

## **Proposed Kaipara District Plan**

### **Summary of Submissions**

This document contains a summary of decisions requested by persons making submissions on the Proposed Kaipara District Plan in accordance with clause 7 of Schedule 1 of the Resource Management Act. The summary of decisions requested for Light was notified on 21 October 2025 and those submissions are therefore not included in this document.

#### **Important Notes**

- Where submissions are unclear, the summary of decisions requested contain the word *inferred*.
- This summary is **not a substitute** for reading the full submission. If you think your interests may be affected, please review the full submission online here: [PDP Submissions](#) - submissions are also available for viewing online at our offices and libraries in **Dargaville** or **Mangawhai**.
- Submission point numbers may not be sequential due to quality assurance checks.
- Submission numbers are unique identifiers and must be stated when making a further submission.

#### **Guide to the Summary of Submissions**

- Decisions are organized by provision number.
- Where specific wording changes have been requested in submissions, those changes shown as:
  - Underlined = new wording
  - ~~Strikethrough~~ = deletions

#### **How to Make a Further Submission**

- From 1 December to 15 December 2025, you can:
  - **Save time! Complete our easy online Form 6 here:** [PDP Online Form 6](#)
  - OR
  - **Download a pdf version of Form 6:** [Form 6 pdf version](#)
- THEN
- **Email it to:** [districtplanreview@kaipara.govt.nz](mailto:districtplanreview@kaipara.govt.nz)
- **Post it to:** Planning and Policy Team, Kaipara District Council, Private Bag 1001, Dargaville 0340
- **Deliver it to either Council office:** 32 Hokianga Road, Dargaville or 6 Molesworth Drive, Mangawhai

**Deadline: Further submissions close at 5:00pm on Monday 15 December 2025.**

**Important:** You must send a copy of your further submission to the original submitter **within 5 working days** of lodging it with Kaipara District Council. To access a list containing Submitter Contact Details, click [here](#).

#### ***Disclaimer:***

*This summary of submissions has been prepared and published in accordance with the Resource Management Act to assist the public in understanding the points raised by submitters. Kaipara District Council has used its best endeavours to accurately summarise the relief sought in the submissions, however, we cannot guarantee the accuracy or completeness of the information provided in this document.*

*Users are advised to take specific independent professional advice before taking any action as a result of information contained in this summary.*

*Please note that all original submissions and names of submitters are publicly available on the Council website. Submitters should read the full submission for themselves.*

## Proposed Kaipara District Plan

### Summary of Submissions for the topic of: Natural Hazards

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
67.4	Adam Booth	All zones	Oppose	<b>DELETE</b> NH-11 within a coastal erosion hazard area, coastal flood hazard area or river flood hazard area.	<ul style="list-style-type: none"> <li>The submitter considers that the rule is covered adequately by Northland Regional Council controls.</li> <li>Northland Regional Council should be the controlling authority with regard to this. An additional rule will require an additional consent application to be made, costing applicants upward of \$10,000 and for no good reason.</li> <li>The Regional Council provides adequate oversight of the earthworks in its statutory area.</li> <li>The double up of consents required is unnecessary.</li> </ul>
67.3	Adam Booth	All zones	Support	<b>RETAIN</b> NH-R8 New buildings (other than accessory buildings) in a coastal erosion hazard area or coastal flood hazard area.	<ul style="list-style-type: none"> <li>Submission supports the ability to build in the hazard areas as long as the height requirements as specified are met.</li> </ul>
245.13	C & R Williamson	General		<b>AMEND</b> NH-R2 as follows: 1. Activity status: Permitted Where: a. For all additions and alterations: The addition/alteration does not result in the diversion or transfer of flood water onto, or increase the potential impact of a flood event on any adjoining site in a 1 in 100-year ARI flood event. and For accessory buildings: a. The addition/alteration is located entirely within a building area that has been approved as part of a subdivision consent approved after 1 December 2021. b. The addition/alteration does not result in the gross floor area of the accessory building exceeding the following in a High Risk River Flood Hazard Area: i. 110 m <sup>2</sup> in the General rural zone, Rural lifestyle zone, or Māori purpose zone; and ii. 10m <sup>2</sup> in all other zones. For buildings not containing sensitive activities: c. The addition/alteration of any building containing a sensitive activity has a minimum finished floor level of 300mm above the maximum water level in a 1 in 100-year flood event; and d. The addition/alteration is not in a High-Risk River Flood Hazard Area if it is in a zone other than the General rural zone, Rural lifestyle zone, and Māori purpose zone. For buildings containing sensitive activities: e. The addition/alteration is not in a High-Risk River Flood Hazard Area; and d. The addition/alteration of any building containing a sensitive activity has a minimum finished floor level of 500mm above the maximum water level in 1 in 100-year flood event. AND Any further necessary consequential amendments required.	<ul style="list-style-type: none"> <li>The proposed rule is repetitive and confusing for the plan user.</li> </ul>
26.25	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	General	Amend	<b>ADD</b> a new policy to the Natural Hazards chapter as follows (or wording of like effect): <b>INF-PX</b> <b>Enable network utilities in natural hazard overlays that:</b> <ol style="list-style-type: none"> <li>Do not increase the risk from the natural hazard to people, other property or other infrastructure;</li> <li>Have a functional need or operational need to be located within the area subject to the hazard; and</li> <li>Where necessary and appropriate include design measures to reduce the potential for damage in a natural hazard event.</li> </ol> AND Any alternative relief and/or consequential amendments.	<ul style="list-style-type: none"> <li>A new policy is requested that recognises that network utilities are appropriate in natural hazard areas where they have a functional or operational need to be there, do not exacerbate the hazard in terms of risks to people and property, and take into account design measures where necessary and appropriate for resilience in a natural hazard event. It is noted that regulated telecommunications infrastructure is exempt from district plan hazard rules by Regulation 57 of the NESTF, reflecting the natural hazard risk profile for this type of infrastructure.</li> </ul>
141.8	Te Roroa Whatu Ora Trust & Te Roroa Manawhenua Trust	General	Amend	<b>ADD</b> Natural Hazard provisions that require iwi-led climate adaptation planning, prioritising flood-prone areas, low-lying papakainga, and kaimoana habitats.	<ul style="list-style-type: none"> <li>Natural hazard provisions are opposed in part as those relating to climate change have not incorporated Te Roroa knowledge or adaptation planning for vulnerable communities at the coast. Iwi-led adaptation planning should be undertaken in partnership with Te Roroa that prioritises flood-prone areas, papakainga in low lying areas and kaimoana habitats.</li> </ul>

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177.4	Mangawhai Matters Inc	General	Amend	<b>AMEND</b> the Natural Hazards section to include specific text about sedimentation. The paragraph headed “Land instability” could be headed “Land instability and Sedimentation”. AND <b>ADD</b> sediment and related controls to the relevant objectives and policies of the Natural Hazards section. OR Any further, alternative or consequential amendments.	<ul style="list-style-type: none"> <li>The objectives and policies of the Natural Hazards section focus on stormwater, overland flow and flooding, without mentioning the associated transport and deposit of sediments. The Mangawhai Estuary is vulnerable to this natural hazard.</li> </ul>
206.6	D Leighton	General	Amend	<b>ADD</b> provisions to address the needs of vulnerable populations, especially regarding natural hazards and housing.	<ul style="list-style-type: none"> <li>The Proposed District Plan promotes green spaces and amenity values; however, the submitter considers it could benefit from embedding health and wellbeing considerations throughout the plan.</li> </ul>
248.8	Journeys End Limited	General	Amend	<b>AMEND</b> the Natural Hazards chapter to be less restrictive and consistent with the Northland Regional Policy Statement and Northland Regional Plan. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>To provide better alignment with the NRPS, and a clearer and more cohesive framework.</li> </ul>
255.1	P McDermott	General	Amend	No specific decision requested but submitter raises concerns with the provisions for Natural Hazards and considers amendments are necessary to recognise the significance of the sea level rise and management of natural hazards (particularly flooding).	<ul style="list-style-type: none"> <li>Adaptive planning means that high-risk areas need to be reviewed regularly.</li> <li>Anticipated increase in flood hazards calls for stringent controls of at risk areas through the conditions attached to discretionary land uses and the design of buildings and infrastructure.</li> </ul>
255.3	P McDermott	General	Amend	<b>ADD</b> new policy NH-P4, as follows: <u>NH-P4 Land Use</u> 1. <u>Identify areas within and around existing settlements in which development is prohibited because of the high probability of extensive, deep, or repeat flooding from coastal inundation, river flooding, or both.</u> 2. <u>Identify areas in which no further development or redevelopment will be permitted; or in which measures must be taken to remove or protect existing structures from the impact of flooding.</u>	<ul style="list-style-type: none"> <li>To better manage the risk of natural hazards, particularly flooding.</li> </ul>
308.42	Fire and Emergency New Zealand	General	Amend	<b>ADD</b> a new policy in the Natural Hazards chapter specific to wildfire that sets out mitigation measures to have regard to, as follows: <u>NH-P14 – Manage wildfire threat</u> <u>To ensure that subdivision, use and development:</u> 1. <u>Has regard to the risk of wildfire, including consideration of:</u> a. <u>Topographical features within the site and surrounding area.</u> b. <u>The extent and location of fire fuels including, but not limited to, vegetation cover on all or part of the site.</u> c. <u>The water system's ability to meet firefighting requirements.</u> 2. <u>Incorporates measures to avoid or mitigate the risk of wildfire where appropriate.</u>	<ul style="list-style-type: none"> <li>Refer to submission for details.</li> <li>Section 31 of the Resource Management Act requires territorial authorities to control any actual or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards which includes fire.</li> <li>In achieving the purpose of the Resource Management Act, the matters set out in Section 6 including the management of significant risks from natural hazards shall be recognised and provided for.</li> <li>The Northland Regional Policy Statement required district councils to co-ordinate the gathering and collating of research on natural hazards and their risks and impacts at a district scale. This is to include rural fire risk.</li> <li>The urban/rural or natural/built interface risk for wildfire is of particular importance where there are small settlements. This should be addressed through district plan provisions allowing for the consideration of wildfire risk as part of an overall development assessment.</li> </ul>
309.57	Clarus	General	Amend	<b>ADD</b> a new rule before NH-R13, for Minor Upgrading of Infrastructure, as follows: <u>NH-Rxx Minor upgrading of infrastructure located in a coastal erosion hazard area, coastal flood hazard area, or river flood hazard area</u> <b>Activity Status:</b> Permitted <b>Where:</b> a. <u>The work is undertaken by or on behalf of the operator and;</u> b. <u>The ground surface is reinstated to its existing level and stabilised as soon as practical upon completion of the works and;</u>	<ul style="list-style-type: none"> <li>Minor upgrading of underground infrastructure has limited effects in flood hazard areas which can be managed by appropriate standards.</li> </ul>

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				<p>c. <u>Best practice erosion and sediment control measures are used; and</u></p> <p>d. <u>Any structure does not result in the diversion or transfer of flood water to, or increase ponding or flooding on other property</u></p> <p>AND</p> <p>Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.</p>	
310.27	Fonterra Limited	General	Amend	<p><b>ADD</b> new standard NH-S1, as follows:</p> <p><b><u>NH-S1 Site Specific Flood Hazard Mapping Assessment All Zones</u></b></p> <p><u>For permitted activities under NH-R1.1.a, NH-R2.1.a, NH-R3.1.a, NH-R4.1.a and NH-R11.1.a, a site-specific flood hazard mapping assessment must be prepared within the last 2 years and must:</u></p> <ol style="list-style-type: none"> <li><u>Be prepared by a Chartered Professional Engineer in the practice field of Civil Engineering, Environmental Engineering, or Water Engineering or scientist with recognised qualifications and experience in environmental science, physical geography, or flood modelling.</u></li> <li><u>Include an assessment of the flood hazard on the area of land where the proposed activity is to occur, including:</u> <ol style="list-style-type: none"> <li><u>A desktop review of flood hazard data available (e.g. the most recent and relevant flood hazard model results from Council(s), survey data, LiDAR data, and landowners) detailing the study objectives, scenarios, data sources technical methodology, limitations, and assumptions.</u></li> <li><u>Identification and assessment of flood hazards within the area of land including:</u> <ol style="list-style-type: none"> <li><u>A determination of the flood extents, depths, and velocity on the area of land during a 1% AEP flood event, allowing for impacts of a high emission climate change scenario over a 100-year timeframe based on the most recent data and projections including increased rainfall intensity, sea level rise, and vertical land movement where relevant.</u></li> <li><u>Identification and assessment of overland flow paths.</u></li> </ol> </li> </ol> </li> <li><u>Include a clear statement confirming that:</u> <ol style="list-style-type: none"> <li><u>The report has been prepared in accordance with NH-S1.1-3.</u></li> <li><u>The author is qualified in accordance with NH-S1.1.</u></li> <li><u>The proposed activity is entirely within the area of land assessed under NH-S1.2.</u></li> <li><u>The 1% AEP flood level on the area of land where the activity is proposed will not be to a depth equal to or greater than 100mm, accounting for impacts of climate change in accordance with NH-S1.B.1.</u></li> </ol> </li> </ol>	<ul style="list-style-type: none"> <li>New permitted activity rules and associated standards are sought by the submitter based on site specific characteristics. This is consistent with the approach taken in Plan Change 1 to the Whangārei District Plan.</li> <li>The flood hazard maps have been developed at a regional scale so do not address every site-specific circumstance.</li> <li>Requiring resource consent for most activities when a site is susceptible to flood hazards is inefficient and unnecessary.</li> </ul>
310.28	Fonterra Limited	General	Amend	<p><b>ADD</b> new standard to the Natural Hazards chapter as follows:</p> <p><b><u>NH-S2 Site Specific Flood Hazard Risk Assessment All Zones</u></b></p> <p><u>For permitted activities under NH-R1.1.b, NH-R2.1.b, NH-R3.1.b, NH-R4.1.b and NH-R11.1.b, a site specific assessment of the flood hazard and risk associated with the proposed development prepared within the last 12 months by a suitably qualified and experienced person (e.g., Chartered Professional Engineer) which includes (but is not limited to) the following:</u></p> <ol style="list-style-type: none"> <li><u>Desktop review of flood hazard data available (e.g., from Council(s) (including the most recent relevant flood hazard model results), survey data, LiDAR data, and owners or witnesses).</u></li> <li><u>Identification and assessment of flood hazards within the area including:</u> <ol style="list-style-type: none"> <li><u>Determination of pre- and post-development flood extent and level in a 1% AEP event (+20%).</u></li> </ol> </li> </ol>	<ul style="list-style-type: none"> <li>New permitted activity rules and associated standards are sought by the submitter based on site specific characteristics. This is consistent with the approach taken in Plan Change 1 to the Whangārei District Plan.</li> <li>The flood hazard maps have been developed at a regional scale so do not address every site-specific circumstance.</li> <li>Requiring resource consent for most activities when a site is susceptible to flood hazards is inefficient and unnecessary.</li> </ul>

