



# Federated Farmers of New Zealand

## Submission on the Proposed Waikato District Plan 2020 (Stage 2)

September 2020

## SUBMISSION TO WAIKATO DISTRICT COUNCIL ON THE PROPOSED WAIKATO DISTRICT PLAN 2020 Stage 2

Form 5

*Submission on publicly notified proposal for policy statement or plan Clause 6 of First Schedule, Resource Management Act 1991*

To: Waikato District Council  
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Submission on: Proposed Waikato District Plan (Stage 2)

Date: 23 September 2020

Submission by: Federated Farmers of New Zealand

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### INTRODUCTION

Federated Farmers of New Zealand ('FFNZ') welcomes the opportunity to submit on the draft Waikato District Plan (Stage 2) Natural Hazards and Climate Change chapter.

Federated Farmers are a primary sector organisation with a long and proud history of representing the needs and interests of New Zealand farmers involved in a range of rural businesses.

Federated Farmers aim to add value to its members' farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment;
- Our members' families and their staff have access to services essential to the needs of the rural community; and
- Our members adopt responsible management and environmental practices

FFNZ acknowledges any submissions submitted by individual members and supports any members who wish to work through mapping or natural hazard identification issues. Federated Farmers of New Zealand wish to be heard in support of this submission.

## GENERAL COMMENTS

Primary production activities such as dairying and horticulture make significant contributions to the economic, social and cultural well-being of the Waikato district. These activities also have a positive impact on the economic sustainability and continued viability of many of the district's towns such as Huntly, and Raglan.

FFNZ believes that when undertaking a review of district plan provisions it is essential that Council take into account, and balance the economic, social, cultural and environmental considerations of any particular policy or provision.

FFNZ are broadly supportive of the aim of improving resilience to natural hazard risks and climate change disruptions. FFNZ acknowledges and understands Council's responsibility under the Act to control land-use to avoid, remedy and mitigate the risks from natural hazards. It is because of the extra level of control that councils exercise over activities in areas identified as particularly vulnerable to natural hazards and projected climate change effects that we consider it vital for these areas to be identified in a robust manner.

In the interests of being proactive and engaging in the consultation process as fully as possible, FFNZ took the opportunity to provide feedback on draft provisions of the proposed District Plan (Stage 2) before it became notified. FFNZ appreciates the consideration Council gave to the issues and concerns we raised, with many of the following submission points supporting the planning approach Council is taking. The remaining areas of concern will reiterate those previously identified issues along with others which are applicable to the broader scope of the full notified proposed District Plan (Stage 2). Our submission is ordered on the same chronological order that provisions appear in the proposed District Plan (Stage 2).

For ease of the reading of each of our submission points, we have incorporated a reference to each provision, and our suggested wording amendments are shown below in the decision sought section. Our suggested amendments are shown with ~~strikeout~~ for deletions and underlining for additional wording. In each of the individual submission points made, the decision sought implies any consequential amendments that may be required to any and all other related elements in the proposed plan.

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
15.1 Introduction	Support	FFNZ supports the risk-based approach which has been adopted, it recognises that some activities or land uses are more susceptible to a natural hazard related event than others. We are strongly supportive of the approach taken with regards to some rural activities as we agree that regulation should not unnecessarily restrict land use where there is an acceptable level of risk. Many of the following submission points are made to ensure the planning response is more consistent with this risk-based approach and appropriately prioritises risk to human life over risk to property.	<b>Retain the intent of the introduction as notified.</b>
<b>Objective and Policies</b>			
Objective 15.2.1 Resilience to natural hazard risk	Support in part	FFNZ are broadly supportive of the aim of improving resilience to natural hazard risks and climate change disruptions. Where rural communities are concerned FFNZ submits that the resilience of rural communities relies on a level of acceptable risk under which typical rural activities can be carried out. That is – natural hazard risks must be appropriately identified and assessed without imposing unnecessary restrictions on rural land owners and their communities. FFNZ considers the primary concerns for the District in relation to natural hazards are human related. We consider the wording of the Objective and subsequent policies should reflect that the focus is on protecting human wellbeing, ensuring that	<b>Amend as below:</b>  <b>Objective 15.2.1 – Resilience to natural hazard risk</b> A resilient community where the risks from natural hazards on people, property, infrastructure and the environment <del>from subdivision, use and development of land</del> <u>are appropriately identified and assessed to ensure they can be avoided or appropriately mitigated.</u>

