

Proposed Selwyn District Plan



Right of Reply Report

Natural Hazards – flood assessment certificates and
submission points omitted from the s42A Report

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List of submitters and further submitters addressed in this report

Submitter ID	Submitter Name	Abbreviation
DPR-0031	Warren Pettigrew	W Pettigrew
DPR-0045	Raymond Crooks	R Crooks
DPR-0068	MetroPort Christchurch (MetroPort)	MetroPort
DPR-0099	Francine Bills	F Bills
DPR-0125	BE Faulkner	BE Faulkner
DPR-0133	Richard Christie	R Christie
DPR-0157	Kevin & Bonnie Williams	K & B Williams
DPR-0209	Manmeet Singh	M Singh
DPR-0213	New Zealand Institute for Plant and Food Research Limited (Plant and Food) & Landcare Research (Landcare)	Plant and Food & Landcare
DPR-0215	Winstone Aggregates	Winstone
DPR-0217	Summerset Villages (Prebbleton) Limited	Summerset
DPR-0234	Mark Booker & Alexandra Roberts	M Brooker & A Roberts
DPR-0238	Maura & Dennis O'Brien	M & D O'Brien
DPR-0242	Craig Byers	C Byers
DPR-0248	Michele & Regan Beight	M & R Beight
DPR-0256	Rob Potts	R Potts
DPR-0260	Canterbury Regional Council (Environment Canterbury)	CRC
DPR-0276	Anne Taylor	A Taylor
DPR-0298	Trices Road Re-zoning Group	Trices Road
DPR-0301	Upper Waimakariri/Rakaia Group (UWRG)	UWRG
DPR-0323	Investore Property Limited	Investore
DPR-0335	Ken & Pru Bowman	K & P Bowman
DPR-0358	Rolleston West Residential Limited (RWRL)	RWRL
DPR-0360	West Melton District Residents Association Inc.	WMDRA
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	IRHL
DPR-0365	Stuart PC Limited	Stuart PC
DPR-0367	Orion New Zealand Limited	Orion
DPR-0370	Fonterra Limited	Fonterra
DPR-0372	Dairy Holdings Limited	Dairy Holdings
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	RIHL
DPR-0378	The Ministry of Education	MoE
DPR-0379	Jill Thomson	J Thomson
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	RIDL
DPR-0388	Craigmore Farming Services Limited	Craigmore
DPR-0390	Rakaia Irrigation Limited (RIL)	RIL
DPR-0402	Mark Brown	M Brown
DPR-0407	Royal Forest & Bird Protection Society of New Zealand Inc. (Forest & Bird)	Forest & Bird
DPR-0410	Urban Estates Limited	Urban Estates
DPR-0414	Kāinga Ora - Homes & Communities	Kāinga Ora
DPR-0419	Hughes Developments Ltd	Hughes
DPR-0422	Federated Farmers of New Zealand - North Canterbury	FFNC
DPR-0427	Lou Sanson, Director-General of Conservation	DOC
DPR-0428	Ascot Park Limited (APL)	APL
DPR-0446	Transpower New Zealand Limited	Transpower

Submitter ID	Submitter Name	Abbreviation
DPR-0453	Midland Port, Lyttelton Port Company Limited	Midland & Lyttelton Ports
DPR-0455	Paul & Fay McOscar	P & F McOscar
DPR-0461	Dunweavin 2020 Ltd	Dunweavin
DPR-0466	Geoffrey Railton Barker & Lyna Sumaylo Barker	GR & LS Barker
DPR-0492	Kevler Development Ltd	Kevler
DPR-0493	Gallina Nominees Ltd & Heinz-Wattie Ltd Pension Plan	Gallina & Heinz-Wattie
DPR-0565	Shelley Street Holdings Ltd	Shelley St

Abbreviations

Abbreviations used throughout this report are:

Abbreviation	Full text
RDIS	Restricted discretionary

1. Purpose of Report

- 1.1 The purpose of this report is to respond to the questions raised by the Hearings Panel during Hearing 9: Natural Hazards relating to the Flood Assessment Certification process, and for the Officer to propose any further amendments to the notified version of the Proposed District Plan (PDP) above those recommended in the Officers s42a evidence report. This report is to be read in conjunction with the Right of Reply Report for Natural Hazards dated 18 March 2022.
- 1.2 One submission point and one further submission point relevant to the *Natural Hazards* chapter were omitted from the 42A report. This report therefore makes recommendations in relation to these submission points, and the updated Table of Submission Points is attached as **Appendix 1**.
- 1.3 NH-R1.15, NH-R2.3 and NH-REQ2.6 all make reference to a need for buildings to achieve a minimum floor height of 300mm above a 200-year Average Recurrence Interval flood hazard event. Concerns have been raised by submitters about how these obligations would be demonstrated to have been complied with, and these concerns are acknowledged.