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				<p>b. <u>Use of an appropriate flood modelling technique or methodology.</u></p> <p>c. <u>Consideration of climate change impacts based on the most recent data and projections including:</u></p> <p>i. <u>Increased rainfall intensity over a 100-year timeframe.</u></p> <p>ii. <u>Where receiving waters are tidally influenced relative sea level rise including vertical land movement over a 100-year timeframe.</u></p> <p>3. <u>Assessment of the post-development flood hazard, considering (where applicable):</u></p> <p>a. <u>Upstream and downstream flooding.</u></p> <p>b. <u>The proportion of floodplain volume that is displaced, the direct impact on flood hazard in the vicinity, and the potential for cumulative reduction in floodplain volume.</u></p> <p>c. <u>Peak flow and velocities.</u></p> <p>d. <u>Flood extents, depths, frequency, and elevations.</u></p> <p>e. <u>Accessibility/escape during inundation.</u></p> <p>4. <u>Assessment of the risks and potential effects of post-development flood hazards considering (where applicable):</u></p> <p>a. <u>The nature of the activity being undertaken and its vulnerability to flood hazards.</u></p> <p>b. <u>The potential consequences of a flood hazard on people, property, communities, infrastructure, and the environment.</u></p> <p>c. <u>The potential for hazardous substances to be impacted by flooding.</u></p> <p>d. <u>Whether the proposal exacerbates existing flood hazards and/or risks, including on neighbouring properties and the wider area.</u></p> <p>5. <u>Identification and assessment of overland flow paths and whether and how development will alter or divert surface stormwater flows, and any increase in risk associated with changes in overland flow paths.</u></p> <p>6. <u>Description and assessment of any proposed mitigation measures in clear and measurable terms, including how buildings and structures are designed to mitigate the effects of the hazards, e.g., minimum floor levels.</u></p> <p>7. <u>Assessment of any residual risks and effects.</u></p> <p>8. <u>Taking into account the overall recommendations, the report must conclude that the proposed activity is highly unlikely to result in increased flooding risk or material damage on the subject site or immediately adjoining sites.</u></p>	
332.33	Northland Regional Council	General	Amend	<p><b>ADD</b> a new objective to the Natural Hazards chapter as follows:</p> <p><u>NH-OX Subdivision, land use and development Manage, and where appropriate avoid, subdivision, land use and development, particularly vulnerable activities, in areas subject to natural hazards.</u></p>	<ul style="list-style-type: none"> <li>The submitter requests a new objective in the Natural Hazards chapter that relates to natural hazard risk management. The proposed wording seeks to achieve consistency with Whangārei District Council provisions and better reflect Northland Regional Policy Statement Objective 3.13(c), as well as the intent in NH-P3.</li> </ul>
332.34	Northland Regional Council	General	Amend	<p><b>ADD</b> a new policy to the Natural Hazards chapter as follows:</p> <p><u>NH-PX Wildfire Threat</u></p> <p><u>To ensure that subdivision, use, and development:</u></p> <p>1. <u>Has regard to the risk of wildfire, including consideration of:</u></p> <p>a. <u>Topographical features within the site and surrounding area.</u></p> <p>b. <u>The extent and location of fire fuels including, but not limited to, vegetation cover on all or part of the site.</u></p> <p>c. <u>The water system's ability to meet firefighting requirements.</u></p> <p>d. <u>Incorporates measures to avoid or mitigate the risk of wildfire where appropriate.</u></p>	<ul style="list-style-type: none"> <li>The submitter requests a new Natural Hazards policy that is consistent with Whangārei District Council provisions to address additional hazards relating to wildfire.</li> </ul>
332.35	Northland Regional Council	General	Amend	<p><b>ADD</b> a new policy to the Natural Hazards chapter as follows:</p> <p><u>NH-PX Tsunami Hazards</u></p> <p><u>To require subdivisions in areas at risk of coastal flooding/inundation to be designed to facilitate safe and</u></p>	<ul style="list-style-type: none"> <li>The submitter requests a new Natural Hazards policy that is consistent with Whangārei District Council provisions to address additional hazards relating to tsunamis.</li> </ul>

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				<p>efficient evacuation in the event of a tsunami, including through:</p> <ol style="list-style-type: none"> <li>1. <u>Installation of tsunami sirens in appropriate locations where practicable.</u></li> </ol> <p><u>Transport network design that accounts for evacuation routes.</u></p>	
332.38	Northland Regional Council	General	Amend	<p><b>ADD</b> a new rule to the Natural Hazards chapter addressing the construction of fences and walls in Flood Hazard Area as set out below:</p> <p><u>NH-RX Fences and Walls in Flood Hazards Areas</u></p> <p><u>All zones and development areas</u></p> <p><u>1. Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <li>a. <u>A fence or wall is constructed with materials to allow for the passage of flood waters by using:</u> <ol style="list-style-type: none"> <li>i. <u>Post and wire; or</u></li> <li>ii. <u>Wire mesh fences; or</u></li> <li>iii. <u>Railings where at least 70% of the surface area of the fence is not solid; or</u></li> <li>iv. <u>Solid fences and walls with an opening of sufficient size that can convey the 1% annual exceedance probability (AEP) flood flow without diversion or impedance.</u></li> </ol> </li> </ol> <p><u>2. Activity Status when compliance not achieved: Restricted Discretionary</u></p> <p><u>3. Matters of discretion:</u></p> <ol style="list-style-type: none"> <li>a. <u>1. The design of the fence or wall.</u></li> <li>b. <u>2. The effects on flood depth and velocity from the blocking or channelling of water.</u></li> <li>c. <u>3. The effects of the flood hazard within the site and on other properties upstream or downstream of the site.</u></li> </ol> <p><u>4. The level of detail required to assess natural hazard risk.</u></p>	<ul style="list-style-type: none"> <li>• The submitter notes that the Proposed District Plan does not include a rule (like that within the Whangarei District Plan) regarding the construction of fences and walls in flood hazard areas. It is requested that such a rule is added.</li> </ul>
332.39	Northland Regional Council	General	Amend	<p><b>ADD</b> information requirements for development in Flood and Coastal Hazard areas similar to that required by Whangarei District Council in NH-REQ4 of Plan Change 1.</p>	<ul style="list-style-type: none"> <li>• It is not clear how landowners should confirm that a structure would not result in diversion or transfer of impact to adjoining sites within the context of Natural Hazard permitted activity rules, including NH-R4.</li> </ul>
332.40	Northland Regional Council	General	Amend	<p><b>AMEND</b> and review the Proposed District Plan provisions to ensure consistent terminology is used to describe hazard frequency (1 in 100-year flood, 1 in 100 ARI)</p>	<ul style="list-style-type: none"> <li>• The terminology used to describe hazard frequency throughout the Proposed District Plan is inconsistent (1 in 100-year flood, 1 in 100ARI) and requests such terminology is reviewed and amended for consistency.</li> </ul>
337.5	Aoroa Farms	General	Amend	<p>AMEND the Proposed District Plan to align with National and Regional emissions reduction targets.</p> <p>AND</p> <p>ADD objectives, policies and rules to reduce greenhouse gas emissions from buildings, transportation, and other activities.</p>	<ul style="list-style-type: none"> <li>• Objectives and policies on the importance of emission reduction is missing from the Proposed District Plan.</li> </ul>
193.7	Chases Gorge Camp Club	General	Oppose	<p>No specific decision requested, however the submission opposes the scope and extent of natural hazards as they relate to Chases Gorge Camp Club land, including all rules under the Natural Hazards section that limit what building/alterations/additions can be carried out as a permitted activity.</p>	<ul style="list-style-type: none"> <li>• No reasons provided.</li> </ul>
197.1	Raupo Drainage Committee	General	Oppose	<p><b>AMEND</b> the assessment criteria for High Risk Hazard Areas after revising the methodology used to identify High Risk Hazard Areas.</p> <p>AND</p> <p><b>AMEND</b> the spatial extent of High Risk Hazard Areas in Ruawai in accordance with revised methodology for flood modelling.</p>	<ul style="list-style-type: none"> <li>• The submitter considers that the assessment criteria for the threshold for high risk hazard areas is flawed. The submitter also outlines that the Coastal Flood Hazard Zone modelling for Ruawai is based on the region wide model and is not reflective of the risk to Ruawai. They note that the modelling methodology was recognised to be flawed by Northland Regional Council. This inaccuracy of the modelling has significant detrimental effects on a number of Ruawai properties and a significant number of properties are incorrectly affected by High Risk Hazard area overlay mapping.</li> </ul>



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322.14	Kāinga Ora - Homes and Communities	General	Oppose	<b>DELETE</b> Natural Hazard Flood Overlay(s) from the Planning Maps. AND <b>ADD</b> natural hazard flooding information as a non-statutory GIS map. AND Any further, alternative or consequential relief as necessary to fully achieve the relief sought.	<ul style="list-style-type: none"> <li>The submitter requests that Flood Overlay(s) are removed from the Proposed District Plan Planning Maps to sit as a non-statutory layer. Due to the dynamic and changing nature of the data, locating it outside of the District Plan will allow for the information to be updated, thus reducing additional cost and uncertainty for landowners and developers.</li> </ul>
136.38	Federated Farmers of New Zealand (Inc) - Northland Province	General	Support	<b>AMEND</b> the Natural Hazards chapter and relevant parts of the Proposed District Plan the use of the term 'structure' is consistent with the definition given under the Resource Management Act. AND Any consequential amendments.	<ul style="list-style-type: none"> <li>Council has chosen to separate buildings and infrastructure out from structures in the rules in the Natural Hazards chapter.</li> <li>Issue arising is that the definitions of infrastructure and structures contained in the Resource Management Act do not make the distinction that the Council has made in some provisions.</li> <li>There are inconsistencies throughout the Natural Hazards chapter with how the term 'structure' has been used and the outcomes sought by the Council.</li> </ul>
216.56	Cabra Mangawhai Ltd & Pro Land Matters Ltd	General	Support	<b>RETAIN</b> the objectives and policies of the Natural Hazards chapter, AND <b>AMEND</b> the provisions of the Natural Hazards chapter to ensure all provisions within the plan align and are clear and consistent.	<ul style="list-style-type: none"> <li>The submitter supports the provisions within the natural hazards chapter, particularly those which relate to the recognition that risk can be managed through design.</li> </ul>
287.7	Silver Fern Farms	General	Support	No specific decision requested but Silver Fern Farms seeks a flexible management approach to the management of natural hazard risks. The submitter notes that the policy and rule framework (particularly NH-P4.6, NH-P6.3, NH-P7.3, and the matters of discretion of NH-R1 to NH-R8) signals that risks associated with hazardous substance use and storage on flood-prone land can be mitigated through standard measures.	<ul style="list-style-type: none"> <li>No reasons provided.</li> </ul>
332.68	Northland Regional Council	General	Support	<b>RETAIN</b> the Natural Hazards chapter, other than where amendments have been sought in other submission points.	<ul style="list-style-type: none"> <li>The Regional Policy Statement seeks that the risks and impacts from natural hazard events (including the influence of climate change) on people, communities, property, natural systems, infrastructure and our regional economy are minimised. The Natural Hazards chapter of the Proposed District Plan is therefore supported.</li> </ul>
332.32	Northland Regional Council	NH-O1	Amend	<b>AMEND</b> NH-O1 as follows: The risks from natural hazards are <u>minimised-identified, assessed and managed</u> . The risks from natural hazards to people, property, infrastructure and natural systems including the likely effects of climate change on natural hazard risk, are <u>minimised identified, assessed and managed</u> to provide for the health, safety and resilience of communities and the environment.	<ul style="list-style-type: none"> <li>The submitter supports the Natural Hazards chapter, subject to amendments sought to achieve consistency with the Northland Regional Policy Statement (NRPS) and adjoining districts.</li> <li>Amendments to NH-O1 are sought to strengthen the management of hazard-related risks. The submitter considers the objective should include identification and assessment of risk, followed by management. As drafted, NH-O1 means that risks are minimised, but residual risk remains unacceptable. As such, the submitter seeks that its amendments are accepted to better align the objective with NH-P1 which is to "assess and manage" risk.</li> </ul>
283.119	Northpower Limited and Northpower Fibre Limited	NH-O1	Support	<b>RETAIN</b> NH-O1 as notified.	<ul style="list-style-type: none"> <li>The submitter supports objective.</li> </ul>
287.38	Silver Fern Farms	NH-O1	Support	<b>RETAIN</b> NH-O1 as notified. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments. AND All further relief necessary to give effect to the concerns raised in the submission.	<ul style="list-style-type: none"> <li>Appropriate to promote the minimisation of natural hazards risks, rather than requiring outright avoidance of such risks.</li> </ul>
308.40	Fire and Emergency New Zealand	NH-O1	Support	<b>RETAIN</b> NH-O1 as notified.	<ul style="list-style-type: none"> <li>Refer to submission for details. NH-O1 is supported as it requires the risks from natural hazards to people, property, infrastructure and natural systems are minimised to provide for the health, safety and</li> </ul>

## Proposed Kaipara District Plan

### Summary of Submissions for the topic of: Natural Hazards

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
					resilience of communities and the environment. This aligns with the submitter's risk reduction models.
309.53	Clarus	NH-O1	Support	<b>RETAIN</b> NH-O1. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>
311.35	Fuel Companies (BP, Mobil & Z Energy)	NH-O1	Support	<b>RETAIN</b> NH-O1 as notified. AND Any consequential or alternative relief required to achieve the same outcome.	<ul style="list-style-type: none"> <li>Support for the objective.</li> </ul>
330.63	New Zealand Transport Agency	NH-O1	Support	<b>RETAIN</b> NH-O1 as notified.	<ul style="list-style-type: none"> <li>Objective is supported, particularly the inclusion of infrastructure, and the important references to climate change and resilience.</li> </ul>
283.120	Northpower Limited and Northpower Fibre Limited	NH-O2	Amend	<b>AMEND</b> NH-O2 as follows (or wording to similar effect): "Infrastructure is located, designed and maintained to support the community's <del>be resilient</del> resilience to natural hazards." AND Any further necessary consequential amendments required.	<ul style="list-style-type: none"> <li>The submitter supports the intent of this objective.</li> <li>Northpower will manage any risks associated with natural hazards to ensure the asset performs in a reliable, safe and cost-effective way.</li> <li>The focus of resilience should be on the resilience of the service to the community rather than each individual asset. The proposed relief will accommodate this position.</li> </ul>
309.117	Clarus	NH-O2	Support	<b>RETAIN</b> NH-O2. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>
330.64	New Zealand Transport Agency	NH-O2	Support	<b>RETAIN</b> NH-O2 as notified.	<ul style="list-style-type: none"> <li>Objective is supported, particularly the focus on the importance of locating infrastructure to be resilient to natural hazards.</li> </ul>
309.118	Clarus	NH-O3	Support	<b>RETAIN</b> NH-O3. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>
330.65	New Zealand Transport Agency	NH-O3	Support	<b>RETAIN</b> NH-O3 as notified.	<ul style="list-style-type: none"> <li>Objective is supported.</li> </ul>
245.9	C & R Williamson	NH-P1		<b>RETAIN</b> NH-P1 as notified. AND Any further necessary consequential amendments required.	<ul style="list-style-type: none"> <li>The ability to rely upon up to date and best available information when assessing and managing risks is supported. As mitigation is implemented potential hazard risk reduces and this may not be reflected in the district plan.</li> </ul>
122.1	Amanda (Mandy) Harris	NH-P1	Amend	<b>AMEND</b> NH-P1 to require that Kaipara District Council shall not approve significant decisions unless it has first obtained formal input from a qualified climate resilience specialist or professional planner with experience in climate risk and a representative of mana whenua with ancestral ties to the affected land or waterways.	<ul style="list-style-type: none"> <li>The submitter wishes to ensure that climate sensitive decisions by council are informed, culturally grounded and ecologically responsible.</li> </ul>
212.11	BA & JK Paton Ltd	NH-P1	Amend	<b>ADD</b> a certification process (similar to Christchurch District plan Rule 5.3.2) which allows for accepted technical evidence to amend the hazard overlay administratively. Submission supports in part NH-P1. AND Any other relief that is consistent with and/or consequential to the submission.	<ul style="list-style-type: none"> <li>Site specific information is more accurate than regional mapping.</li> <li>The overlays adopt Northland Regional Council's hazard layers, but the plan lacks a mechanism for low-cost map correction where site specific data or modelling disproves the overlay.</li> </ul>
217.38	Cato Bolam Consultants Limited	NH-P1	Amend	<b>ADD</b> a certification process which allows accepted technical evidence to amend the hazard overlay administratively (similar to Christchurch District Plan rule 5.3.2). This request is in the context of NH-P1. AND Any other relief that is consistent with and/or consequential to the submission.	<ul style="list-style-type: none"> <li>The submitter has sought this relief without limiting the scope of the submission on the details in other Proposed District Plan chapters or maps.</li> <li>Site specific information is more accurate than regional mapping.</li> <li>The overlays adopted from Northland Regional Council hazard layers are as is, but the plan lacks a mechanism for simple, low-cost map correction when site-specific LiDAR or hydraulic modelling disproves the overlay.</li> </ul>