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		infrastructure, development and utilities are appropriately sited so as to minimise risk to human wellbeing, and that structures and earthworks are sited so as not to exacerbate the potential impacts of natural hazards. FFNZ believes that such an approach is the appropriate way to balance the on-going social, cultural and economic well-being, and safety, of human communities.	
Policy 15.2.1.1 New development in areas at significant risk from natural hazards	Support	FFNZ support the avoidance of new subdivision, use and development where they will increase the risk to human communities. Our support is contingent upon the robust assessment and identification of the relevant natural hazards through the High-Risk Flood Area overlay, High Risk Coastal Hazards (Inundation Area) overlay, and High-Risk Coastal Hazard (Erosion) Area overlay.	<b>Retain as notified.</b>
Policy 15.2.1.2 – Changes to existing land use activities and development in areas at significant risk from natural hazards	Support	FFNZ supports a risk-based approach to assessing the risks posed by erosion and inundation when changes to existing land-use and development occur. FFNZ agrees that any land use change or development that would increase risk to people’s safety, or well-being or has the potential to exacerbate risk off site should be avoided. In some cases, however, a change from one low-risk land use to another low-risk land use may be appropriate and should be a permitted activity e.g. Rural Ancillary Earthworks in an area prone to flooding.	<b>Amend as below:</b>  In areas of High-Risk Flood, High Risk Coastal Hazard (Erosion) and High-Risk Coastal Hazard (Inundation), ensure that when changes to existing land use activities and development occur, a range of risk reduction options are assessed, and development that would increase risk to people’s safety <u>or</u> well-being <u>and</u> <del>property</del> <u>is avoided and does not</u>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
			<u>transfer or exacerbate risk to adjoining properties.</u>
Policy 15.2.1.3 – New emergency services and hospitals in areas at significant risk from natural hazards	Support	FFNZ fully supports Policy 15.2.1.3	<b>Retain as notified.</b>
Policy 15.2.1.4 – New infrastructure and utilities in areas subject to significant risk from natural hazards	Support	FFNZ supports the approach in Policy 15.2.1.4.	<b>Retain as notified.</b>
Policy 15.2.1.5 – Existing infrastructure and utilities in all areas subject to natural hazards	Support in part	FFNZ is generally supportive of this approach however we consider that for consistency the operation, maintenance and minor upgrading of existing infrastructure and utilities should not be enabled where increased risk to human communities cannot be practicably mitigated.	<b>Amend as below:</b>  Provide for the operation, maintenance and minor upgrading of existing infrastructure and utilities in all areas subject to natural hazard <u>where any increased risks to people are mitigated to the extent practicable.</u>
Policy 15.2.1.6 – Managing natural hazard risk generally	Support	FFNZ supports the risk-based approach taken here.	<b>Retain as notified.</b>
Policy 15.2.1.7 – Protection from risks of coastal hazards	Support	FFNZ supports this policy as it pertains only to coastal hazards. Where flood hazards are concerned hard protection structures i.e. stop-banks may be necessary and such a policy should not impede their use where they enable low-risk farming activities.	<b>Retain as notified.</b>
Policy 15.2.1.8 – Limitation on hard protection works for coastal hazard mitigation	Support	FFNZ supports the adaptive management approach shown here.	<b>Retain as notified.</b>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
Policy 15.2.1.9 - Natural features and buffers providing natural hazard protection	Support	FFNZ supports the intent of this policy but advise that some natural buffers may be appropriate for other low risk activities including farming and any consequential rules should reflect this.	<b>Retain as notified.</b>
Policy 15.2.1.10 – Areas defended by stopbanks adjacent to the Waikato River	Support in part	Federated Farmers submits that only inappropriate land uses on areas defended by stopbanks should be controlled. Farming land uses such as livestock grazing, horticulture or cropping will be appropriate near these sites and are already occurring near stop banks, likely taking advantage of flat fertile land. Farming will not need to be controlled as a land use that could negatively impact on flood defences and floodways like industrial, commercial or residential development. As in the case of land uses FFNZ applies the same rationale to buildings and earthworks. Only inappropriate buildings and earthworks should have a minimum setback from stopbanks. There are non-habitable farm buildings or structures that will have no effect on the structural integrity of stopbanks and will not pose a risk to human life e.g. stock fencing or pump sheds. Likewise, Rural Ancillary Earthworks as defined in Chapter 13 of the proposed District Plan (Stage 1) may be required in these areas to support farming. This plan should take care to exempt such low risk activities from any minimum setback requirements.	<b>Amend as below:</b>  (a) Control subdivision, use and development in areas identified as Defended Areas adjacent to the Waikato River, acceptable or tolerable levels <u>commensurate to the risk to human life and the structural integrity of flood defences</u> by: ...  (b) Specify minimum setbacks for buildings and earthworks, <u>excluding Ancillary Rural Earthworks</u> , from stopbanks to: ..
Policy 15.2.1.11 – New development that creates demand for new protection structures and works	Support in part	Federated Farmers is generally supportive of this approach as low risk farming activities are unlikely to require new protection structures. We caution that	<b>Retain as notified.</b>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
		this has no impact on the maintenance or minor addition to necessary flood defences in the work program of the Council, Waikato Regional Council or Crown.	
Policy 15.2.1.12 - Reduce potential for flood damage to buildings located on the Waikato and Waipa River floodplains and flood ponding areas	Support in part	<p>FFNZ submits that the policy should make a distinction between habitable buildings and non-habitable farm accessory buildings. Farm accessory buildings are generally of a resilient nature, built for a working environment as such any restriction on their design, in the context of natural hazard risk is unnecessary. While provision 'i' allows consideration of this it lacks the clarity that a habitable vs. non-habitable provision provides. Provision 'ii' would also need to be amended to provide more direction to the plan user.</p> <p>The Building Consent process and Building Codes already manage a building's resilience to natural hazards and ensures that buildings will be constructed sufficiently to withstand natural hazards and keep people safe. For example please refer to Compliance Document for New Zealand Building Code Clause E1 Surface Water which aims to safeguard people from injury or illness, and other property from damage, caused by surface water. There is no need for further regulation in the District Plan when concerns are already met by current building codes.</p>	<p><b>Amend as below:</b></p> <p>(a) Reduce the potential for flood damage to <u>habitable</u> buildings located on the Waikato and Waipa River floodplains and flood ponding areas by ensuring that the minimum floor level of <u>habitable</u> building development is above the design flood levels / ponding levels in a 1% AEP flood event, plus an allowance for freeboard, unless:</p> <p>(i) the building development is of a type that is not likely to <u>increase risk to human life</u> <del>suffer material damage</del> during a flood;</p> <p>or</p> <p>(ii) <del>The building is a small scale addition to an existing building;</del> <u>Any addition to an existing habitable building is of a small scale;</u> or</p>



Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
			(iii) the risk from flooding is otherwise avoided, remedied or mitigated.
Policy 15.2.1.13 - Control filling of land within the 1% AEP floodplain and flood ponding areas	Support	Federated Farmers is broadly supportive of the targeted policy response. However, there is concern that the subsequent earthworks controls and conditions are unduly restrictive. Ancillary Rural Earthworks as defined in chapter 13 of the proposed District Plan (Stage 1) may be required in these areas to support farming such as cultivation of crops or maintaining tracks or to meet freshwater regulations, for example, grading to create a secure fence line for stock exclusion purposes. Such low risk activities should be enabled. The provisions need to take care to work together with the other chapters of the plan to meet broad strategic objectives.	<b>Retain as notified.</b>
Policy 15.2.1.14 – Hazardous substances located within floodplain and flood ponding areas	Oppose	FFNZ has concerns with the policy response and subsequent implementation method. The proposed District Plan (Stage 1) approach to manage and control hazardous substances was criticised for not providing evidence to justify why district council controls were considered necessary over and above the Hazardous Substances and New Organisms Act 1996 (HSNO) and Health and Safety at Work Act 2015 (HSW). The Hearing Panel has supported a substantial rewrite of Chapter 10, related definitions, and implementation methods. The 'draft indicative panel version' can be found on the Council website	<b>Delete Policy 15.2.1.14</b>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
		<p>under the Stage 1 Hearing Panel directions and minutes.</p> <p>The Resource Legislation Amendment Act 2017, (RLAA) explicitly repealed the RMA section 30 and 31 functions which previously required that Councils control the use of land for the purpose of the prevention or mitigation of any adverse effects of the storage, use, disposal or transportation of hazardous substances, to ensure that councils only place additional controls on hazardous substances if they are necessary to control effects under the RMA that are not covered by HSNO or HSW. The Stage 2 Section 32 report provides no evaluation on this policy and rule to explain why they are required.</p>	
Policy 15.2.1.15 Flood ponding areas and overland flow paths	Support	FFNZ support the intent of this policy. The creation of impermeable surfaces and managing increased stormwater runoff is largely an urban issue, more easily mitigated in a rural setting.	<b>Retain as notified.</b>
Policy 15.2.1.16 Development in the Coastal Sensitivity Areas	Support	FFNZ is broadly supportive of an adaptive management approach to the effects of climate change. For consistency we urge a risk-based approach where an acceptable level of risk is enabled for low risk activities including farming.	<b>Retain as notified.</b>
Policy 15.2.1.17 Setbacks from the coast	Support	FFNZ is broadly supportive of an adaptive management approach to the effects of climate change. We are pleased to see this policy makes provision for placement of such buildings if there is a function or operational need for facilities to be located at or near the coast.	<b>Retain as notified.</b>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
Policy 15.2.1.18 - Residential development potentially subject to fire risk	Support in part	While FFNZ supports the intent of this policy we submit that fire protection is best regulated under the Building Act 2004.	<b>Retain as notified.</b>
Policy 15.2.1.19 – Development on land subject to instability or subsidence	Support in part	FFNZ submits that any rules that cascade from this policy should make a distinction between habitable buildings and non-habitable farm accessory buildings. Farm accessory buildings are generally of a resilient nature, built for a working environment as such any restriction on their design, in the context of natural hazard risk is unnecessary. Normal farming activities have a threshold of acceptable risk that is higher than residential activities, this should be reflected in this chapter.	<b>Amend as follows:</b> (a) Avoid locating new subdivision, use and development, including rezoning, on land assessed as being subject to, or likely to be subject to, instability or subsidence, unless appropriate mitigation is provided and the activity does not increase the risk to people, property or infrastructure <u>beyond acceptable or tolerable levels</u> .
Policy 15.2.1.20 – Development of land in the Mine Subsidence Risk Area	Support	FFNZ understands there has been a robust assessment of the Huntly area to identify the risk of surface subsidence as a result of historic coal mining operations. We support the intent of this policy.	<b>Retain as notified</b>
Policy 15.2.1.21 - Stormwater management in an area subject to risk of land instability or subsidence	Support	FFNZ supports the intent of the policy but caution that any consequential rules or conditions do not unnecessarily duplicate the Building Act 2004.	<b>Retain as notified</b>
Policy 15.2.1.22 Liquefaction-prone land risk assessment	Support	FFNZ supports the intent of the policy but caution that any consequential rules or conditions do not unnecessarily duplicate the Building Act 2004.	<b>Retain as notified</b>
Policy 15.2.1.23 – Control activities on land susceptible to damage from liquefaction	Support	FFNZ are pleased to see a level of acceptable risk is accounted for in the policy but caution that any	<b>Retain as notified</b>