2. Hearing Panel's Questions to the s42a Reporting Officer and/or the Submitters and their Response

- 2.1 The following questions relating to the Flood Assessment Certification process noted above were received from the Hearing Panel or posed to submitters for the Natural Hazards (NH) Chapter, which sat on 2 November 2021.

[1] Process for issuing a flood assessment certificate

- 2.2 The issuing of a flood assessment certificate under NH-R1.15, NH-R2.3 and NH-REQ2.6 would use the following process:
 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.
 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.

[2] Process for updating the information used to issue a flood assessment certificate

- 2.3 The starting point for information to issue a flood assessment certificate is the modelling undertaken by DHI and ECan and reported on in:
 - a. [ECan report R19/41 – Selwyn River/Waikirikiriri floodplain investigation](#)
 - b. [DHI Water and Environment Ltd report – Regional Policy Statement Modelling for SDC – District Plan](#)

GIS information showing consolidated results from this modelling is publicly available from CRC via Canterbury Maps at <https://apps.canterburymaps.govt.nz/FloodModelResults/>
- 2.4 While these model results are unlikely to change significantly in the rural area over the life of the PDP, they will become out of date over time within townships, particularly as a result of urban subdivision and associated earthworks.
- 2.5 In order to provide the information required to make an assessment under proposed SUB-R17, a RDIS subdivision application within the Plains Flood Management Overlay would need to undertake sufficient assessments to demonstrate that every site was outside a high hazard area, and to enable a Flood Assessment Certificate to be issued for every site created. Where ground levels would change as a result of subdivision, new modelling would be required, to take these altered levels into account. Once completed, these model results would be incorporated into <https://apps.canterburymaps.govt.nz/FloodModelResults/> as additional data on which to base minimum floor height requirements.

- 2.6 There is potential for upstream development to affect downstream overland flows over time, and so a district-level model may need to be run, in whole or in part, at intervals in order to reassess the cumulative effects of such development. Options for re-running the model over at least Lincoln, Prebbleton, Rolleston and West Melton are currently being explored.
- 2.7 Recommended amendments to the PDP to reflect this process are shown highlighted **blue** in **Appendix 2**. Scope for these amendments is provided by DPR-0031.001 W Pettigrew, DPR-0217.012 Summerset, DPR-260.045, DPR-0260.046, DPR-0260.047, DPR-0260.049, DPR-0260.052 CRC, DPR-0358.172, DPR-0358.178 RWRL, DPR-0363.171, DPR-0363.172, DPR-0363.177 IRHL, DPR-0374.177, DPR-0374.178, DPR-0374.183 RIHL, DPR-0384.179, DPR0384.180, DPR-384.185 RIDL, DPR-0410.002, DPR-0410.003 Urban Estates, DPR-0414.059, DPR-0414.061 Kāinga Ora, and DPR-0419.02 Hughes.

S32AA evaluation

Effectiveness and efficiency

- 2.8 I consider that the amendments recommended in this report would be a more effective and efficient way to achieve the objectives, compared to the notified version and the versions included in the s42A report and the 18 March 2022 right of reply report.

Costs and benefits

- 2.9 The amendments would better achieve the NH objectives, with the benefit of enabling landowners to make reasonable use of their land and facilities, based on the best available information at the time development occurs.

Risk of acting or not acting

- 2.10 It is considered that there is a high level of knowledge of the issues and the need to identify and manage natural hazard risk, such that there is a low risk of acting in the manner proposed. Not making the recommended amendments could result in development decisions being made with out-of-date information as land levels change and information improves.

Conclusion as to the most appropriate option

- 2.11 The recommended amendments are considered to be the most appropriate way to achieve the NH objectives, compared to the notified version and the versions included in the s42A report and the 18 March 2022 right of reply report.

3. Submission points omitted from the s42A report

- 3.1 Craigmores¹ lodged a submission requesting that the high hazard provisions be removed from NH-REQ2 in favour of a mapped high hazard overlay. For the reasons set out in paragraph 17.38 of the s42A report, relating to the same relief sought, I recommend that the submission point be rejected.

¹ DPR-0388.062 Craigmores

- 3.2 Coleridge Downs² lodged a further submission supporting the HortNZ³ submission requesting changes to NH-P20. This requested the same relief as their other further submission point DPR-0381-FS065, which was addressed in the s42A report. Consistent with that other further submission point, I recommend that the further submission point be rejected.
- 3.3 The updated table of submission points is attached as **Appendix 1**.

² DPR-0486.FS065 Coleridge Downs

³ DPR-0353.108 HortNZ