## Proposed Kaipara District Plan

### Summary of Submissions for the topic of: Natural Hazards

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
140.25	Horticulture New Zealand	NH-P1	Support	<b>RETAIN</b> NH-P1 as notified. AND any consequential or alternative amendments required to address the concerns raised by the submitter.	<ul style="list-style-type: none"> <li>The proposed approach ensures land use decisions are grounded in up-to-date and scientifically robust data that reflects current understanding of hazards and risks.</li> </ul>
197.2	Raupo Drainage Committee	NH-P1	Support	<b>RETAIN</b> NH-P1. AND Submitter raises concerns that the policy is not yet achieved due to concerns raised about the flood modelling for Ruawai.	<ul style="list-style-type: none"> <li>Submitter supports the policy and considers it commendable, but is concerned that it is not yet achieved.</li> <li>The Pluvial/Fluvial flood model for Ruawai was commissioned by Northland Regional Council following significant push back by the Raupo Drainage Committee. The submitter notes it is a significant planning tool if available in its entirety but Northland Regional Council have only released flood extent models.</li> </ul>
231.24	S Cullen	NH-P1	Support	<b>RETAIN</b> NH-P1 as notified. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>Ability to rely upon up to date and best available information when assessing and managing risks is supported. As mitigation is implemented potential hazard risk reduces and this may not be reflected in the district plan.</li> </ul>
248.20	Journeys End Limited	NH-P1	Support	<b>RETAIN</b> NH-P1 as notified. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>Ability to rely upon up to date and best available information when assessing and managing risks is supported. As mitigation is implemented potential hazard risk reduces and this may not be reflected in the district plan.</li> </ul>
309.54	Clarus	NH-P1	Support	<b>RETAIN</b> NH-P1. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>
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140.26	Horticulture New Zealand	NH-P2	Support	<b>RETAIN</b> NH-P2 as notified. AND any consequential or alternative amendments required to address the concerns raised by the submitter.	<ul style="list-style-type: none"> <li>As not all natural hazards are known or mapped, NH-P2 reflects a realistic understanding of hazard data and modelling limitations.</li> </ul>
309.119	Clarus	NH-P2	Support	<b>RETAIN</b> NH-P2. AND	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>

## Proposed Kaipara District Plan

### Summary of Submissions for the topic of: Natural Hazards

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
				Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	
245.10	C & R Williamson	NH-P3		<p><b>DELETE</b> NH-P3 and add new text as follows:  <u>To ensure that the location and design of new subdivision and development on land subject to flood hazards does not increase the risk of adverse effects on people, property, and the environment including by:</u></p> <ol style="list-style-type: none"> <li>1. <u>Subdivision plans identifying building areas that will not be subject to inundation or material damage in a 100-year flood event.</u></li> <li>2. <u>Built development within the 10-year flood hazard area being of the type and design that is not subject to material damage in a 100-year flood event.</u></li> <li>3. <u>New built development containing vulnerable activities achieving a minimum freeboard above a 100-year flood event.</u></li> <li>4. <u>Commercial and industrial buildings being of the type/design that are not subject to material damage in a 100-year flood event.</u></li> <li>5. <u>Not exacerbating or creating a flood hazard for other properties.</u></li> <li>6. <u>Ensuring adequate vehicular access is available to serve development.</u></li> </ol> <p>AND  Any further necessary consequential amendments required.</p>	<ul style="list-style-type: none"> <li>Seeking to avoid development within High Risk Flood Areas (10-year flood extent) is contrary to the Regional Policy Statement policy 7.1.2 which concludes that subdivision, built development and land use change may be appropriate where that land use or built development is of a type that will not be subject to material change in a 100-year flood.</li> </ul>
223.6	KMA IQ Trustee Limited	NH-P3	Amend	<p><b>AMEND</b> NH-P3 as follows:  <u>Avoid Ensure that new subdivision and land use that will result in a sensitive activity being in High Risk Hazard Areas is designed to be resilient to natural hazards.</u></p>	<ul style="list-style-type: none"> <li>The submitter's site is largely covered by a High Risk Hazard Area and it is not able to be avoided when developing the site for its intended residential purpose. The policy needs to reflect this.</li> </ul>
231.25	S Cullen	NH-P3	Amend	<p><b>DELETE</b> NH-P3 and replace with the following:  <u>To ensure that the location and design of new subdivision and development on land subject to flood hazards does not increase the risk of adverse effects on people, property, and the environment including by:</u></p> <ol style="list-style-type: none"> <li>1. <u>Subdivision plans identifying building areas that will not be subject to inundation or material damage in a 100-year flood event.</u></li> <li>2. <u>Built development within the 10-year flood hazard area being of the type and design that is not subject to material damage in a 100-year flood event.</u></li> <li>3. <u>New built development containing vulnerable activities achieving a minimum freeboard above a 100-year flood event.</u></li> <li>4. <u>Commercial and industrial buildings being of the type/design that are not subject to material damage in a 100-year flood event.</u></li> <li>5. <u>Not exacerbating or creating a flood hazard for other properties.</u></li> <li>6. <u>Ensuring adequate vehicular access is available to serve development.</u></li> </ol> <p>AND  Any necessary consequential amendments.</p>	<ul style="list-style-type: none"> <li>Seeking to avoid development within High Risk Flood Areas (10 year flood extent) is contrary to RPS policy 7.1.2 which concludes that subdivision, built development and land use change may be appropriate where that land use or built development is of a type that will not be subject to material change in a 100 year flood event.</li> </ul>
248.21	Journeys End Limited	NH-P3	Amend	<p><b>DELETE</b> NH-P3 and replace with the following:  <u>To ensure that the location and design of new subdivision and development on land subject to flood hazards does not increase the risk of adverse effects on people, property, and the environment including by:</u></p> <ol style="list-style-type: none"> <li>1. <u>Subdivision plans identifying building areas that will not be subject to inundation or material damage in a 100-year flood event.</u></li> <li>2. <u>Built development within the 10-year flood hazard area being of the type and design that is not subject to material damage in a 100-year flood event.</u></li> </ol>	<ul style="list-style-type: none"> <li>Seeking to avoid development within High Risk Flood Areas (10 year flood extent) is contrary to RPS policy 7.1.2 which concludes that subdivision, built development and land use change may be appropriate where that land use or built development is of a type that will not be subject to material change in a 100 year flood event.</li> </ul>

## Proposed Kaipara District Plan

### Summary of Submissions for the topic of: Natural Hazards

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
				3. <u>New built development containing vulnerable activities achieving a minimum freeboard above a 100-year flood event.</u> 4. <u>Commercial and industrial buildings being of the type/design that are not subject to material damage in a 100-year flood event.</u> 5. <u>Not exacerbating or creating a flood hazard for other properties.</u> 6. <u>Ensuring adequate vehicular access is available to serve development.</u> AND Any necessary consequential amendments.	
348.11	Thelma and Louise Mangawhai Limited	NH-P3	Amend	<b>AMEND</b> NH-P3, as follows: <del>Avoid</del> <b>Ensure</b> that new subdivision and land use that will result in a sensitive activity being in High Risk Hazard Areas is <b>designed to be resilient to natural hazards.</b>	<ul style="list-style-type: none"> <li>Part of the submitter's site is affected by the Coastal Flood Hazard Area 1 – refer to planning maps in Appendix 1. The hazard area is not able to be avoided when developing the site for its intended residential purpose. The policy needs to reflect this.</li> </ul>
140.27	Horticulture New Zealand	NH-P3	Support	<b>RETAIN</b> NH-P3 as notified. AND any consequential or alternative amendments required to address the concerns raised by the submitter.	<ul style="list-style-type: none"> <li>The Policy ensures the appropriate location of sensitive activities.</li> </ul>
217.39	Cato Bolam Consultants Limited	NH-P3	Support	<b>PROVIDE</b> clarification of the interplay between "sensitive activity" and "vulnerable activity" in NH-P3. AND Any other relief that is consistent with and/or consequential to the submission.	<ul style="list-style-type: none"> <li>The submitter has sought this relief without limiting the scope of the submission on the details in other Proposed District Plan chapters or maps.</li> <li>The support of this policy from the submitter is subject to how "sensitive activities", and "high hazard risk" are defined, and how "avoid" aligns with higher order direction.</li> </ul>
309.120	Clarus	NH-P3	Support	<b>RETAIN</b> NH-P3. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>
330.66	New Zealand Transport Agency	NH-P3	Support	<b>RETAIN</b> NH-P3 as notified.	<ul style="list-style-type: none"> <li>Policy is supported as avoidance of sensitive activities located in identified hazard areas is important.</li> </ul>
245.11	C & R Williamson	NH-P4		<b>AMEND</b> NH-P4 to remove duplication. AND Any further necessary consequential amendments required.	<ul style="list-style-type: none"> <li>NH-P4 duplicates and conflicts with NH-P6 and recommended changes to NH-P3.</li> </ul>
245.12	C & R Williamson	NH-P4		<b>DELETE</b> NH-P4. AND <b>ADD</b> new text as follows: <u>To ensure that the location and design of new subdivision and development on land subject to flood hazards does not increase the risk of adverse effects on people, property, and the environment including by:</u> 1. <u>Subdivision plans identifying building areas that will not be subject to inundation or material damage in a 100-year flood event.</u> 2. <u>Built development within the 10-year flood hazard area being of the type and design that is not subject to material damage in a 100-year flood event.</u> 3. <u>New built development containing vulnerable activities achieving a minimum freeboard above a 100-year flood event.</u> 4. <u>Commercial and industrial buildings being of the type/design that are not subject to material damage in a 100-year flood event.</u> 5. <u>Not exacerbating or creating a flood hazard for other properties.</u> 6. <u>Ensuring adequate vehicular access is available to serve development.</u> AND Any further necessary consequential amendments required.	<ul style="list-style-type: none"> <li>Changes to ensure that building platforms will not be subject to flooding in a 1 in 100-year flood event is inconsistent with the Regional Policy Statement policy 7.1.2.</li> </ul>

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### Summary of Submissions for the topic of: Natural Hazards

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
231.26	S Cullen	NH-P4	Amend	<b>AMEND</b> NH-P4 to remove duplication and conflict with NH-P6 and the submitter's recommended changes to NH-P3. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>Duplication and conflicts.</li> </ul>
248.22	Journeys End Limited	NH-P4	Amend	<b>AMEND</b> NH-P4 to remove duplication and conflicts with NH-P6 and submitter's recommended changes to NH-P3. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>Proposed policy NH-P4 duplicates and conflicts with proposed policy NH-P6 and recommended changes to NH-P3.</li> </ul>
308.41	Fire and Emergency New Zealand	NH-P4	Amend	<b>AMEND</b> NH-P4, as follows: Manage subdivision, land use and development so that natural hazard risk is not increased, and is minimised and mitigated, having regard to: ... 5. Location and design of infrastructure and services, including on-site wastewater disposal <u>and on-site water supply for firefighting</u> ; ... <u>9. The provision of safe vehicle access and egress within the site.</u>	<ul style="list-style-type: none"> <li>The submission generally supports NH-P4 but seeks an amendment to the NH-P4.5. to also give consideration of on-site water supply as a method to minimise and mitigate the risk of fire.</li> </ul>
311.36	Fuel Companies (BP, Mobil & Z Energy)	NH-P4	Oppose	<b>DELETE</b> NH-P4.6. AND Any consequential or alternative relief required to achieve the same outcome.	<ul style="list-style-type: none"> <li>Support intent of policy.</li> <li>Concern that clause 6 takes the position that hazardous substance use and storage are more sensitive to the natural hazard risks than other activities. This position is not risk-based and clause 6 should be deleted for the reasons noted below:</li> <li>Service stations / truck stops are located within the Natural Hazard overlays and the Proposed District Plan should recognise activities that are less sensitive to natural hazard risks and/or are resilient to the effects of those risks. Infrastructure for fuel facilities are subject to a range of engineering design requirements and as such are generally resilient to the effects of natural hazards. Underground storage systems are often situated in or below the water table making them resilient to the effects of floods.</li> <li>Compliance with industry best practice would require the design of facilities to maintain their integrity and function during natural hazard events. Neither do these services attract large numbers of people at any one time or are restricted from leaving the site in the event of a natural hazard emergency such as would be the case for sensitive activities.</li> <li>Clause 1, relating to the sensitivity of the land use or development to the natural hazard, and clause 4, relating to the location, type and design of buildings/structures, are appropriate to ensure the land use and development (including hazardous substance use and storage) can minimise and mitigate natural hazard risks.</li> </ul>
26.52	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	NH-P4	Support	<b>RETAIN</b> NH-P4 as notified. AND Any alternative relief and/or consequential amendments.	<ul style="list-style-type: none"> <li>Managing subdivision and land use to, among other things, avoid transfer of risks of natural hazards to infrastructure is supported.</li> </ul>
217.40	Cato Bolam Consultants Limited	NH-P4	Support	No particular decision has been sought; however, the submitter supports this objective in part.	<ul style="list-style-type: none"> <li>No specific decision requested; however the submission supports NH-P4 in part and considers that "manage" is the most appropriate verb.</li> <li>AND</li> <li>Any other relief that is consistent with and/or consequential to the submission.</li> </ul>
287.39	Silver Fern Farms	NH-P4	Support	<b>RETAIN</b> NH-P4 as notified. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments. AND	<ul style="list-style-type: none"> <li>Policy provides appropriate direction to applicants and decision-makers.</li> </ul>

## Proposed Kaipara District Plan

### Summary of Submissions for the topic of: Natural Hazards

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
				All further relief necessary to give effect to the concerns raised in the submission.	
309.121	Clarus	NH-P4	Support	<b>RETAIN</b> NH-P4. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>
309.122	Clarus	NH-P5	Support	<b>RETAIN</b> NH-P5. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>
140.28	Horticulture New Zealand	NH-P6	Amend	<b>AMEND</b> NH-P6.3.b as follows: 3. Within a River Flood Hazard Area: b. New commercial and industrial buildings to have a minimum freeboard of at least 300mm above the 1 in 100-year flood event or alternatively are designed and constructed so they will be resilient to flood hazards having regard to matters including the frequency, depth and velocity of flood waters; <u>This does not include non-sensitive horticultural buildings and structures.</u> AND Any consequential or alternative amendments required to address the concerns raised by the submitter.	<ul style="list-style-type: none"> <li>The submitter supports policy direction to manage subdivision and sensitive development in flood-prone areas. However, amendments are required so as not to over-regulate non-sensitive, seasonal rural buildings.</li> </ul>
223.7	KMA IQ Trustee Limited	NH-P6	Amend	<b>AMEND</b> NH-P6 as follows: Manage new subdivision, land use and development to avoid or mitigate the risks of flood hazards by requiring: 1. New subdivision to identify building platforms that: 1. Are located outside the spatial extent of a High-Risk River Flood Hazard Area <u>where practicable</u> ; 2. Will not be subject to flooding in a 1 in 100-year flood event; and 3. Are designed and engineered to be resilient to flood hazards; 2. New buildings that will accommodate sensitive activities to be located outside of a High-Risk River Flood Hazard Area <u>where practicable</u> ; ...	<ul style="list-style-type: none"> <li>The submitter's site is largely covered by the High Risk River Flood Hazard Area. The hazard area is not able to be avoided when developing the site for its intended residential purpose. The policy needs to reflect this.</li> </ul>
283.121	Northpower Limited and Northpower Fibre Limited	NH-P6	Amend	<b>ADD</b> a new clause to NH-P6.1. as follows: "1. Within a River Flood Hazard Area: ... <u>e. No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure;</u> ... AND Any further necessary consequential amendments required.	<ul style="list-style-type: none"> <li>The amendment will ensure any earthworks associated with raising a freeboard above flood levels will avoid infrastructure to avoid causing issues for electricity and telecommunication assets such as:</li> <li>Excessive cover over existing cables resulting in inability to repair or detect fault conditions.</li> <li>Reduction in overhead electricity line to ground clearance (breaching Electrical Code of Practice).</li> <li>Changing natural flow of surface water flooding over electrical assets.</li> <li>Burying pillars resulting in difficulty to locate, maintain and disconnect during emergencies and planned work.</li> <li>Inhibiting access to assets.</li> </ul>
287.40	Silver Fern Farms	NH-P6	Amend	<b>AMEND</b> NH-P6, as follows: NH-P6 Manage subdivision and development in that may be affected by <u>river</u> flood hazards and overland flow. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments. AND All further relief necessary to give effect to the concerns raised in the submission.	<ul style="list-style-type: none"> <li>Policy provides appropriate guidance but to differentiate from NH-P7, submitter considers it may be appropriate to amend the title of this policy to refer to "river" flood hazards expressly.</li> </ul>