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		consequential rules or conditions do not unnecessarily duplicate the Building Act 2004.	
<p>Objective 15.2.2 – Awareness of natural hazard risks</p> <p>(a) A well-informed community that is aware of, and understands, which natural hazards affect the district; and</p> <p>(b) is able to effectively and efficiently respond to, and recover from, natural hazard events.</p>	Support	Federated Farmers considers Council is in an appropriate position to collate and disseminate information regarding the reduction, response, recovery, avoidance and mitigation of natural hazards to the Waikato District. We are broadly supportive of this objective but consider that the consequent policy approach should aim to directly inform landowners subject to a natural hazard overlay(s) and its accompanying layer of extra land use controls.	<b>Retain as notified</b>
Policy 15.2.2.1 – Natural hazard risk information	Support in part	Federated Farmers understands the necessity of identification of natural hazards as being an important tool for councils and landowners alike. We note that significant areas of land are included in the natural hazard overlays. In many cases entire properties are classified. Given the extra layer of land use controls that can apply Federated Farmers requests that Council undertake to engage in meaningful discussion with affected landowners to ensure that hazard areas are ground truthed, take site specific factors into account and landowners understand the impact that these areas will have on their farming practices.	<p><b>Amend as below:</b></p> <p>(a) Enable people to be informed and have access to information on the natural hazards affecting their properties and surrounding area, including through:</p> <p>(i) provision of Land Information Memoranda;</p> <p>(ii) natural hazard technical information, risk registers and mapping on the Council's website, the Waikato Regional Council</p>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
			<p>Hazards Portal, this district plan and accompanying planning maps;</p> <p>(iii) <del>education, provision of information and community engagement; and</del> <u>provide information directly to owners subject to the natural hazard overlays referred to in this district plan and shown on the accompanying planning maps;</u></p> <p><u>(iv) Ensure landowners are made aware of the impact the natural hazard overlays will have on existing and proposed activities;</u></p> <p>(iv) alignment with the work of other agencies including iwi and the Waikato Regional Council</p>
Policy 15.2.2.2 Awareness of Community Response Plans	Support	Federated Farmers considers Council is in an appropriate position to collate and disseminate information regarding the community's response natural hazard events. We support Council raising awareness of community response plans.	<b>Retain as notified</b>
Objective 15.2.3 Climate Change A well prepared community that;	Oppose in part	FFNZ acknowledges Council's responsibility to give particular regard to the effects of climate change under section 7(i) of the RMA, along with the significant weighting given to these effects under	<p><b>Amend as below:</b></p> <p>A well-prepared community that:</p>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
<p>(a) is able to adapt to the effects of climate change; and</p> <p>(b) has transitioned to development that prioritises lower greenhouse gas emissions</p>		NZCPS, WRCPS and WRPS. FFNZ considers that the focus of this objective should be on the adverse effects arising from climate change rather than avoiding or remedying climate change itself. The 'how' council may contribute towards or encourage lowering greenhouse gas emissions is more appropriately addressed outside the district planning process.	<p>(a) is able to adapt to the effects of climate change; and</p> <p><del>(b) has transitioned to development that prioritises lower greenhouse gas emissions.</del></p>
Policy 15.2.3.1 Effects of climate change on new subdivision and development	Support	FFNZ considers that that this policy is appropriate and meets Council's requirements under Section 7(i) and NZCPS and WRPS.	<b>Retain as notified</b>
Policy 15.2.3.2 - Future land use planning and climate change	Support	FFNZ supports the intent of this policy.	<b>Retain as notified</b>
Policy 15.2.3.3 - Precautionary approach for dealing with uncertainty	Support	FFNZ supports the approach expressed in this policy but cautions decision relating to the effects of climate change over a 100 year time horizon must be based upon the best available evidence and modelling.	<b>Retain as notified</b>
Policy 15.2.3.4 - Provide sufficient setbacks for new development	Support in part	FFNZ broadly supports the intent of this policy, however, considers changes are required to better focus the policy direction.	<p><b>Amend as follows:</b></p> <p>(a) <del>Protect people, property and the environment from the projected adverse effects of climate change, including sea level rise, are managed</del> by providing sufficient setbacks from water bodies and the coast when assessing new <u>built</u> development.</p>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
			(b) Ensure that, in establishing development setbacks, adequate consideration is given to: (i) the <del>protection effects on</del> of natural ecosystems, including opportunities for the inland migration of coastal habitats; ...
Policy 15.2.3.5 - Assess the impact of climate change on the level of natural hazard risks	Support	FFNZ understands the intent of this policy.	<b>Retain as notified</b>
<b>Rules - Flood Plain Management Area and Flood Ponding Areas</b>			
<b>15.4.1 Permitted Activities</b>			
P1 Construction of a new <u>building</u> or an addition to an existing <u>building</u> , unless specified in P2 – P5 in Rule 15.4.1.  (a) The minimum floor level is at least 0.5m above the 1% AEP flood level; and (b) Compliance with condition (1) shall be demonstrated by a suitably qualified engineer with experience in hydrology.	Support in part	FFNZ partially support this permitted activity rule but consider it should appropriately focus on habitable buildings. This would be more consistent with the WRPS direction. It is important that the regulatory response to these potential hazards is appropriate to the risk of the hazard to people. We ask Council to recognise the resilience of farming activities to natural hazards with simple farm structures i.e. hay sheds, storage bins exempt from natural hazards rules. Farming structures have a different risk profile to habitable buildings and can therefore tolerate a higher level of risk.	<b>Amend as below:</b>  P1 Construction of a new <u>habitable</u> building or an addition to an existing <u>habitable</u> building, unless specified in P2 – P5 in Rule 15.4.1.
P2 Additions to an existing building that does not increase the ground	Support in part	FFNZ supports this permitted activity rule, acknowledging that the regulatory response to	<b>Amend as below:</b>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
floor area of the building by more than 15m2.		potential hazards is appropriate to the risk of the activity to human communities, but consider it should appropriately focus on habitable buildings. This would be more consistent with the WRPS direction.	P2 Additions to an existing <u>habitable</u> building that does not increase the ground floor area of the building by more than 15m2.
P3 Standalone garage with a gross floor area not exceeding 40m2.	Support	FFNZ supports this permitted activity rule, acknowledging that the regulatory response to potential hazards is appropriate to the risk of the activity to human communities.	<b>Retain as notified.</b>
P4 (1) Construction of an <u>accessory building</u> without a floor; (2) Construction of a <u>farm building</u> without a floor.	Support in part	FFNZ is unsure why there are extra conditions imposed on farm buildings and accessory buildings with a floor. We do not consider there is a need to make a distinction based on the flooring of an implement shed to the extent it becomes a non-complying activity in some areas. It is highly unlikely a suspended timber floor will be appropriate for farming buildings such as utility and implement sheds that may have heavy machinery stored in them. There is no extra risk to life or potential to exacerbate risk off-site due to the type of flooring in a shed.	<b>Amend as below:</b>  P4 (1) Construction of an accessory building, <del>without a floor</del> ; (2) Construction of a farm building, <del>without a floor</del> .
P5 Construction, replacement, repair, maintenance, <u>minor upgrading</u> or upgrading of <u>utilities</u> .	Support	FFNZ supports this permitted activity rule, acknowledging that the regulatory response to potential hazards is appropriate to the risk of the activity on human wellbeing.	<b>Retain as notified.</b>
P6 <u>Earthworks</u> associated with construction, replacement, repair, maintenance, <u>minor upgrading</u> or upgrading of utilities, including the	Support in part	FFNZ supports this permitted activity rule, acknowledging that the regulatory response to potential hazards is appropriate to the risk of the activity to human wellbeing. FFNZ considers the same approach needs to be taken for Ancillary Rural	<b>Amend P6 as below, or introduce a new permitted activity rule, with no conditions, for ancillary rural earthworks and any consequential</b>



Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
formation and maintenance of access tracks		Earthworks, as defined in Chapter 13 of the proposed district plan. Ancillary rural earthworks are required for farming purposes, which can be undertaken within acceptable levels of risk and enabled as a permitted activity.	<b>relief required to give effect to this submission point:</b>  (a) <u>Earthworks</u> associated with construction, replacement, repair, maintenance, <u>minor upgrading</u> or upgrading of utilities, including the formation and maintenance of access tracks; (b) <u>Ancillary Rural Earthworks.</u>
P7 <u>Earthworks</u> to create a building platform for residential purposes.  Filling height is only to the extent necessary to achieve compliance with Rule 15.4.1 P1(a).	Support	FFNZ supports the intent of this permitted activity rule in so far as it's activity-specific condition relates to habitable buildings rather than farm buildings.	<b>Retain as notified.</b>
P8 <u>Earthworks</u> not provided for under Rule 15.4.1 P6 or P7.  <i>(a) In the Residential, Village and Country Living Zones - a maximum volume of filling above natural ground level of 10m<sup>3</sup> per site, and a maximum cumulative volume of filling and excavation of 20m<sup>3</sup>; or</i> <i>(b) In the Rural Zone - a maximum volume of filling above natural ground level of 100m<sup>3</sup> per site, and a maximum</i>	Oppose in part	FFNZ is concerned the maximum filling volume of 100m <sup>3</sup> and maximum cumulative volume of filling and excavation of 200m <sup>3</sup> per site in the Rural Zone would be inadequate to enable the low risk earthworks associated with normal farming activities. FFNZ is unsure what activities beyond those already provided for under Rules 15.4.1 P1-P7 need to be controlled to the extent proposed by the catch all P8 rule. Whilst broad acceptance is extended to the enabling intention, the thresholds may need to be increased to better reflect potential	<b>Conditional support extended to P8, depending on the outcome of the relief sought at P6.</b>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
<p><i>cumulative volume of filling and excavation of 200m<sup>3</sup> per site; or</i></p> <p><i>(c) All other zones - a maximum volume of filling above natural ground level of 20m<sup>3</sup> per <u>site</u>, and a maximum cumulative volume of filling and excavation of 50m<sup>3</sup> per site; and</i></p> <p><i>(d) Height and depth of earthworks in all zones</i></p> <p><i>(i) a maximum height of 0.2m of filling above natural ground level; and</i></p> <p><i>(ii) a maximum depth of excavation of 0.5m below natural ground level</i></p>		for minor effects vs those that may need a consent and assessment undertaken.	
<b>15.4.2 Restricted Discretionary Activities</b>			
<p>RD1 Earthworks that are not a permitted activity under Rule 15.4.1 P6 or P7 or earthworks that exceed the activity specific conditions in Rule 15.4.1.P8.</p> <p><b>Matters of Discretion</b> Discretion is restricted to:</p> <p>(a) Timing, location and scale of <u>earthworks</u>;</p> <p>(b) Adverse effects on:</p> <p>(i) Existing overland flow paths and surface drainage patterns;</p>	<b>Support</b>	FFNZ understands the purpose of Rule RD1 and considers the matters of discretion appropriate.	<b>Retain as notified</b>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
(ii)flood storage capacity; (iii) runoff volumes; (iv)adjoining properties, including the transfer of risk; (v) <u>infrastructure</u> and flood protection works; (vi) consideration of soil types and potential for erosion; (c) Mitigation including compensatory storage, or other flood management measures proposed.			
<b>15.4.3 Discretionary Activities</b> <b>(a) The activities listed below are discretionary activities within the Flood Plain Management Area shown on the Planning Maps or in a Flood Ponding Area.</b>			
D1 Construction of a new building and additions to an existing building which are not permitted by Rule 15.4.1 P1 – P5.	<b>Support in part</b>	Federated farmers recognise Council’s need to exercise discretion over construction of new residential buildings in the flood management and flood ponding areas. However, FFNZ are concerned the leap from a permitted activity status with standards to a Discretionary activity could be inappropriate for the construction of, or extension to a farm accessory building with a floor. We therefore give conditional support to this rule provided our relief sought at 15.4.1 P4 is granted.	<b>Amend as below</b>  <b>Conditional support extended to 15.4.1 P4, depending on the outcome of the relief sought at P6.</b>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
D2 Subdivision to create one or more additional vacant lot(s) other than a utility allotment, access allotment or subdivision to create a reserve allotment.	<b>Support</b>		<b>Retain as notified</b>
D3 A <u>hazardous facility</u>	<b>Oppose</b>	FFNZ position is outlined in the submission point re Policy 15.2.1.14. Note the term hazardous facility has been signalled for significant change by the Hearing Panel in response to Stage 1 – Hearing 8A Hazardous Substances proceedings.	<b>Delete Rule D3A</b>
<b>15.5 High Risk Flood Area</b>			
P1 (1) Repair, maintenance or minor upgrading of existing utilities.  (2) New telecommunication lines, poles, cabinets and masts/ poles supporting antennas	<b>Support</b>	FFNZ supports this permitted activity rule, acknowledging that the regulatory response to potential hazards is appropriate to the risk of the activity to people, property and the environment.	<b>Retain as notified</b>
P2 (1) Construction of an accessory building without a floor; (2) Construction of a farm building without a floor.	<b>Support in part</b>	FFNZ is unsure why there are extra conditions imposed on farm buildings and accessory buildings with a floor. We do not consider there is a need to make a distinction based on the flooring of an implement shed to the extent it becomes a non-complying activity in some areas. It is highly unlikely a suspended timber floor will be appropriate for farming buildings such as utility and implement sheds that may have heavy machinery stored in them.	<b>Amend as below:</b>  P2 (1) Construction of an accessory building, <del>without a floor</del> ; (2) Construction of a farm building, <del>without a floor</del> .

