structures.</p>	<p>Activity status when compliance not achieved:</p> <p>2. When compliance with any of GRUZ-REQ1.1 is not achieved: RDIS</p> <p>Matters for discretion:</p> <p>3. The exercise of discretion in relation to GRUZ-REQ1.2 is restricted to the following matters:</p> <p>GRUZ-MAT2 Building Coverage</p> <p>NH-MAT5.2¹¹⁴ Wildfire</p> <p>Notification:</p> <p>4. Any application arising from GRUZ-REQ1.2 shall not be subject to public notification.</p>
GRUZ-REQ2	Structure Height	
	<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>Activity status when compliance not achieved:</p> <p>2. When compliance with any of GRUZ-REQ2.1 is not achieved: RDIS</p> <p>Matters for discretion:</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-MAT5.2¹¹⁵ Wildfire</p> <p>Notification:</p> <p>4. Any application arising from GRUZ-REQ2.2 shall not be subject to</p>

¹¹³ DPR-0299.006 S & J West

¹¹⁴ Consequential amendment arising from DPR-0353.011 HortNZ

¹¹⁵ Consequential amendment arising from DPR-0353.011 HortNZ

		public notification.			
GRUZ-REQ3	Height in Relation to Boundary				
	1. All buildings shall comply with the relevant height in relation to boundary requirements in Appendix 3.		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-MAT5.2 ¹¹⁶ Wildfire Notification: 4. Any application arising from GRUZ-REQ3.1 shall not be subject to public notification.		
GRUZ-REQ4	Structure Setbacks				
	1. All structures, excluding public amenity structures, shall comply with the minimum setbacks listed in GRUZ-Table 1.		Activity status when compliance not achieved: 2. When compliance with GRUZ-REQ4.1 is not achieved: RDIS Matters for discretion: 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.		Activity status when compliance not achieved: 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

¹¹⁶ Consequential amendment arising from DPR-0353.011 HortNZ

	Any residential unit ¹¹⁷	30m ¹¹⁸	20m ¹¹⁹	10m ¹²⁰
	Any other building	5m	20m	10m

¹¹⁷ DPR-0353.011 HortNZ

¹¹⁸ DPR-0353.011 HortNZ

¹¹⁹ Consequential amendment arising from DPR-0353.011 HortNZ

¹²⁰ Consequential amendment arising from DPR-0353.011 HortNZ