## Proposed Kaipara District Plan

### Summary of Submissions for the topic of: Natural Hazards

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
348.12	Thelma and Louise Mangawhai Limited	NH-P6	Amend	<p><b>AMEND</b> NH-P6, as follows:</p> <p>Manage new subdivision, land use and development to avoid or mitigate the risks of flood hazards by requiring:</p> <ol style="list-style-type: none"> <li>New subdivision to identify building platforms that: <ol style="list-style-type: none"> <li>Are located outside the spatial extent of a High-Risk River Flood Hazard Area <u>where practicable</u>;</li> <li>Will not be subject to flooding in a 1 in 100-year flood event; and</li> <li>Are designed and engineered to be resilient to flood hazards;</li> </ol> </li> <li>New buildings that will accommodate sensitive activities to be located outside of a High-Risk River Flood Hazard Area <u>where practicable</u>; ...</li> </ol>	<ul style="list-style-type: none"> <li>Part of the site covered by the High Risk River Flood Hazard Area. The hazard area is not able to be avoided when developing the site for its intended residential purpose. The policy needs to reflect this.</li> </ul>
217.41	Cato Bolam Consultants Limited	NH-P6	Oppose	<p><b>AMEND</b> NH-P6 to allow for freeboard aligned with the Building Code unless site-specific assessment that shows a need for the most stringent level.</p> <p>AND</p> <p>Any other relief that is consistent with and/or consequential to the submission.</p>	<ul style="list-style-type: none"> <li>The submitter has sought this relief without limiting the scope of the submission on the details in other Proposed District Plan chapters or maps.</li> <li>"Manage" is the most appropriate verb.</li> <li>Finished-floor levels 500mm above a 1 in 100 year flood or coastal event for sensitive activities, and 300mm for other uses conflicts with the Building Code minimum which is generally 300mm freeboard to the same 1% AEP flood.</li> </ul>
311.37	Fuel Companies (BP, Mobil & Z Energy)	NH-P6	Oppose	<p><b>AMEND</b> NH-P6.3.c. as follows:</p> <p><del>c. Areas for storage and containment of hazardous substances to be designed so that they are not inundated the integrity of the storage method will not be compromised</del> in a 1 in 100-year flood event;</p> <p>...</p> <p>AND</p> <p>Any consequential or alternative relief required to achieve the same outcome.</p>	<ul style="list-style-type: none"> <li>Support intent of the policy particularly clause 3(b).</li> <li>Concern with clause 3(c) as this restriction is not practical or justified. The Council's s32 report refers to the Northland Regional Policy Statement (NRPS) 7.1.2 which became operative in May 2016. The Resource Legislation Amendment Act 2017 (RLAA 2017) post-dates the operative RPS and removed the explicit function of councils to control hazardous substances, which makes the operative RPS now somewhat outdated.</li> <li>Underground fuel storage tanks are not at risk during a flood event due to compliance with regulations and industry best practice. Underground fuel storage tanks often intercept the water table, and are designed to withstand inundation on a daily basis and are more than capable of maintaining their integrity and function during flood events.</li> <li>In the unlikely event that there is product loss during inundation, it is a discharge matter regulated by the regional council, but is not a natural hazard risk that is to be controlled under the district plan.</li> </ul>
229.15	Ravensdown Limited	NH-P6	Support	<b>RETAIN</b> NH-P6 as notified.	<ul style="list-style-type: none"> <li>It is considered appropriate to design storage and containment areas for hazardous substances to be protected from flood risk.</li> </ul>
247.23	Foodstuffs North Island Limited	NH-P6	Support	<p><b>RETAIN</b> Policy NH-P6 as notified.</p> <p>AND</p> <p>Any necessary consequential amendments.</p>	<ul style="list-style-type: none"> <li>Submitter supports the requirement for new commercial buildings in River Flood Hazard Areas to have a minimum freeboard of at least 300mm above the 1 in 100-year flood event or be alternatively designed and constructed.</li> </ul>
309.123	Clarus	NH-P6	Support	<p><b>RETAIN</b> NH-P6.</p> <p>AND</p> <p>Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.</p>	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>
330.67	New Zealand Transport Agency	NH-P6	Support	<b>RETAIN</b> NH-P6 as notified.	<ul style="list-style-type: none"> <li>Policy is supported as it places emphasis on avoiding or mitigating the risks of flood hazards. This is important as the presence of subdivision, land use and development in hazard prone locations also necessitates infrastructure being extended in such locations.</li> </ul>
140.29	Horticulture New Zealand	NH-P7	Amend	<p><b>AMEND</b> NH-P7.2 as follows:</p> <p>2. New buildings and building platforms <del>(excluding non-sensitive horticultural buildings and structures)</del> located within the spatial extent of a Coastal Erosion Hazard Area and Coastal Flood Hazard Area are designed and constructed so that:</p>	<ul style="list-style-type: none"> <li>The submitter considers that rules should allow for non-sensitive horticultural structures (e.g., storage sheds, irrigation pump stations and bunds) to be located within Coastal Flood or Erosion Hazard Areas if:</li> <li>There are no off-site side effects;</li> </ul>



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### Summary of Submissions for the topic of: Natural Hazards

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
				AND Any consequential or alternative amendments required to address the concerns raised by the submitter.	<ul style="list-style-type: none"> <li>No sensitive activities involved; and</li> <li>The risk is accepted by the owner.</li> </ul>
223.8	KMA IQ Trustee Limited	NH-P7	Amend	<b>AMEND</b> NH-P7 as follows: Manage new subdivision, land use and development in Coastal Erosion Hazard Areas and Coastal Flood Hazard Areas by requiring: 1. New buildings and building platforms to be located outside the spatial extent of a High-Risk Coastal Hazard Area <del>unless there is a functional need or operational need for a building to be located in this area where practicable;</del> ...	<ul style="list-style-type: none"> <li>The submitter's site is largely covered by the High Risk River Flood Hazard Area. The hazard area is not able to be avoided when developing the site for its intended residential purpose. The policy needs to reflect this.</li> </ul>
283.122	Northpower Limited and Northpower Fibre Limited	NH-P7	Amend	<b>ADD</b> the following clause to NH-P7.1. as follows: <u>e. No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure.</u> AND Any further necessary consequential amendments required.	<ul style="list-style-type: none"> <li>The submitter supports this policy however has sought this relief to ensure that any earthworks associated within raising a freeboard above flood levels will avoid infrastructure for the reasons outlined above.</li> </ul>
348.13	Thelma and Louise Mangawhai Limited	NH-P7	Amend	<b>AMEND</b> NH-P7.1, as follows: Manage new subdivision, land use and development in Coastal Erosion Hazard Areas and Coastal Flood Hazard Areas by requiring: 1. New buildings and building platforms to be located outside the spatial extent of a High- Risk Coastal Hazard Area; <del>unless there is a functional need or operational need for a building to be located in this area where practicable;</del>	<ul style="list-style-type: none"> <li>Part of the site is covered by the Coastal Flood Hazard Areas. The hazard area is not able to be avoided when developing the site for its intended residential purpose. The policy needs to reflect this.</li> </ul>
217.42	Cato Bolam Consultants Limited	NH-P7	Oppose	<b>AMEND</b> NH-P7 to allow for freeboard aligned with Building Code unless site-specific assessment that shows a need for more stringent levels. AND Any other relief that is consistent with and/or consequential to the submission.	<ul style="list-style-type: none"> <li>The submitter has sought this relief without limiting the scope of the submission on the details in other Proposed District Plan chapters or maps.</li> <li>"Manage" is the most appropriate verb.</li> <li>Finished-floor levels 500 mm above a 1-in-100-year flood or coastal event for sensitive activities and 300 mm for other uses conflicts with the Building Code minimum which is generally 300 mm freeboard to the same 1 % AEP flood.</li> </ul>
311.38	Fuel Companies (BP, Mobil & Z Energy)	NH-P7	Oppose	<b>AMEND</b> NH-P7.3. as follows: ... 3. <del>Provision is made, where relevant, for the safe storage and containment of hazardous substances so that they are not inundated; the integrity of the storage method will not be compromised</del> in a 1 in 100-year flood event; AND Any consequential or alternative relief required to achieve the same outcome.	<ul style="list-style-type: none"> <li>Concern with clause 3 of the policy for the same reasons as noted in relation to Policy NH-P6. (see submission point 311.37)</li> </ul>
229.16	Ravensdown Limited	NH-P7	Support	<b>RETAIN</b> NH-P7 as notified.	<ul style="list-style-type: none"> <li>It is considered appropriate to design storage and containment areas for hazardous substances to be protected from flood risk.</li> </ul>
287.41	Silver Fern Farms	NH-P7	Support	<b>RETAIN</b> NH-P7 as notified. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments. AND All further relief necessary to give effect to the concerns raised in the submission.	<ul style="list-style-type: none"> <li>Policy provides appropriate guidance for consideration of proposals that intersect areas of identified coastal hazards.</li> </ul>
309.124	Clarus	NH-P7	Support	<b>RETAIN</b> NH-P7. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>
309.125	Clarus	NH-P8	Support	<b>RETAIN</b> NH-P8. AND	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
				Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	
112.1	Glenn Pope	NH-P9	Amend	<b>ADD</b> the following clause to Policy NH-P9 as follows: <u>3. Ensuring that best practice erosion and sediment controls are in place during earthworks activities to minimise sediment discharges and soil erosion.</u>	<ul style="list-style-type: none"> <li>These hazard areas are inevitably within floodplains, overland flow paths, river edges etc and earthworks should be undertaken utilising best practice erosion and sediment controls.</li> </ul>
270.21	Heritage New Zealand Pouhere Taonga	NH-P9	Support	<b>ADD</b> the following clause to NH-P9 as follows: <u>3. Ensuring that earthworks in Coastal Hazard Areas and Flood Hazard Areas are undertaken to avoid or mitigate any adverse impacts on archaeological values.</u>	<ul style="list-style-type: none"> <li>HNZPT advises that significant past settlement in the District followed coastlines and rivers. As such earthworks in coastal area hazard areas and river flood hazard areas have a high potential to damage archaeological sites. Any significant earthworks in these locations should require archaeological advice and assessment.</li> </ul>
287.42	Silver Fern Farms	NH-P9	Support	<b>RETAIN</b> NH-P9 as notified. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments. AND All further relief necessary to give effect to the concerns raised in the submission.	<ul style="list-style-type: none"> <li>Policy provides appropriate guidance for the consideration of earthworks proposals that intersect areas of identified natural hazards.</li> </ul>
309.126	Clarus	NH-P9	Support	<b>RETAIN</b> NH-P9. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>
283.123	Northpower Limited and Northpower Fibre Limited	NH-P10	Amend	<b>AMEND</b> NH-P10 as follows: "Manage new infrastructure by ensuring it: 1. Is not located in a Coastal Erosion Hazard Area or Coastal Flood Hazard Area, or River Flood Hazard Areas unless there a functional need or operational need to <u>be in that location</u> <del>locate in that area</del> and this location is the most appropriate to service the needs of the community; 2. Is designed and constructed to <del>be resilient to manage</del> the effects of natural hazards, recognising: a. Not all natural hazards are known or mapped; b. Some natural hazard events may result in the temporary disruption to the operation of the infrastructure; c. Potential changes in hazards and a risk, including as a result of sea level rise and climate change; and 3. Does not transfer hazard risks to other locations and mitigates risks to people, property, other infrastructure and the environment." AND Any further necessary consequential amendments required.	<ul style="list-style-type: none"> <li>So that it is recognised that infrastructure may need to be located in know hazard areas to service the needs of the community and seeks the provision of resilient infrastructure.</li> <li>To avoid the requirement that an activity must be demonstrated to have either a functional or operational need to be located in a hazard area, rather than in an area that happens to be subject to a hazard.</li> <li>To refer to the management of effects rather than resilience.</li> </ul>
292.55	Transpower New Zealand Limited	NH-P10	Amend	<b>AMEND</b> NH-P10 as follows: Manage new infrastructure by ensuring it: 1. Is not located in a Coastal Erosion Hazard Area or Coastal Flood Hazard Area, or River Flood Hazard Areas unless there a functional need or operational need to <del>locate in that area and this location is the most appropriate to service the needs of the community</del> ; 2. <u>Where appropriate</u> , is designed and constructed to be resilient to the effects of natural hazards, recognising: ... AND Alternative or consequential relief as may be necessary to fully achieve the relief sought by the submission.	<ul style="list-style-type: none"> <li>The policy recognises there may be some instances in which infrastructure such as the National Grid, must be located in hazard areas.</li> <li>The reference to "the most appropriate location to service the needs of the community" is not necessary as this is implicit in functional or operational need.</li> <li>An amendment is also sought to clause 2. to recognise that given the operational needs and constraints.</li> </ul>
26.53	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and	NH-P10	Support	<b>RETAIN</b> NH-P10 as notified. AND Any alternative relief and/or consequential amendments.	<ul style="list-style-type: none"> <li>The policy recognises that infrastructure may need to be located within natural hazard areas where there is a functional need or operational need to do so to service communities.</li> </ul>

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
	One NZ				
309.127	Clarus	NH-P10	Support	<b>RETAIN</b> NH-P10. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>
330.68	New Zealand Transport Agency	NH-P10	Support	<b>RETAIN</b> NH-P10 as notified.	<ul style="list-style-type: none"> <li>Policy is supported, particularly the acknowledgement that new infrastructure should not be located in hazard-prone locations except where there is a functional need or operational need to do so, reflective of good practice.</li> </ul>
304.56	Director General of Conservation	NH-P11	Oppose	<b>AMEND</b> NH-P11 to recognise and provide for Section 6(a), (b), and (c) of the Resource Management Act. AND Any further or alternative relief to like effect to that sought.	<ul style="list-style-type: none"> <li>The submitter considers the emphasis of this policy is on the protection of natural systems to mitigate natural hazards to people, rather than protecting natural systems to protect biodiversity from natural hazards.</li> <li>As drafted, NH-P11 seeks to recognise and provide for s 6(h) Resource Management Act but does not recognise or provide for s6(a), (b), and (c) Resource Management Act.</li> </ul>
309.128	Clarus	NH-P11	Support	<b>RETAIN</b> NH-P11. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>
255.4	P McDermott	NH-P12	Amend	<b>AMEND</b> NH-P12 as follows:  NH-P12 Limit <del>Encourage</del> new constructed natural hazard protection structures 2. <del>Promote</del> Consider new hazard protection structures to protect existing development and existing and new infrastructure where: a. Natural systems... <u>Provide for and encourage suitable low-lying areas to be set aside for floodwater retention and management.</u>	<ul style="list-style-type: none"> <li>To better manage the risk of natural hazards, particularly flooding.</li> </ul>
26.54	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	NH-P12	Support	<b>RETAIN</b> NH-P12 as notified. AND Any alternative relief and/or consequential amendments.	<ul style="list-style-type: none"> <li>The policy, which allows for consideration of new protection structures including where necessary to protect infrastructure that has a functional need or operational need to be located in a hazard area, is supported.</li> </ul>
140.30	Horticulture New Zealand	NH-P12	Support	<b>RETAIN</b> NH-P12 as notified. AND any consequential or alternative amendments required to address the concerns raised by the submitter.	<ul style="list-style-type: none"> <li>The submitter supports NH-P12 in part as the focus is on risk-based planning and avoiding unintended environmental consequences.</li> </ul>
287.43	Silver Fern Farms	NH-P12	Support	<b>RETAIN</b> NH-P12 as notified. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments. AND All further relief necessary to give effect to the concerns raised in the submission.	<ul style="list-style-type: none"> <li>It is appropriate to provide direction to guide applications for natural hazard protection structures.</li> </ul>
309.129	Clarus	NH-P12	Support	<b>RETAIN</b> NH-P12. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>
140.31	Horticulture New Zealand	NH-P13	Support	<b>RETAIN</b> NH-P13 as notified. AND	<ul style="list-style-type: none"> <li>It is essential to enable the repair, maintenance, and development of regional and district council flood management schemes to safeguard people,</li> </ul>