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
		There is no extra risk to life or potential to exacerbate risk off-site due to the type of flooring in a shed.	
<b>15.5.2 Restricted Discretionary Activities</b>			
RD1 (1) New utilities not provided for in Rule 15.5.1 P1(2). (2) Upgrading of existing utilities not provided for in Rule 15.5.1 P1(1)  (a) Functional and operational requirements to be located in the <a href="#">High Risk Flood Area</a> ; (b)The adverse effects on people and property from establishing or upgrading the <a href="#">utility</a> in the <a href="#">High Risk Flood Area</a> ; (c) The potential for the development to transfer/increase flood risk to neighbouring properties; (d) Consideration of alternative locations; (e)Consideration of the projected effects of climate change; (f) Any mitigation measures to reduce the risk to people's safety, well-being and property.	Support	FFNZ understands the purpose of Rule RD1 and considers the matters of discretion appropriate.	<b>Retain as notified.</b>
RD2	Oppose in part	FFNZ partially opposes this restricted discretionary activity rule. We consider that the regulatory	<b>Amend as below: RD2</b>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
<p>One addition to a lawfully established building existing at [<i>the date this rule becomes operative</i>], where the addition does not increase the ground floor area of the existing <u>building</u> by more than 15m<sup>2</sup>, unless provided for in Rule 15.5.2 RD1.</p> <p>Discretion is restricted to:</p> <p>(a) The ability to manage flood risk through appropriate building materials, structural or design work or other engineering solutions;</p> <p>(b) The setting of an appropriate floor level for the addition, taking into consideration the location of the addition and the floor level of the existing building;</p> <p>(c) Any mitigation measures to reduce the risk to people's safety, well-being and property.</p>		<p>response to these potential hazards should be appropriate to the risk of the hazard to human wellbeing. FFNZ are therefore unsure why there is no distinction between existing habitable buildings and non-habitable buildings in this rule. We do not consider there is a need to impose extra conditions on an extension to a non-habitable implement shed where there is little risk to human life from heavy flooding. We believe this approach is more consistent with the WRPS.</p>	<p>One addition to a lawfully established <u>habitable</u> building existing at [<i>the date this rule becomes operative</i>], where the addition does not increase the ground floor area of the existing <u>habitable</u> building by more than 15m<sup>2</sup>, unless provided for in Rule 15.5.2 RD1.</p>
<b>15.5.4 Non-Complying Activities</b>			
<p>(a) The activities listed below are non-complying activities in the High-Risk Flood Area.</p> <p>NC1 Construction of a new building or additions to an existing building, not</p>	<p>Oppose in part</p>	<p>FFNZ partially opposes this rule. We consider that the regulatory response to these potential hazards should be appropriate to the risk of the hazard to human communities. FFNZ are therefore unsure why there is no distinction between existing habitable buildings and non-habitable buildings in this rule. We do not consider for example that there is a need to</p>	<p><b>Amend as below:</b></p> <p>a) The activities listed below are non-complying activities in the High-Risk Flood Area.</p>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
<p>provided for in Rule 15.5.1 P1 – P2 or Rule 15.5.2 RD1 and RD2.</p> <p>NC2 (1) <u>Subdivision</u> that does not comply with Rule 15.5.3 DI.</p> <p>NC3 <u>emergency services facilities</u> and hospitals</p>		impose extra conditions on an extension to a non-habitable implement shed where there is little risk to human life from heavy flooding.	<p>NC1 Construction of a new <u>habitable</u> building or additions to an existing <u>habitable</u> building, not provided for in Rule 15.5.1 P1 – P2 or Rule 15.5.2 RD1 and RD2.</p> <p>NC2 (1) Subdivision that does not comply with Rule 15.5.3 DI.</p> <p>NC3 emergency services facilities and hospitals</p>
<b>15.6 Defended Area (Residual Risk)</b>			
<p>15.6.1 Permitted activities</p> <p>(a) Activities are permitted activities within the Defended Area identified on the planning maps, unless specified in Rules 15.6.2 or 15.6.3 below, or as otherwise specified in the relevant zone chapter or the district-wide rules in Chapter 14 Infrastructure and Energy.</p>	Support	FFNZ supports the purpose of Rule 15.6.1 and agrees the default back to underlying relevant zone rules is appropriate.	<b>Retain as notified.</b>
<p>15.6.2 Restricted Discretionary activities</p>	Support	FFNZ supports the purpose of Rule 15.6.2 and considers the matters of discretion to be appropriate.	<b>Retain as notified.</b>
<p>15.6.3 Discretionary Activities</p> <p>(a) The activities listed below are discretionary activities within the Defended Area.</p> <p>D1 Construction of a new building or new accessory building, located within</p>	Oppose in part	D1 FFNZ partially opposes this rule. In regard to setback distances, Federated Farmers submits that these setbacks only apply to habitable buildings. It is inappropriate for other buildings to be subject to the same restrictions, for example not allowing for the construction of a pump shed which could have a functional and operational need to be within 50m of	<p><b>Amend as below:</b></p> <p>(a) The activities listed below are discretionary activities within the Defended Area.</p>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
<p>50m of the toe of a stop-bank where the stop-bank is under the responsibility of the Council, the Waikato Regional Council or the Crown.</p> <p>D2 Earthworks located within 50m of the toe of a stop-bank where the stop-bank is under the responsibility of the Council, the Waikato Regional Council or the Crown.</p>		<p>a stopbank could significantly disrupt a normal farming activity with little or no reduction of risk, either to the new buildings or the structural integrity of the stopbank. Federated Farmers submits that such a restrictive approach should only apply where there is increased risk human life beyond acceptable or tolerable levels or there is going to be an actual structural impact on the stopbank e.g. construction at the landward toe of the stopbank or above.</p> <p>In regard to D2 FFNZ submits earthworks that form part of a normal farming activity e.g. cultivation or maintenance of tracks or are necessary for the construction of a non-habitable building are exempted from this rule unless such activities are occurring at or above the landward tow of the stopbank. The submission is that there should be a level of acceptable risk for activities that do not endanger human life or exacerbate risk off-site beyond acceptable or tolerable levels.</p>	<p>D1 Construction of a new <u>habitable building or new accessory building</u>, located within 50m of the toe of a stop-bank where the stop-bank is under the responsibility of the Council, the Waikato Regional Council or the Crown.</p> <p>D2 <u>Earthworks that are not a permitted activity under Rule 15.4.1 P6 or P7 or ancillary rural earthworks</u>, located within 50m of the toe of a stop-bank where the stop-bank is under the responsibility of the Council, the Waikato Regional Council or the Crown.</p>
<b>15. 7 Coastal Sensitivity Area (Erosion) and Coastal Sensitivity Area (Open Coast)</b>			
<p>P1 Additions to an existing lawfully established building.</p> <p>(a) The gross floor area of all additions to the building from <i>[date this rule</i></p>	Support in part	FFNZ submit that this rule only applies to habitable buildings. It is inappropriate for other buildings to be subject to the same restrictions, for example not allowing for additions over 15m <sup>2</sup> to a farm building with a floor as a permitted activity could add	<p><b>Amend as below:</b></p> <p>P1 Additions to an existing lawfully established building.</p>



Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
<i>becomes operative</i> ] do not exceed a total of 15m <sup>2</sup> .		significant cost and disruption to a necessary farm investment without reducing any risk to human life.	(a) The gross floor area of all additions to <del>the</del> <u>a habitable building</u> from [date this rule becomes operative] do not exceed a total of 15m <sup>2</sup> .
P2 (1) Construction of an accessory building without a floor;  (2) Construction of a <a href="#">farm building</a> without a floor.	Support in part	FFNZ is unsure why there are extra conditions imposed on farm buildings and accessory buildings with a floor. We do not consider there is a need to make a distinction based on the flooring of an implement shed to the extent it becomes a non-complying activity in some areas. It is highly unlikely a suspended timber floor will be appropriate for farming buildings such as utility and implement sheds that may have heavy machinery stored in them. There is no extra risk to life or potential to exacerbate risk off-site due to the type of flooring in a shed.	<b>Amend as below:</b>  P2 (1) Construction of an accessory <del>building without a floor</del> ;  (2) Construction of a <a href="#">farm building</a> <del>without a floor</del> .
P3 Construction, upgrading, <a href="#">minor upgrading</a> , replacement, repair or maintenance of utilities. Maintenance or repair of an existing lawfully established coastal protection structure.	Support	FFNZ considers a permitted activity status appropriate in this context.	<b>Retain as notified</b>
15.7.2 Restricted Discretionary activities	Support	FFNZ supports the purpose of Rule 15.7.2 and considers the matters of discretion to be appropriate.	<b>Retain as notified.</b>
15.8 Coastal Sensitivity Area (Inundation)			
15.8.1 P1 Additions to an existing lawfully established building.	Support in part	FFNZ submit that this rule only applies to habitable buildings. It is inappropriate for other buildings to be subject to the same restrictions, for example not	<b>Amend as below;</b> P1 Additions to an existing lawfully established building.

