

Relevant District Plan provisions - Including proposed Section 71 changes

3.3.6 Objective - Natural hazards

- a. New subdivision, use and development (other than new critical infrastructure or strategic infrastructure to which paragraph b. applies):
 - i. is to be avoided in areas where the risks from natural hazards to people, property and infrastructure are assessed as being unacceptable; and
 - ii. in all other areas, is undertaken in a manner that ensures the risks of natural hazards to people, property and infrastructure are appropriately mitigated.

[b, c, d....]

5.2.2.1.1 Policy - Avoid new development where there is unacceptable risk

- a. Avoid new subdivision, use and development, including new urban zonings, where the risk from a natural hazard is assessed as being unacceptable.

5.2.2.1.2 Policy - Manage activities to address natural hazard risks

- Manage activities in all areas subject to natural hazards in a manner that is commensurate with the likelihood and consequences of a natural hazard event on life and property.

5.2.2.1.4 Policy - No transferring of natural hazard risk

- a. Ensure that subdivision, use and development (including proposals for hazard mitigation works or hazard removal) do not transfer or create unacceptable natural hazard risk to other people, property, infrastructure or the natural environment.

5.2.2.1.8 Policy - Assessment of hazards

- a. Ensure that the level of assessment undertaken for plan changes, subdivision or development reflects the potential scale and significance of the hazard; and the nature and scale of the rezoning, subdivision or development and its susceptibility to those hazards.

5.2.2.2.1 Policy – Flooding

[Changes to Decision 6 & 53 wording shown in bold (for draft policy provided during IHP hearings) and blue (for further changes proposed by Sarah Dawson)]

5.2.2.2.1 Policy – Flooding

- a. ...
- b. **In the High Flood Hazard Management Areas:**
 - i. **provide for development ~~for~~ of a residential unit on residentially zoned land where the flooding risk is predominantly influenced by sea-level rise and where appropriate mitigation can be provided that protects people's safety, well-being and property from unacceptable risk; and**
 - ii. **in all other cases, a** Avoid subdivision, use or development in the High Flood Hazard Management Area where it will increase the potential risk to people's safety, well-being and property.

[c,d,e,f....]

RULES – 5.4.6 ACTIVITIES IN THE HIGH FLOOD HAZARD MANAGEMENT AREA

5.4.6.1 Permitted activities

[Changes to Decision 6 & 53 wording shown in blue]

Activity		Activity specific standards
P1	The replacement or repair of buildings.	<ul style="list-style-type: none"> a. The ground floor area of the replaced or repaired building is not greater than the ground floor area of the existing building. b. The replaced or repaired building is located in a position on the site that is no lower than the existing building.
P2	<u>The replacement and repair of residential units existing as at 4 September 2010 on sites in the Residential Unit Overlay identified in Appendix 5.8.2.</u>	<ul style="list-style-type: none"> <u>a. The ground floor area of the replaced or repaired residential unit is not greater than the ground floor area of the residential unit that existed as at 4 September 2010.</u> <u>b. The replaced or repaired residential unit is located in the same or similar position on the site as the residential unit that existed as at 4 September 2010.</u>
P3- P9	...	

[Existing P2 - P8 would be renumbered to follow on from the new P2.]

5.4.6.2 Restricted discretionary activities

Activity		The Council's discretion shall be limited to the following matters:
RD1
RD2	<p>Residential units within the Residential Unit Overlay identified in Appendix 5.8.2, including:</p> <ul style="list-style-type: none"> a. any new residential unit; or b. any replacement residential unit; or c. any addition to an existing residential unit. <p>other than as provided for by Rule 5.4.6.1 P1 or P2.</p> <p>Any application arising from this rule shall not be limited or publicly notified.</p>	<ul style="list-style-type: none"> a. The Council's discretion is limited to the following matters: <ul style="list-style-type: none"> i. Setting of minimum floor levels. ii. Design of buildings. iii. Mitigation of the effects of flooding. iv. Level of intensification. v. Safe ingress and egress. vi. Reducing the risk to people's safety, wellbeing and property resulting from the development. b. These restricted discretionary activities will be assessed against the following criteria: <ul style="list-style-type: none"> i. The type of foundation and structure proposed for the residential unit and the likely impact of the building with regard to flood storage and flow of water. ii. The frequency at which any proposed building or addition is predicted to be flooded, the extent

Activity		The Council's discretion shall be limited to the following matters:
		<p>of damage likely to occur in such an event and the potential for injury or risk to people's safety, well-being and property from such an event.</p> <p>iii. The ability to maintain safe access to and from the residential unit from the transport network with respect to design of the access and engineering solutions.</p>

5.4.6.3 Non-complying activities

Activity	
NC1	Any subdivision which creates an additional vacant allotment or allotments from a site within a High Flood Hazard Management Area shown on the planning maps except where: <ol style="list-style-type: none"> 1. the additional allotment or allotments is entirely outside the High Flood Hazard Management Area; or 2. if the additional allotment or allotments is partially within the High Flood Hazard Management Area, the additional allotment or allotments contains a net site area capable of containing a complying residential unit entirely outside of the High Flood Hazard Management Area.
NC2	New buildings within a High Flood Hazard Management Area shown on the planning maps, unless specified in P1 - P6 or P8 in Rule 5.4.6.1, or RD2 in Rule 5.4.6.2.
NC3	The replacement or repair of buildings that do not meet one or more of the activity specific standards in Rule 5.4.6.1, unless specified in RD2 in Rule 5.4.6.2.
NC4	Change in use of a site that increases the occupancy of the site, unless specified in P1 in Rule 5.4.6.1, or RD2 in Rule 5.4.6.2.

[References in NC2 to components of Rule 5.4.6.1 would be renumbered]

What these changes will mean

*Note where the situation will change from the status quo, this has been highlighted in yellow

	RUO	HFHMA (predominantly influenced by SLR)	HFHMA (elsewhere)
Replacement house <ul style="list-style-type: none"> • same or similar scale and position; and • demo after Nov 2016 	P1	P1	P1
Replacement house <ul style="list-style-type: none"> • same or similar scale and position; and • demo between Sep 2010 - Nov 2016 	P2	NC3 - resource consent will be assessed against new policy amendment	NC3 - resource consent will be assessed against existing “avoid” policy
New house <ul style="list-style-type: none"> • replacement house not similar scale and position, or • vacant site pre-earthquakes 	RD2 - resource consent will be assessed against new policy amendment	NC2 - resource consent will be assessed against new policy amendment	NC2 - resource consent will be assessed against existing “avoid” policy
Subdivision	NC1 - resource consent will be assessed against existing “avoid” policy	NC1 - resource consent will be assessed against existing “avoid” policy	NC1 - resource consent will be assessed against existing “avoid” policy