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
				any consequential or alternative amendments required to address the concerns raised by the submitter.	property, productive land, and infrastructure from increasing flood risk.
309.130	Clarus	NH-P13	Support	<b>RETAIN</b> NH-P13. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> <li>The provision is necessary and appropriate.</li> </ul>
310.22	Fonterra Limited	NH-R1	Amend	<b>AMEND</b> NH-R1, as follows: 1. Activity status: Permitted Where: <u>a. A report has been prepared in accordance with NH-S1 and provided to Council at least 20 working days prior to commencement of any applicable works; or</u> <u>b. A report has been prepared in accordance with NH-S2 and provided to Council at least 20 working days prior to commencement of any applicable works.</u> <u>Explanatory Note:</u> <u>The purpose of the assessment required by NH-S1 is to assess if the proposed activity that is within an area that is identified as susceptible to flooding will acceptably avoid or mitigate the risks associated with the flood hazard. A building / activity is permitted if a report is prepared in accordance with NH-S1 which concludes the proposed activity is highly unlikely to result in increased flooding risk or material damage on the subject site or immediately adjoining sites.</u> <u>The purpose of the assessment required by NH-S2 is to confirm whether or not the area of land where the building / activity is to be located is correctly mapped as susceptible to flooding. If a report is prepared in accordance with NH-S2 which concludes that it is not susceptible to flooding as defined in the information requirements of that standard, then the activity is permitted.</u> <b>Alternatively, the activity status is permitted Where:</b> <u>a. the structure is not a Hazard Protection Structure;</u> <u>b. the structure has a footprint of no more than 30m<sup>2</sup> in a High-Risk River Flood Hazard Area; and</u> <u>c. The structure does not result in the diversion or transfer of flood water to, or increase ponding or flooding on other property....</u>	<ul style="list-style-type: none"> <li>New permitted activity rules and associated standards are sought by the submitter based on site specific characteristics. This is consistent with the approach taken in Plan Change 1 to the Whangārei District Plan.</li> <li>The flood hazard maps have been developed at a regional scale so do not address every site-specific circumstance.</li> <li>Requiring resource consent for most activities when a site is susceptible to flood hazards is inefficient and unnecessary.</li> </ul>
136.39	Federated Farmers of New Zealand (Inc) - Northland Province	NH-R1	Oppose	<b>AMEND</b> NH-R1 so that it applies to all structures as required by the definition of structures given in the Resource Management Act; AND <b>AMEND</b> NH-R1.1.b. to increase the footprint for a structure under clause (b) from 30m <sup>2</sup> to 250m <sup>2</sup> for structures that are non-inhabitable. AND Any consequential amendments.	<ul style="list-style-type: none"> <li>The submitter is confused over what the Council is trying to achieve with this rule. The rule is meant to deal with new structures but specifically excludes buildings and infrastructure.</li> <li>The definition of structure in the Resource Management Act specifically refers to any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.</li> <li>There needs to be consistency in the provisions of the Proposed District Plan with the terms used and how they are used.</li> <li>It is not accurate to exclude matters from a definition which has been legally defined in legislation such as the Resource Management Act.</li> <li>In respect of NH-R1.1.b., it is considered that the footprint of 30m<sup>2</sup> provided is too small. Council should consider increasing the size of the footprint for non-inhabited structures.</li> </ul>
140.32	Horticulture New Zealand	NH-R1	Support	<b>RETAIN</b> NH-R1 as notified. AND any consequential or alternative amendments required to address the concerns raised by the submitter.	<ul style="list-style-type: none"> <li>Rural and horticultural properties rely on small, low-occupancy structures (e.g., pump sheds, tool storage or seasonal shelters) located near water sources or within low-lying land. Such structures are essential for daily operations and present limited human risk.</li> </ul>
287.44	Silver Fern Farms	NH-R1	Support	<b>RETAIN</b> NH-R1 as notified. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments.	<ul style="list-style-type: none"> <li>The activity status framework is appropriate to assess proposals intersecting areas of river flood hazard.</li> </ul>

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
				AND All further relief necessary to give effect to the concerns raised in the submission.	
311.39	Fuel Companies (BP, Mobil & Z Energy)	NH-R1	Support	<b>RETAIN</b> NH-R1 as notified. AND Any consequential or alternative relief required to achieve the same outcome.	<ul style="list-style-type: none"> <li>Support the rule.</li> </ul>
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140.33	Horticulture New Zealand	NH-R2	Amend	<b>AMEND</b> NH-R2 to include the following: <u><b>Accessory buildings used for rural production (non-sensitive use, e.g. storage, pump sheds):</b></u> a. Permitted if located in the General Rural Zone, Māori Purpose Zone, or Rural Lifestyle Zone, and b. The resulting gross floor area does not exceed 150 m <sup>2</sup> , and c. The building is unoccupied or used for seasonal, non-sensitive purposes; and d. The landowner accepts responsibility for flood risk. <i>(No floor level requirement applied)</i> AND	<ul style="list-style-type: none"> <li>NH-R2.1.a-c appear to address different types of buildings but create confusion, overlap and potentially unintended consequences for horticulture when applied in conjunction within the context of a single addition or alteration. For example, a kumara grower altering an existing on-site storage shed within the General rural zone and High-Risk River Flood Hazard Area. In this case, the shed would be:               <ul style="list-style-type: none"> <li>Accessory to primary production (subclause clause b);</li> <li>Not used for sensitive activities (subclause clause c); and</li> </ul> </li> </ul>

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### Summary of Submissions for the topic of: Natural Hazards

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
				Any consequential or alternative amendments required to address the concerns raised by the submitter.	<ul style="list-style-type: none"> <li>Under 110m<sup>2</sup> after the alteration.</li> <li>Though subclause (b) would allow an alteration under 110m<sup>2</sup>, subclause (c) would require the floor level be raised 300mm above the 1-in-100-year flood level despite it being the same shed and compliant under subclause (b). If the floor level cannot be practicably raised (as is common in rural floodplains), the shed addition</li> <li>The example above shows how compliance is unclear and potentially difficult to implement.</li> <li>The submitter notes that accessory buildings used for seasonal storage (e.g., to store kumara, tools or bins) are non-sensitive, low-use structures. To require flood modelling and raised floor levels as per subclause (c), or prohibition under (d) for sensitive uses, can be costly, impractical, or unjustified. Some growers will be willing to accept the risk. Existing buildings in rural flood-prone areas are retrofitted rather than replaced.</li> <li>As drafted, the rules would penalise mere improvements or functional extensions (e.g., installing ventilation, adding covered space) if the building either can't be raised or exceeds the 110m<sup>2</sup> threshold.</li> </ul>
248.23	Journeys End Limited	NH-R2	Amend	<p><b>AMEND</b> NH-R2 as follows:</p> <p><del>1.</del> Activity status: Permitted</p> <p>Where:</p> <p>For all additions and alterations:</p> <p><del>a. The addition/alteration does not result in the diversion or transfer of flood water onto, or increase the potential impact of a flood event on any adjoining site in a 1 in 100-year ARI flood event.</del></p> <p>and</p> <p>For accessory buildings:</p> <p><u>The addition/alteration is located entirely within a building area that has been approved as part of a subdivision consent approved after 1 December 2021.</u></p> <p>b. The addition/alteration does not result in the gross floor area of the accessory building exceeding the following in a High-Risk River Flood Hazard Area:</p> <p>i. 110 m<sup>2</sup> in in the General rural zone, Rural lifestyle zone, or Māori purpose zone; and</p> <p>ii. 10m<sup>2</sup> in all other zones.</p> <p>For buildings not containing sensitive activities:</p> <p>c. The addition/alteration of <u>any building containing a sensitive activity</u> has a minimum finished floor level of 300mm above the maximum water level in a 1 in 100-year flood event; and</p> <p><del>d. The addition/alteration is not in a High-Risk River Flood Hazard Area if it is in a zone other than the General rural zone, Rural lifestyle zone, and Māori purpose zone.</del></p> <p>For buildings containing sensitive activities:</p> <p><del>e. The addition/alteration is not in a High-Risk River Flood Hazard Area; and</del></p> <p>f. The addition/alteration of <u>any building containing a sensitive activity</u> has a minimum finished floor level of 500mm above the maximum water level in 1 in 100-year flood event.</p> <p>AND</p> <p>Any necessary consequential amendments.</p>	<ul style="list-style-type: none"> <li>As proposed the rule is repetitive and confusing for the plan user.</li> </ul>
283.124	Northpower Limited and Northpower Fibre Limited	NH-R2	Amend	<p><b>AMEND</b> NH-R2.1. and NH-R2.3. as follows:</p> <p>"1. ..</p> <p>For all additions and alterations:</p> <p>a. The addition/alteration does not result in the diversion or transfer of flood water onto, or increase the potential impact of a flood event on any adjoining site in a 1 in 100-year ARI flood event;</p> <p><u>b. No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure;</u></p> <p>..."</p>	<ul style="list-style-type: none"> <li>This rule is supported by the submitter, with the amendment sought to ensure any earthworks associated with raising a freeboard above flood levels will avoid infrastructure further to the submission points above.</li> </ul>



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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
				<p>"3. Matters over which discretion is restricted:</p> <p>a. The effects of flood hazards on the building;</p> <p>b. The hazard risks to people or property;</p> <p>c. Cumulative effects and the potential for the addition/alteration to create, transfer or intensify hazard risks on adjoining sites;</p> <p><u>d. Effects on existing infrastructure services;</u></p> <p>e. Any measures proposed to mitigate the effects of the hazard; and</p> <p>f. The use of the building, including the storage and use of hazardous substances, and any management/ mitigation requirements associated with that use."</p> <p>AND</p> <p>Any further necessary consequential amendments required.</p>	
310.23	Fonterra Limited	NH-R2	Amend	<p><b>AMEND</b> NH-R2, as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. <u>A report has been prepared in accordance with NH-S1 and provided to Council at least 20 working days prior to commencement of any applicable works; or</u></p> <p>b. <u>A report has been prepared in accordance with NH-S2 and provided to Council at least 20 working days prior to commencement of any applicable works.</u></p> <p><u>Explanatory Note:</u></p> <p><u>The purpose of the assessment required by NH-S1 is to assess if the proposed activity that is within an area that is identified as susceptible to flooding will acceptably avoid or mitigate the risks associated with the flood hazard. A building / activity is permitted if a report is prepared in accordance with NH-S1 which concludes the proposed activity is highly unlikely to result in increased flooding risk or material damage on the subject site or immediately adjoining sites.</u></p> <p><u>The purpose of the assessment required by NH-S2 is to confirm whether or not the area of land where the building / activity is to be located is correctly mapped as susceptible to flooding. If a report is prepared in accordance with NH-S2 which concludes that it is not susceptible to flooding as defined in the information requirements of that standard, then the activity is permitted.</u></p> <p><b>Alternatively, the activity status is permitted <del>Where:</del></b></p> <p><b>For all additions and alterations:</b></p> <p><del>a</del>c. The addition/alteration does not result in the diversion or transfer of flood water onto, or increase the potential impact of a flood event on any adjoining site in a 1 in 100-year ARI flood event.</p> <p><b>and</b></p> <p><b>For accessory buildings:</b></p> <p><del>b</del>d. The addition/alteration does not result in the gross floor area of the accessory building exceeding the following in a High-Risk River Flood Hazard Area:</p> <p>i. 110 m2 in the General rural zone, Rural lifestyle zone, or Māori purpose zone; and</p> <p>ii. 10m2 in all other zones.</p> <p><b>For buildings not containing sensitive activities:</b></p> <p><del>c</del>e. The addition/alteration has a minimum finished floor level of 300mm above the maximum water level in a 1 in 100-year flood event; and</p> <p><del>d</del>f. The addition/alteration is not in a High-Risk River Flood Hazard Area if it is in a zone other than the General rural zone, Rural lifestyle zone, and Māori purpose zone.</p> <p>For buildings containing sensitive activities:</p> <p><del>e</del>g. The addition/alteration is not in a High-Risk River Flood Hazard Area; and</p> <p><del>f</del>h. The addition/alteration has a minimum finished floor level of 500mm above the maximum water level in 1 in 100-year flood event.</p>	<ul style="list-style-type: none"> <li>• New permitted activity rules and associated standards are sought by the submitter based on site specific characteristics. This is consistent with the approach taken in Plan Change 1 to the Whangārei District Plan.</li> <li>• The flood hazard maps have been developed at a regional scale so do not address every site-specific circumstance.</li> <li>• Requiring resource consent for most activities when a site is susceptible to flood hazards is inefficient and unnecessary.</li> </ul>
247.24	Foodstuffs North Island Limited	NH-R2	Support	<p><b>RETAIN</b> NH-R2 as notified.</p> <p>AND</p>	<ul style="list-style-type: none"> <li>• Submitter is supportive of the permitted activity rule for additions and alterations to existing buildings</li> </ul>

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### Summary of Submissions for the topic of: Natural Hazards

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
				Any necessary consequential amendments.	and a restricted discretionary activity status where there is non-compliance with this rule.
287.100	Silver Fern Farms	NH-R2	Support	<b>RETAIN</b> NH-R2 as notified. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments. AND All further relief necessary to give effect to the concerns raised in the submission.	<ul style="list-style-type: none"> <li>The activity status framework is appropriate to assess proposals intersecting areas of river flood hazard.</li> </ul>
311.40	Fuel Companies (BP, Mobil & Z Energy)	NH-R2	Support	<b>RETAIN</b> NH-R2 as notified. AND Any consequential or alternative relief required to achieve the same outcome.	<ul style="list-style-type: none"> <li>Supports the rule.</li> </ul>
245.14	C & R Williamson	NH-R3		<b>DELETE</b> NH-R3 and replace with a new rule for new buildings within 100-year Flood Hazard Area and a new rule for New Buildings in a High Risk Flood Area (see submission for the proposed wording of the new rules). AND Any further necessary consequential amendments required.	<ul style="list-style-type: none"> <li>The rules do not provide a permitted pathway; there is no need to duplicate rules between accessory buildings and 'other buildings'.</li> </ul>
140.34	Horticulture New Zealand	NH-R3	Amend	<b>AMEND</b> NH-R3 to include the following: <b><u>Accessory buildings used for rural production (non-sensitive use, e.g. storage, pump sheds):</u></b> a. <u>Permitted if located in the General rural zone, Māori purpose zone, or Rural lifestyle zone, and</u> b. <u>The resulting gross floor area does not exceed 150 m<sup>2</sup>, and</u> c. <u>The building is unoccupied or used for seasonal, non-sensitive purposes; and</u> d. <u>The landowner accepts responsibility for flood risk.</u> <i>(No floor level requirement applied)</i> AND Any consequential or alternative amendments required to address the concerns raised by the submitter.	<ul style="list-style-type: none"> <li>Opposes NH-R3 in part as accessory buildings used for seasonal storage are non-sensitive, low-use structures and considers that to require flood modelling / raised floor levels imposes costs, is impractical and can be unjustified, especially where growers are willing to accept risk. Existing rural buildings within flood prone areas are often retrofitted over time, rather than being replaced.</li> <li>As drafted, NH-R3 penalises minor improvements or extensions where buildings cannot be raised or an addition exceeds 110m<sup>2</sup>.</li> </ul>
223.9	KMA IQ Trustee Limited	NH-R3	Amend	<b>AMEND</b> NH-R3.1.b. to refer to a 110m <sup>2</sup> floor area in all zones rather than 10m <sup>2</sup> .	<ul style="list-style-type: none"> <li>There is no effects based reason to limit accessory buildings in all other zones to 10m<sup>2</sup>.</li> </ul>
247.25	Foodstuffs North Island Limited	NH-R3	Amend	<b>DELETE</b> Rule NH-R3 and replace with rules that provide a permitted activity pathway, with a restricted discretionary activity status where compliance cannot be achieved in NH-R3 (inferred from submission). AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>New buildings should be recognised and provided for as a permitted activity with appropriate permitted standards, consistent with Rule NH-R8 which provides for new buildings in coastal erosion hazard areas or coastal flood hazard areas as a permitted activity.</li> </ul>
248.24	Journeys End Limited	NH-R3	Amend	<b>DELETE</b> NH-R3 AND <b>DELETE</b> NH-R4 AND <b>ADD</b> new rules for: <ul style="list-style-type: none"> <li>New Buildings within 100 year Flood Hazard Area</li> <li>New Buildings in High Risk Flood Hazard Area</li> </ul> See submission for wording of the new rules. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>The rules do not provide a permitted pathway, there is no need to duplicate rules between accessory buildings and 'other buildings'.</li> </ul>
310.24	Fonterra Limited	NH-R3	Amend	<b>AMEND</b> NH-R3, as follows: 1. Activity status: Permitted Where:  a. <u>A report has been prepared in accordance with NH-S1 and provided to Council at least 20 working days prior to commencement of any applicable works; or</u> b. <u>A report has been prepared in accordance with NH-S2 and provided to Council at least 20 working days prior to commencement of any applicable works.</u>  <u>Explanatory Note:</u> <u>The purpose of the assessment required by NH-S1 is to assess if the proposed activity that is within an area that is</u>	<ul style="list-style-type: none"> <li>New permitted activity rules and associated standards are sought by the submitter based on site specific characteristics. This is consistent with the approach taken in Plan Change 1 to the Whangarei District Plan.</li> <li>The flood hazard maps have been developed at a regional scale so do not address every site-specific circumstance.</li> <li>Requiring resource consent for most activities when a site is susceptible to flood hazards is inefficient and unnecessary.</li> </ul>

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
				<p>identified as susceptible to flooding will acceptably avoid or mitigate the risks associated with the flood hazard. A building / activity is permitted if a report is prepared in accordance with NH-S1 which concludes the proposed activity is highly unlikely to result in increased flooding risk or material damage on the subject site or immediately adjoining sites.</p> <p>The purpose of the assessment required by NH-S2 is to confirm whether or not the area of land where the building / activity is to be located is correctly mapped as susceptible to flooding. If a report is prepared in accordance with NH-S2 which concludes that it is not susceptible to flooding as defined in the information requirements of that standard, then the activity is permitted.</p> <p><b>Alternatively, the activity status is permitted where:</b></p> <p>a. The accessory building does not result in the diversion or transfer of flood water onto, or increase the potential impact of a flood event on any adjoining site in a 1 in 100-year ARI flood event; and</p> <p>b. The gross floor area of the accessory building does not exceed the following in a High-Risk River Flood Hazard Area:</p> <p>i. 110 m<sup>2</sup> in the General rural zone, Rural lifestyle zone, or Māori purpose zone; and</p> <p>ii. 10m<sup>2</sup> in all other zones.</p>	
348.14	Thelma and Louise Mangawhai Limited	NH-R3	Amend	<b>AMEND</b> NH-R3.1.b. to refer to a 110m <sup>2</sup> floor area in all zones.	<ul style="list-style-type: none"> <li>There is no effects-based reason to limit accessory buildings in all other zones to 10m<sup>2</sup>.</li> </ul>
287.101	Silver Fern Farms	NH-R3	Support	<p><b>RETAIN</b> NH-R3 as notified.</p> <p>OR</p> <p>Provisions or wording to similar effect.</p> <p>AND</p> <p>Any necessary and consequential amendments.</p> <p>AND</p> <p>All further relief necessary to give effect to the concerns raised in the submission.</p>	<ul style="list-style-type: none"> <li>The activity status framework is appropriate to assess proposals intersecting areas of river flood hazard.</li> </ul>
311.41	Fuel Companies (BP, Mobil & Z Energy)	NH-R3	Support	<p><b>RETAIN</b> NH-R3 as notified.</p> <p>AND</p> <p>Any consequential or alternative relief required to achieve the same outcome.</p>	<ul style="list-style-type: none"> <li>Supports the rule.</li> </ul>
245.15	C & R Williamson	NH-R4		<p><b>DELETE</b> NH-R4 and replace with a new rule for new buildings within 100-year Flood Hazard Area and a new rule for New Buildings in a High Risk Flood Hazard Area (see submission for the proposed wording of the new rules).</p> <p>AND</p> <p>Any further necessary consequential amendments required.</p>	<ul style="list-style-type: none"> <li>The rules do not provide a permitted pathway; there is no need to duplicate rules between accessory buildings and 'other buildings'.</li> </ul>
197.3	Raupo Drainage Committee	NH-R4	Amend	<p>No specific decision requested; however the submission considers that NH-R4 effectively prohibits any further development in Ruawai and surrounds. The flooding in Ruawai is pluvial, and in 1% annual exceedance events vast areas have no flooding or minor flooding of 100mm or less.</p> <p>AND</p> <p><b>AMEND</b> the rules in the Proposed District Plan to recognise that Ruawai has an engineered flood plain and unique flood infrastructure.</p>	<ul style="list-style-type: none"> <li>The submitter opposes NH-R4 as it effectively prohibits any further development in Ruawai and surrounds. The Raupo Drainage District is an Engineered Flood Plain and the flood risk to Ruawai is much maligned and misunderstood. It has flood infrastructure that is 'second to none' in the District that is unique in design and management structure. The submitter considers this needs to be recognised within the rules of the Proposed District Plan. As proposed, the Proposed District Plan groups the properties of Ruawai with those located in active floodplains where there is little to no flood infrastructure. The Raupo Drainage District needs to be recognised in the rules so that informed risk-based assessment can be on development proposals in the area.</li> </ul>
223.10	KMA IQ Trustee Limited	NH-R4	Amend	<p><b>DELETE</b> NH-R4.1.b</p> <p>AND</p> <p><b>AMEND</b> NH-R4.3 to be a discretionary activity if NH-R4.1.c is not met rather than a non-complying activity.</p>	<ul style="list-style-type: none"> <li>If either of (b) and (c) are not met consent is required as a non-complying activity. The submitter's site is nearly entirely covered by a River Flood Hazard area and a non-complying status for a dwelling would be unreasonable.</li> </ul>

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
247.26	Foodstuffs North Island Limited	NH-R4	Amend	<b>DELETE</b> Rule NH-R4 and replace with rules that provide a permitted activity pathway, with a restricted discretionary activity status where compliance cannot be achieved in NH-R4. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>New buildings should be recognised and provided for as a permitted activity with appropriate permitted standards, consistent with Rule NH-R8 which provides for new buildings in coastal erosion hazard areas or coastal flood hazard areas as a permitted activity.</li> <li>A discretionary activity status for non-compliance with NH-R4.1.a is onerous when the scope of potential effects is limited and well understood.</li> </ul>
283.125	Northpower Limited and Northpower Fibre Limited	NH-R4	Amend	<b>AMEND</b> NH-R4.1. and NH-R4.4. as follows: "1. For new buildings not containing sensitive activities: a. The building has a minimum finished floor level of 300mm above the maximum water level in 1 in 100- year flood event.; and <u>b. No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure.</u> For new buildings containing sensitive activities: a. The building is not in a High-Risk River Flood Hazard Area; and b. The building has a minimum finished floor level of 500mm above the maximum water level in 1 in 100- year flood event.; and <u>c. No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure...</u> " "4. ... Matters over which discretion is restricted: a. The effects of flood hazards on the building; b. The purpose of the building and its vulnerability or resilience to the flood hazard; c. The hazard risks to people or property; d. Cumulative effects and the potential to create, transfer or intensify hazard risks on adjoining sites including on overland flow paths and flood depths, velocity or frequency within the site or on surrounding sites; <u>e. Effects on existing infrastructure services;</u> f. The effectiveness of any mitigation proposed; g. The storage and use of hazardous substances and any management/ mitigation requirements; and h. Methods to manage activities and uses within the site, including safe egress from buildings and structures on the site and the management of people and property during a flood event." AND Any further necessary consequential amendments.	<ul style="list-style-type: none"> <li>The submitter supports this rule.</li> <li>To ensure that any earthworks associated with raising a freeboard above flood levels will avoid infrastructure, further to the submission points above.</li> </ul>
310.25	Fonterra Limited	NH-R4	Amend	<b>AMEND</b> NH-R4, as follows: <b>1. Activity status:</b> Permitted <b>Where:</b> a. <u>A report has been prepared in accordance with NH-S1 and provided to Council at least 20 working days prior to commencement of any applicable works; or</u> b. <u>A report has been prepared in accordance with NH-S2 and provided to Council at least 20 working days prior to commencement of any applicable works.</u>  <b>Explanatory Note:</b> <u>The purpose of the assessment required by NH-S1 is to assess if the proposed activity that is within an area that is identified as susceptible to flooding will acceptably avoid or mitigate the risks associated with the flood hazard. A building / activity is permitted if a report is prepared in accordance with NH-S1 which concludes the proposed activity is highly unlikely to result in increased flooding risk or material damage on the subject site or immediately adjoining sites.</u>  <u>The purpose of the assessment required by NH-S2 is to confirm whether or not the area of land where the building / activity is to be located is correctly mapped as susceptible to flooding. If a report is prepared in accordance with NH-S2 which concludes that it is not susceptible to flooding as</u>	<ul style="list-style-type: none"> <li>New permitted activity rules and associated standards are sought by the submitter based on site specific characteristics. This is consistent with the approach taken in Plan Change 1 to the Whangārei District Plan.</li> <li>The flood hazard maps have been developed at a regional scale so do not address every site-specific circumstance.</li> <li>Requiring resource consent for most activities when a site is susceptible to flood hazards is inefficient and unnecessary.</li> </ul>

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### Summary of Submissions for the topic of: Natural Hazards

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
				<p>defined in the information requirements of that standard, then the activity is permitted.</p> <p><b>12 Activity status when compliance not achieved with NH-R.4.1.1:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p><b>For new buildings not containing sensitive activities:</b></p> <p>a. The building has a minimum finished floor level of 300mm above the maximum water level in 1 in 100-year flood event.</p> <p><b>For new buildings containing sensitive activities:</b></p> <p>b. The building is not in a High-Risk River Flood Hazard Area; and</p> <p>c. The building has a minimum finished floor level of 500mm above the maximum water level in 1 in 100-year flood event.</p> <p><b>23 Activity status when compliance not achieved with NH-R.4.12.a:</b> Discretionary</p> <p><b>34 Activity status when compliance not achieved with NH-R.4.12.b or NH-R.4.12.c:</b> Non-Complying</p> <p><b>45 Matters over which discretion is restricted:</b></p> <p>a. The effects of flood hazards on the building;</p> <p>b. The purpose of the building and its vulnerability or resilience to the flood hazard;</p> <p>c. The hazard risks to people or property;</p> <p>d. Cumulative effects and the potential to create, transfer or intensify hazard risks on adjoining sites including on overland flow paths and flood depths, velocity or frequency within the site or on surrounding sites;</p> <p>e. The effectiveness of any mitigation proposed;</p> <p>f. The storage and use of hazardous substances and any management/ mitigation requirements; and</p> <p>g. Methods to manage activities and uses within the site, including safe egress from buildings and structures on the site and the management of people and property during a flood event.</p>	
332.37	Northland Regional Council	NH-R4	Amend	<b>AMEND</b> NH-R4 to clarify intention and which zone it applies to.	<ul style="list-style-type: none"> <li>As drafted, NH-R4 is applicable to 'Zone' but does not specify whether it is a particular zone or all zones.</li> </ul>
348.15	Thelma and Louise Mangawhai Limited	NH-R4	Amend	<b>DELETE</b> NH-R4.1.b. AND <b>AMEND</b> NH-R4.3 so that if NH-R4.1.c is not met, then consent is required for a Discretionary activity instead of a Non-complying activity.	<ul style="list-style-type: none"> <li>The subject site is nearly the entire site which is covered by a River Flood Hazard area and this rule would make it a non-complying activity to establish a dwelling on the property. This is unreasonable.</li> </ul>
140.35	Horticulture New Zealand	NH-R4	Oppose	<p><b>AMEND</b> NH-R4 to include a permitted or controlled activity pathway for non-sensitive, unoccupied rural buildings used for primary production, subject to there being:</p> <ul style="list-style-type: none"> <li>Size limits;</li> <li>Adverse off-site flood effects; and</li> <li>Owner acceptance of risk.</li> </ul> <p>AND</p> <p>Any consequential or alternative amendments required to address the concerns raised by the submitter.</p>	<ul style="list-style-type: none"> <li>NH-R4 fails to reflect the low-risk nature of non-sensitive rural buildings.</li> </ul>
287.102	Silver Fern Farms	NH-R4	Support	<p>RETAIN NH-R4 as notified.</p> <p>OR</p> <p>Provisions or wording to similar effect.</p> <p>AND</p> <p>Any necessary and consequential amendments.</p> <p>AND</p> <p>All further relief necessary to give effect to the concerns raised in the submission.</p>	<ul style="list-style-type: none"> <li>The activity status framework is appropriate to assess proposals intersecting areas of river flood hazard.</li> </ul>
140.36	Horticulture New Zealand	NH-R5	Amend	<p><b>AMEND</b> NH-R5 to include the following:</p> <p><u>Where a structure is used for non-sensitive primary production activities and the landowner accepts the risk of natural hazard exposure, the activity shall be permitted.</u></p> <p>AND</p> <p>any consequential or alternative amendments required to address the concerns raised by the submitter.</p>	<ul style="list-style-type: none"> <li>The definition risks unintentionally capturing horticultural support structures including bunds, mounded planting rows, shelterbelts or drainage stop banks as 'Hazard Protection Structures' where they lessen flood or erosion risk. However, the horticultural structures listed are part of normal productive land use and not designed to protect activities such as dwellings.</li> </ul>

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
287.103	Silver Fern Farms	NH-R5	Support	<b>RETAIN</b> NH-R6 as notified. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments. AND All further relief necessary to give effect to the concerns raised in the submission.	<ul style="list-style-type: none"> <li>The activity status framework is appropriate to assess proposals intersecting areas of coastal erosion and/or coastal flood hazard.</li> </ul>
287.45	Silver Fern Farms	NH-R5	Support	<b>RETAIN</b> NH-R5 as notified. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments. AND All further relief necessary to give effect to the concerns raised in the submission.	<ul style="list-style-type: none"> <li>The activity status framework is appropriate to assess proposals intersecting areas of coastal erosion and/or coastal flood hazard.</li> </ul>
311.42	Fuel Companies (BP, Mobil & Z Energy)	NH-R5	Support	<b>RETAIN</b> NH-R5 as notified. AND Any consequential or alternative relief required to achieve the same outcome.	<ul style="list-style-type: none"> <li>Supports the rule.</li> </ul>
283.126	Northpower Limited and Northpower Fibre Limited	NH-R6	Amend	<b>AMEND</b> NH-R6 as follows: " ... For buildings not containing sensitive activities: b. The addition/alteration is not in a High- Risk Coastal Hazard Area; <b>and</b> c. The addition/alteration has a minimum finished floor level of 300 mm above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise); <b>and</b> <u>d. No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure.</u> For buildings containing sensitive activities: e. The addition/alteration is not in a High- Risk Coastal Hazard Area; <b>and</b> f. The addition/alteration has a minimum finished floor level of 500mm above the level of the Coastal Flood Hazard Area 2 (100-year ARI + 1.2m sea level rise); <b>and</b> <u>g. No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure.</u> ... 3. Matters over which discretion is restricted: a. The effects of coastal hazards on the building; b. The hazard risks to people or property; c. The effectiveness of any mitigation measures including freeboard above predicted coastal flood levels; <u>d. Effects on existing infrastructure services;</u> e. Cumulative effects and the potential for the addition/alteration to create, transfer or intensify hazard risks on adjoining sites; and f. The use of the building, including the storage and use of hazardous substances, and any management/ mitigation requirements associated with that use." AND Any further necessary consequential amendments required.	<ul style="list-style-type: none"> <li>The submitter supports this rule but seeks the relief to ensure that any earthworks associated with raising a freeboard above flood levels will avoid infrastructure, further to the submission points above.</li> </ul>
247.27	Foodstuffs North Island Limited	NH-R6	Support	<b>RETAIN</b> NH-R6 as notified. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>Submitter is supportive of the permitted activity rule for additions and alterations to existing buildings and a restricted discretionary activity status where there is non-compliance with this rule.</li> </ul>
311.43	Fuel Companies (BP, Mobil & Z Energy)	NH-R6	Support	<b>RETAIN</b> NH-R6 as notified. AND Any consequential or alternative relief required to achieve the same outcome.	<ul style="list-style-type: none"> <li>Supports the rule</li> </ul>
223.11	KMA IQ Trustee Limited	NH-R7	Amend	<b>AMEND</b> NH-R7.1.a.ii. to refer to a 110m <sup>2</sup> floor area in all zones rather than 10m <sup>2</sup> .	<ul style="list-style-type: none"> <li>There is no effects based reason to limit accessory buildings in all other zones to 10m<sup>2</sup>.</li> </ul>



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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
348.16	Thelma and Louise Mangawhai Limited	NH-R7	Amend	AMEND NH-R7.1.a. so a 110m <sup>2</sup> gross floor area applies to all zones.	<ul style="list-style-type: none"> <li>There is no effects based reason to limit accessory buildings in all other zones to 10m<sup>2</sup>.</li> </ul>
287.104	Silver Fern Farms	NH-R7	Support	<b>RETAIN</b> NH-R7 as notified. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments. AND All further relief necessary to give effect to the concerns raised in the submission.	<ul style="list-style-type: none"> <li>The activity status framework is appropriate to assess proposals intersecting areas of coastal erosion and/or coastal flood hazard.</li> </ul>
311.44	Fuel Companies (BP, Mobil & Z Energy)	NH-R7	Support	<b>RETAIN</b> NH-R7 as notified. AND Any consequential or alternative relief required to achieve the same outcome.	<ul style="list-style-type: none"> <li>Supports the rule.</li> </ul>
223.12	KMA IQ Trustee Limited	NH-R8	Amend	<b>DELETE</b> NH-R8.1.a. and NH-R8.1.c. AND <b>AMEND</b> NH-R8 to be a discretionary activity if subsection (b) and (d) are not met.	<ul style="list-style-type: none"> <li>The submitter's site is nearly entirely covered by a Coastal Flood Hazard area and this rule would make it a non-complying activity to establish a dwelling on the property or a discretionary activity to establish a building not containing a sensitive activity. This is unreasonable.</li> </ul>
247.28	Foodstuffs North Island Limited	NH-R8	Amend	<b>AMEND</b> NH-R8 as follows: " ... 2. Activity status when compliance not achieved with NH-R8.1.a or NH-R8.1.b: <u>Restricted Discretionary</u> " AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>A discretionary activity status for non-compliance with NH-R8.1.a or NH-R8.1.b is onerous when the scope of potential effects are limited and well understood.</li> </ul>
283.127	Northpower Limited and Northpower Fibre Limited	NH-R8	Amend	<b>AMEND</b> NH-R8 as follows: " ... For new buildings not containing sensitive activities: a. The building is not in a High-Risk Coastal Hazard Area; <del>and</del> b. The building has a minimum finished floor level of 300 mm above the level of the Coastal Flood Hazard Area 2 (100- year ARI + 1.2m sea level rise); <del>and</del> <u>c. No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure.</u> For new buildings containing sensitive activities: d. The building is not in a High-Risk Coastal Hazard Area; <del>and</del> e. The building has a minimum finished floor level of 500 mm above the level of the Coastal Flood Hazard Area 2 (100- year ARI + 1.2m sea level rise); <del>and</del> <u>f. No additional fill is placed over underground infrastructure, or causes inundation of existing infrastructure.</u> ... 4. Matters over which discretion is restricted: a. The effects of coastal hazards on the building; <u>b. Effects on existing infrastructure services;</u> c. The purpose of the building and its vulnerability or resilience to coastal hazards; d. Hazard risks to people or property; e. The effectiveness and durability of any mitigation, including the ability to relocate the building in response to future changes in hazard risk; ... " AND Any further necessary consequential amendments required.	<ul style="list-style-type: none"> <li>The submitter supports this rule however seeks to ensure that any earthworks associated with raising a freeboard above the flood levels will avoid infrastructure, further to the subdivision points above.</li> </ul>
348.17	Thelma and Louise Mangawhai Limited	NH-R8	Amend	<b>DELETE</b> NH-R8.1.a and NH-R8.1.c AND <b>AMEND</b> NH-R8.3 so that if NH-R8.1b and NH-R8.1.d are not met, consent is required for a Discretionary Activity instead of a Non-complying Activity.	<ul style="list-style-type: none"> <li>The subject site is nearly the entire site which is covered by a Coastal Flood Hazard area and this rule would make it a non-complying activity to establish a dwelling on the property or a discretionary activity to establish a building not containing a sensitive activity. This is unreasonable.</li> </ul>
140.37	Horticulture New Zealand	NH-R8	Support	<b>RETAIN</b> NH-R8 as notified. AND	<ul style="list-style-type: none"> <li>Supports the permitted activity status with appropriate mitigation to avoid inundation.</li> </ul>

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				any consequential or alternative amendments required to address the concerns raised by the submitter.	
287.105	Silver Fern Farms	NH-R8	Support	<b>RETAIN</b> NH-R8 as notified. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments. AND All further relief necessary to give effect to the concerns raised in the submission.	<ul style="list-style-type: none"> <li>The activity status framework is appropriate to assess proposals intersecting areas of coastal erosion and/or coastal flood hazard.</li> </ul>
311.45	Fuel Companies (BP, Mobil & Z Energy)	NH-R8	Support	<b>RETAIN</b> NH-R8 as notified. AND Any consequential or alternative relief required to achieve the same outcome.	<ul style="list-style-type: none"> <li>Supports the rule.</li> </ul>
140.38	Horticulture New Zealand	NH-R9	Amend	<b>AMEND</b> NH-R9.1.a as follows: a. There is no change in the location or <u>significant</u> dimensions of the hazard protection structure. AND Any consequential or alternative amendments required to address the concerns raised by the submitter.	<ul style="list-style-type: none"> <li>Maintenance or repair can require non-significant alterations to the dimension of an existing structure.</li> </ul>
287.46	Silver Fern Farms	NH-R9	Support	<b>RETAIN</b> NH-R9 as notified. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments. AND All further relief necessary to give effect to the concerns raised in the submission.	<ul style="list-style-type: none"> <li>The framework provided for hazard protection structures is considered appropriate.</li> </ul>
140.39	Horticulture New Zealand	NH-R10	Amend	<b>AMEND</b> NH-R10 by changing the activity status from discretionary to permitted. AND Any consequential or alternative amendments required to address the concerns raised by the submitter.	<ul style="list-style-type: none"> <li>Growers identify and respond to localised flooding, erosion or drainage risks quickly. By permitting hazard protection structures, timely, cost-effective and proactive action is enabled.</li> </ul>
287.106	Silver Fern Farms	NH-R10	Support	<b>RETAIN</b> NH-R10 as notified. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments. AND All further relief necessary to give effect to the concerns raised in the submission.	<ul style="list-style-type: none"> <li>The framework provided for hazard protection structures is considered appropriate.</li> </ul>
245.16	C & R Williamson	NH-R11		<b>DELETE</b> NH-R11. AND Any further necessary consequential amendments required.	<ul style="list-style-type: none"> <li>Proposed rule NH-R11 duplicates and is inconsistent with the Regional Plan – Rule C.8.3.1</li> </ul>
112.2	Glenn Pope	NH-R11	Amend	<b>ADD</b> the following clauses to Rule NH-R11.1: <u>c. Best practice erosion and sediment controls are implemented to prevent silt and sediment being discharged from the works; and</u> <u>d. As soon as practicable, but not later than six months after the completion of earthworks or stages of earthworks, the earthworks area must be stabilised to prevent ongoing soil surface erosion.</u>	<ul style="list-style-type: none"> <li>To ensure that best practice erosion and sediment controls are utilised during works in hazard areas and that there is no ongoing exacerbation of any natural hazard erosion risk.</li> </ul>
140.40	Horticulture New Zealand	NH-R11	Amend	<b>AMEND</b> NH-R11.1 as follows: 1. The area of earthworks does not exceed: 1. The area of earthworks does not exceed: i. 50m <sup>2</sup> or volume of 50m <sup>3</sup> in a High-Risk Hazard Area; or ii. 100m <sup>2</sup> in the Coastal Flood or River Flood Hazard Area in any 12-month period; or iii. <u>1,000m<sup>2</sup> or 500m<sup>3</sup> within any 12-month period for earthworks associated with rural production activities, including:</u> <ul style="list-style-type: none"> <li><u>Drain maintenance and clearing.</u></li> </ul>	<ul style="list-style-type: none"> <li>Area limits are inadequate for growers to undertake standard maintenance and land management tasks. Particularly in regard to drain cleaning and maintenance, and soil mounding or contouring (which the submitter notes is common in crop rows to avoid waterlog).</li> <li>Moreover, the High-Risk Hazard Area is not defined in the Proposed District Plan.</li> </ul>

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				<ul style="list-style-type: none"> <li>Soil contouring, mounding, or crop bed preparation.</li> <li>Formation and maintenance of farm access tracks.</li> <li>Erosion or sediment control earthworks.</li> </ul> <p>AND</p> <p>Any consequential or alternative amendments required to address the concerns raised by the submitter.</p>	
309.55	Clarus	NH-R11	Amend	<p><b>ADD</b> a new clause to NH-R11 as follows:</p> <p><u>or:</u></p> <p><u>c. the earthworks are for the repair, maintenance or minor upgrade to existing underground network utility infrastructure</u></p> <p>AND</p> <p><b>PROVIDE</b> clarity on the application of NH-R11. NH-R11.1.a.i. also refers to the High Risk Hazard Area which is the area subject to the 10% AEP. This is not consistent with the rule title which refers to the 1% AEP area only. This could be interpreted also to include the 10% AEP extent, if this is intended it could be made clear.</p> <p>AND</p> <p>Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.</p>	<ul style="list-style-type: none"> <li>The Gas Pipeline Designation FGL – First Gas Limited provides for up to 50m of pipeline renewal works at any time, more than this would require consent under the District Plan rules. The existing gas transmission pipeline crosses a large number of river flood hazard and high risk river flood hazard areas.</li> </ul>
310.26	Fonterra Limited	NH-R11	Amend	<p><b>AMEND</b> NH-R11, as follows (note referencing error in submission):</p> <p><b>1. Activity status:</b> Permitted</p> <p><b>Where:</b></p> <p>a. <u>A report has been prepared in accordance with NH-S1 and provided to Council at least 20 working days prior to commencement of any applicable works; or</u></p> <p>b. <u>A report has been prepared in accordance with NH-S2 and provided to Council at least 20 working days prior to commencement of any applicable works.</u></p> <p><u>Explanatory Note:</u></p> <p><u>The purpose of the assessment required by NH-S1 is to assess if the proposed activity that is within an area that is identified as susceptible to flooding will acceptably avoid or mitigate the risks associated with the flood hazard. A building / activity is permitted if a report is prepared in accordance with NH-S1 which concludes the proposed activity is highly unlikely to result in increased flooding risk or material damage on the subject site or immediately adjoining sites.</u></p> <p><u>The purpose of the assessment required by NH-S2 is to confirm whether or not the area of land where the building / activity is to be located is correctly mapped as susceptible to flooding. If a report is prepared in accordance with NH-S2 which concludes that it is not susceptible to flooding as defined in the information requirements of that standard, then the activity is permitted.</u></p> <p><b><u>Alternatively, the activity status is permitted Where:</u></b></p> <p><u>a. The area of earthworks does not exceed:</u></p> <p>i. 50m<sup>2</sup> or volume of 50m<sup>3</sup> in a High-Risk Hazard Area; or</p> <p>ii. 100m<sup>2</sup> in the Coastal Flood or River Flood Hazard Area in any 12 month period;</p> <p>and</p> <p><u>b. The earthworks do not:</u></p> <p>i. raise the level of the land in a High-Risk Hazard Area in a way that results in the loss of any flood storage volume; and</p> <p>ii. divert flood flow, coastal inundation or overland flow path onto another property....</p>	<ul style="list-style-type: none"> <li>New permitted activity rules and associated standards are sought by the submitter based on site specific characteristics. This is consistent with the approach taken in Plan Change 1 to the Whangārei District Plan.</li> <li>The flood hazard maps have been developed at a regional scale so do not address every site-specific circumstance.</li> <li>Requiring resource consent for most activities when a site is susceptible to flood hazards is inefficient and unnecessary.</li> </ul>
26.55	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	NH-R11	Oppose	<p><b>AMEND</b> NH-R11 1.a. by adding a new clause as follows:</p> <p><u>iii. The area and volume limits in i. and ii. do not apply to underground infrastructure in roads.</u></p> <p>AND</p> <p>Any alternative relief and/or consequential amendments.</p>	<ul style="list-style-type: none"> <li>There should be exemptions for underground infrastructure in roads from needing to comply with the earthworks area and volume limitations. Whilst regulated activities under the NESTF such as underground lines and their ancillary earthworks are already exempt from district plan natural hazard rules under Regulation 57 of the NESTF, alignment of</li> </ul>

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					the plan with the NESTF would provide better consistency between the district plan and NESTF. Further, other infrastructure such as electricity lines does not have the benefit of a national environmental standard disapplying district plan natural hazard rule.
231.27	S Cullen	NH-R11	Oppose	<b>DELETE</b> NH-R11. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>The rule duplicates and is inconsistent with the Regional Plan – Rule C.8.3.1.</li> </ul>
247.29	Foodstuffs North Island Limited	NH-R11	Oppose	<b>DELETE</b> Rule NH-R11. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>Rule NH-R11 duplicates and is inconsistent with Regional Plan Rule C.8.3.1.</li> </ul>
248.26	Journeys End Limited	NH-R11	Oppose	<b>DELETE</b> NH-R11. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>Rule NH-R11 duplicates and is inconsistent with the Regional Plan – Rule C.8.3.1.</li> </ul>
287.47	Silver Fern Farms	NH-R11	Support	<b>RETAIN</b> NH-R11 as notified. OR Provisions or wording to similar effect. AND Any necessary and consequential amendments. AND All further relief necessary to give effect to the concerns raised in the submission.	<ul style="list-style-type: none"> <li>The rule framework sets appropriate thresholds.</li> </ul>
311.46	Fuel Companies (BP, Mobil & Z Energy)	NH-R11	Support	<b>AMEND</b> NH-R11.1 as follows: 1. Activity status: Permitted Where: a. The area of earthworks, in any 12 month period, does not exceed: i. 50m <sup>2</sup> or volume of 50m <sup>3</sup> in a High-Risk Hazard Area; or ii. 100m <sup>2</sup> in the Coastal Flood or River Flood Hazard Area in any 12 month period; AND Any consequential or alternative relief required to achieve the same outcome.	<ul style="list-style-type: none"> <li>Supports the rule although a minor correction is needed so that the 12 month time period referenced in NH-R11.1.a.ii. also applies to NH-R11.1.a.i.</li> </ul>
287.8	Silver Fern Farms	NH-R12	Amend	<p><b>AMEND</b> NH-R12 to differentiate between "Significant Hazardous Facilities" located in the Heavy industrial zone, and those located in other zones, as follows: <u>Heavy Industrial Zone</u></p> <p>1. <u>Restricted discretionary</u> <u>Matters over which discretion is restricted:</u></p> <p>a. <u>The effects of coastal or flood hazards on the building;</u> b. <u>The purpose of the building and its vulnerability or resilience to coastal or flood hazards;</u> c. <u>Hazard risks to people or property;</u> d. <u>Cumulative effects and the potential to create, transfer or intensify hazard risks onto adjoining sites including on overland flow paths and flood depths, velocity or frequency within the site or on surrounding sites;</u> e. <u>The effectiveness of any mitigation proposed;</u> f. <u>The storage and use of hazardous substances and any management/ mitigation requirements; and</u> g. <u>Methods to manage activities and uses within the site, including safe egress from buildings and structures on the site and the management of people and property during a flood event.</u></p> <p>All <u>other</u> zones</p> <p>1. Activity status: Non-Complying 2. Activity status when compliance not achieved: Not Applicable.</p> <p>OR Provisions or wording to similar effect. AND Any necessary and consequential amendments.</p>	<ul style="list-style-type: none"> <li>This amendment will maintain the overarching zone framework that directs "heavy industry" such as "Significant Hazardous Facilities" to the Heavy Industry Zone and discourages "heavy" industry in other zones. The upgrade and/or expansion of "significant Hazardous Facilities" should be anticipated in the Heavy Industrial Zone, notwithstanding natural hazard risks (which can be mitigated).</li> <li>The rule needs to be amended to more appropriately recognise:</li> <li>the fixed nature of existing "Significant Hazardous Facilities", which cannot practicably relocate in response to additional planning controls;</li> <li>measures available to mitigate risk at the interface of hazardous substance storage and natural hazards; and</li> <li>the outcomes anticipated by the Heavy Industrial Zone, which is designed to accommodate robust activities such as "Significant Hazardous Facilities" that are inappropriate to locate in other zones.</li> </ul>

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				AND All further relief necessary to give effect to the concerns raised in the submission.	
229.17	Ravensdown Limited	NH-R12	Oppose	<b>DELETE</b> NH-R12 in its entirety.	<ul style="list-style-type: none"> <li>The rule would impose significant and unnecessary consenting requirements on existing and proposed hazardous facilities.</li> <li>It is considered inappropriate to impose a blanket non-complying activity status on hazardous facilities (significant or otherwise), as this does not recognise that correct storage and risk management of hazardous facilities can suitably mitigate risks from natural hazards.</li> <li>The rule is inconsistent with NH-P6 and NH-P7 which provide for containment and storage of hazardous substances if these are designed to mitigate inundation of 1 in 100-year flood events.</li> <li>HSNO and HSW, and associated regulations, contain requirements for the safe storage of hazardous substances that will ensure the appropriate management and mitigation of risk. The rule duplicates these regulations.</li> <li>Use of the term 'significant hazardous facilities' is opposed in a separate submission point.</li> </ul>
311.47	Fuel Companies (BP, Mobil & Z Energy)	NH-R12	Oppose	<b>AMEND</b> the definition for Significant Hazardous Facility (refer to submission points on definitions). AND <b>AMEND</b> the activity status of Significant Hazardous Facility in the identified natural hazard areas to Discretionary, rather than Non-Complying. OR <b>DELETE</b> NH-R12. AND Any consequential or alternative relief required to achieve the same outcome.	<ul style="list-style-type: none"> <li>As noted above NH-P4 and NH-P6 it is unreasonable and unjustified to regulate underground fuel storage tanks within river and coastal hazard areas.</li> <li>For related reasons, the Fuel Companies oppose the definition for Significant Hazardous Facility and its application to underground fuel storage at service stations.</li> <li>This requires the definition for Significant Hazardous Facility to be amended (refer to submission points on definitions), or alternatively, the deletion of NH-R12.</li> <li>Consider a non-complying activity status to be unduly onerous for hazardous facilities in all coastal erosion, coastal flood and river flood hazard areas, noting that this includes those areas at lower risk from the hazard, over a planning horizon of 100 years, and that there will be instances where such facilities may have a functional or operational need for a specific location and/or be able to be designed in a manner that the integrity of the storage method will not be compromised by the natural hazard risk. As such, a discretionary activity status is considered more appropriate.</li> </ul>
283.128	Northpower Limited and Northpower Fibre Limited	NH-R13	Amend	<b>DELETE</b> NH-R13 and replace with the following wording: <u>"New and existing Infrastructure located in a coastal erosion hazard area, coastal flood hazard area, or river flood hazard area"</u> <u>1. Activity status: Permitted</u> <u>Where:</u> <u>a. Operation, maintenance, repair and/or upgrading of above ground infrastructure and below ground infrastructure;</u> <u>b. Below ground electricity distribution lines and support structures;</u> <u>c. Above ground electricity distribution lines and support structures;</u> <u>d. Below ground telecommunications lines and support structures; and</u> <u>e. Above ground telecommunications lines and support structures.</u> <u>Note: This rule only applies to the construction, operation, maintenance, repair and upgrading of infrastructure undertaken by a network utility operator.</u>  <u>2. Activity status where compliance not achieved: Restricted Discretionary</u>  <u>3. Matters over which discretion is restricted:</u>	<ul style="list-style-type: none"> <li>To recognise that infrastructure may be located in a coastal erosion hazard area, coastal flood hazard area, or river flood hazard area.</li> <li>To ensure that required assets within a natural hazard area are not captured by the consenting requirements of the proposed rule.</li> <li>To provide for the construction, operation, maintenance, repair and upgrading of infrastructure as a permitted activity and avoid resource consents being required.</li> <li>The consenting requirement for minor upgrading of above-ground infrastructure under this rule also imposes an inhibitive cost for asset upgrades and new small-scale assets which follow development which has already been enabled within the natural hazard area.</li> <li>Electricity transformers, switching stations and electricity and telecommunications pillars are essential support structures for distribution lines and should be provided for as a permitted activity.</li> </ul>

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				<p><u>a. Whether there is a functional need or operational need for the infrastructure to be in that location within the natural hazard area;</u></p> <p><u>b. Cumulative effects and the potential to create, transfer or intensify natural hazard risks on adjoining sites including as a result of any proposed mitigation;</u></p> <p><u>c. The nature and extent of the natural hazard, the resilience of the infrastructure to the effects of the hazard and the effectiveness and durability of any mitigation; and</u></p> <p><u>d. Methods to manage activities within the site, including safe access to and from the infrastructure during a hazard event."</u></p> <p>AND</p> <p>Any further necessary consequential amendments required.</p>	
292.56	Transpower New Zealand Limited	NH-R13	Amend	<p><b>AMEND</b> the Notes of NH-R13 section as follows:</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>The Natural Hazards rules do not apply to telecommunication facilities that are regulated under and comply with the National Environmental Standards for Telecommunication Facilities 2017.</li> <li>Where an infrastructure activity that is located within a Coastal Erosion Hazard Area, Coastal Flood Hazard Area, or River Flood Hazard Area is not specifically regulated in Rules NH-R13.1 or NH-R13.4 below, the rules in the Infrastructure chapter apply.</li> <li><u>The Natural Hazards rules do not apply to electricity transmission activities that are regulated by the National Environmental Standards for Electricity Transmission Activities 2009.</u></li> </ol> <p>AND</p> <p>Alternative or consequential relief as may be necessary to fully achieve the relief sought by the submission.</p>	<ul style="list-style-type: none"> <li>The National Environmental Standards for Electricity Transmission Activities applies to the operation, maintenance upgrading, relocation or removal of the existing National Grid transmission lines located in the Kaipara District. Given the notes associated with the rules in the Proposed District Plan refer to the National Environmental Standards for Telecommunication Facilities but not the National Environmental Standards for Electricity Transmission Activities, there may be some confusion regarding whether or not NH-R13 applies Transpower's transmission lines. The sought additional note will address this matter.</li> </ul>
304.57	Director General of Conservation	NH-R13	Amend	<p><b>AMEND</b> NH-R13 assessment criteria to include consideration of effects on wildlife and natural areas.</p> <p>AND</p> <p>Any further or alternative relief to like effect to that sought.</p>	<ul style="list-style-type: none"> <li>Supports NH-R13, subject to the amendments sought being made.</li> <li>The submitter requests that the assessment criteria is amended to provide for the assessment of impacts on wildlife and natural areas.</li> </ul>
309.56	Clarus	NH-R13	Amend	<p><b>AMEND</b> the title of NH-R13 as follows:</p> <p>NH-R13 <u>New</u> Infrastructure located in a coastal erosion hazard area, coastal flood hazard area, or river flood hazard area.</p> <p>AND</p> <p><b>AMEND</b> NH-R13.1.a. as follows:</p> <p><u>a. Minor upgrading of aboveground infrastructure involving relocation Relocation of existing above ground infrastructure</u></p> <p>AND</p> <p><b>ADD</b> a rule for infrastructure minor upgrading which does not involve relocation, similar to NH-R1 as per other submission point.</p> <p>AND</p> <p>Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.</p>	<ul style="list-style-type: none"> <li>Minor upgrading of aboveground infrastructure (involving relocation) is captured by part 1a of this rule but is silent on minor upgrading of underground infrastructure. The existing gas transmission pipeline crosses a large number of river flood hazard areas. Provision should be made for minor repairs and alterations similar to NH-R1 which is for non-infrastructure land uses (as per submitter's request in separate submission point).</li> </ul>
26.56	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	NH-R13	Oppose	<p><b>ADD</b> a new permitted activity rule to NH-R13 (NH-R13.X) for low-risk infrastructure equipment in Coastal and River Flood Hazard Areas (including that not regulated by the NESTF) consistent with Plan Change 1 to the Whangarei District Plan (decision version) as per the below example (NHR7(2)):</p> <p>Refer submission for full details.</p> <p>AND</p> <p><b>AMEND</b> NH-R12.1.i restricted discretionary activity list as follows:</p> <p>i. Telecommunications facilities not provided for in the NESTF, <u>other than as provided for as a permitted activity in NH-R13 X.</u></p> <p>AND</p> <p><b>RETAIN</b> matter of discretion NH-R13.3.a regarding the functional need and operational need to locate in a natural hazard area.</p> <p>AND</p>	<ul style="list-style-type: none"> <li>As notified the rule does not provide for permitted activities for infrastructure located in the hazard areas. In particular, telecommunications facilities not provided for in the NESTF are restricted discretionary activity.</li> <li>Regulated activities under the NESTF are already exempt from any district plan natural hazard rules under Regulation 57 (examples provided refer submission for details). The risk profile of this type of equipment in natural hazards areas was not considered to warrant regulation in district plans.</li> <li>However, activities that are not regulated (e.g. a new pole in a non-rural zone) would be subject to the district plan controls. Mapping of hazard areas is sufficient for telecommunications networks to appropriately take into account risks in siting and designing equipment. The risk profile on non-regulated poles and equipment they support in</li> </ul>



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				Any alternative relief and/or consequential amendments.	<p>district plans is no different to regulated equipment and is considered to be unnecessary regulation. Poles are not considered to be sensitive to flood risks or reasonably expected to exacerbate risks to others. More sensitive equipment in cabinets is exempt under Regulation 57 of the NESTF, but operators may use solutions such as raised plinths to mitigate flood risk to them.</p> <ul style="list-style-type: none"> <li>This is consistent with the decision version of Plan Change 1 to the Whangarei District Plan – see Rule NH-R7 for flood zones example.</li> <li>The requested relief is also consistent with proposed amendments to the NESTF 2016 have been publicly notified by the Ministry for the Environment, with submissions closing on 27 July 2025 with indicative date of amendments in place by the end 2025. The proposed amendments expand the permitted activities for new poles for antennas into all zones other than residential. Consequently, these poles will likely soon be regulated by the NESTF and therefore exempt from natural hazard rules via Regulation 57.</li> </ul>
311.48	Fuel Companies (BP, Mobil & Z Energy)	NH-R13	Oppose	<p><b>AMEND</b> NH-R13.1 as follows:</p> <p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Minor upgrading of aboveground infrastructure involving relocation;</p> <p>b. Electric vehicle charging stations;</p> <p>c. ...</p> <p>g. Storage facilities, pump stations and distribution structures for liquid fuels and gas;</p> <p>h. ...</p> <p>o. Stormwater management features <u>that are part of a network utility operation</u> including treatment, detention, retention facilities or devices, ponds, wetlands or outfall structures to service a site or multiple sites; and</p> <p>...</p> <p><b>AND</b></p> <p>Any consequential or alternative relief required to achieve the same outcome.</p>	<ul style="list-style-type: none"> <li>Request that clauses (b), (g) and (o) be deleted or amended from NH-R13</li> <li>Infrastructure' is a defined term in the Proposed District Plan, it is confusing for this rule to apply to a different list of activities to those contained in the definition for Infrastructure.</li> <li>Particularly oppose the inclusion of clause (b) electric vehicle charging stations, and (g) storage facilities, pump stations and distribution structures for liquid fuels and gas in the list of infrastructure that would require consent in a flood hazard area.</li> <li>Inclusion of clause (o) is also of concern as stormwater management facilities are only defined as infrastructure where it is part of the drainage system or a network utility operation.</li> <li>Items (b) and (g) are inherently resilient to the effects of flooding and it is considered onerous to require consent for these structures in flood hazard areas.</li> <li>Proprietary stormwater management facilities should also not be restricted by item (o).</li> <li>Clause (g) could be amended by removing reference to 'storage facilities' but it remains unclear how 'distribution structures for liquid fuels and gas' differs from below ground and aboveground pipelines for the conveyance of liquid fuels and gas in clauses (e) and (f).</li> </ul>
330.69	New Zealand Transport Agency	NH-R13	Support	<b>RETAIN</b> NH-R13 as notified.	<ul style="list-style-type: none"> <li>Rule is supported insofar as it generally manages infrastructure where located within identified natural hazard areas, but with no statutory effect on the State Highway network (as they are located within designated corridors where maintenance and upgrading works can be undertaken where in accordance with the purpose of the designation).</li> </ul>
270.20	Heritage New Zealand Pouhere Taonga	Overview	Amend	<p><b>ADD</b> the following note to the Overview of the Natural Hazards chapter:</p> <p><u>Note: In addition to the requirements of the District Plan, it should be noted that the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA") requires all applicants to obtain an archaeology authority from the HNZPTA before any archaeological site is modified or destroyed. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District Plan or a resource or building consent has been granted."</u></p>	<ul style="list-style-type: none"> <li>HNZPT is concerned that unrecorded archaeology can be accidentally destroyed when undertaking activities within sensitive environments. HNZPT therefore request that a reminder note be added to each relevant section of the Proposed District Plan to raise awareness of</li> <li>responsibilities for landowners and developers under the HNZPT Act 2014.</li> </ul>
332.30	Northland Regional Council	Overview	Amend	<b>AMEND</b> the 'Climate change' section of the Natural Hazards Overview by including reference to sea level rise.	<ul style="list-style-type: none"> <li>The submitter supports the Natural Hazards chapter, subject to amendments sought to achieve consistency with the Northland Regional Policy Statement (NRPS) and adjoining districts.</li> <li>In particular, the inclusion of a climate change section in the Overview is supported as it is</li> </ul>

## Proposed Kaipara District Plan

### Summary of Submissions for the topic of: Natural Hazards

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons
					consistent with NRPS Objective 3.13; however, the submitter notes the section does not include Sea-Level Rise despite the term being mentioned elsewhere in the Proposed District Plan.
330.62	New Zealand Transport Agency	Overview	Support	<b>RETAIN</b> the Overview of the Natural Hazards chapter as notified.	<ul style="list-style-type: none"> <li>Overview is supported particularly the references to infrastructure and the importance of not locating growth in high-risk hazard areas unless it is required to be located there. Of particular interest to NZTA is that growth areas should not be located where increasing traffic volumes will occur on parts of the State Highway network that is itself in locations vulnerable to natural hazards. The focus on river flooding, coastal hazards, land instability, climate change and managing hazard risk are supported as key hazards impacting the district.</li> </ul>