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
		allowing for additions over 15m2 to a farm building with a floor as a permitted activity could add significant cost and disruption to a necessary farm investment without reducing any risk to human life	(a) The gross floor area of all additions to the <u>habitable</u> building from [date this rule becomes operative] do not exceed a total of 15m2.
P2 1) Construction of an accessory building without a floor;  (2) Construction of a farm building without a floor.	Support in part	FFNZ is unsure why there are extra conditions imposed on farm buildings and accessory buildings with a floor. We do not consider there is a need to make a distinction based on the flooring of an implement shed to the extent it becomes a non-complying activity in some areas. It is highly unlikely a suspended timber floor will be appropriate for farming buildings such as utility and implement sheds that may have heavy machinery stored in them. There is no extra risk to life or potential to exacerbate risk off-site due to the type of flooring in a shed.	<b>Amend as below:</b>  P2 (1) Construction of an accessory <del>building without a floor</del> ;  (2) Construction of a <u>farm building</u> <del>without a floor</del> .
P4 Maintenance or repair of an existing lawfully established coastal protection structure.	Support	FFNZ supports the enabling, practical planning approach.	<b>Retain as notified</b>
15.8.2 Restricted Discretionary activities	Support	FFNZ supports the purpose of Rule 15.8.2 and considers the matters of discretion to be appropriate.	<b>Retain as notified.</b>
15.9 High Risk Coastal Hazard (Erosion) Area			
P1 1) Construction of an accessory building without a floor;	Support in part	FFNZ is unsure why there are extra conditions imposed on farm buildings and accessory buildings with a floor. We do not consider there is a need to make a distinction based on the flooring of an implement shed to the extent it becomes a non-	<b>Amend as follows;</b> (1) Construction of an accessory building <del>without a floor</del> ;

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
(2) Construction of a farm building without a floor.		complying activity in some areas. It is highly unlikely a suspended timber floor will be appropriate for farming buildings such as utility and implement sheds that may have heavy machinery stored in them. There is no extra risk to life or potential to exacerbate risk off-site due to the type of flooring in a shed.	(2) Construction of a <a href="#">farm building</a> <del>without a floor.</del>
P3 Maintenance or repair of an existing lawfully established coastal protection structure.	Support	FFNZ supports the enabling, practical planning approach.	<b>Retain as notified</b>
P4 Earthworks for an activity listed in Rule 15.9.1 P1 - P3, including the maintenance and repair of access tracks.	Support in part	FFNZ supports the enabling and practical intent of Rules 15.9.1 P1-P4 however considers that the P4 condition thresholds are too low to enable the usual and anticipated earthworks associated with farming activities.	<b>Amend as follows</b> P4 Earthworks for <u>(a)</u> an activity listed in Rule 15.9.1 P1 - P3, including the maintenance and repair of access tracks; or <u>(b)</u> Ancillary Rural earthworks
15.9.2 D1 Earthworks not provided for in Rule 15.9.1 P4.	Support in part	Conditional support is extended to the rule, pending the outcome of the relief sought at P4.	<b>Retain as notified, subject to outcome of relief sought at P4.</b>
D3 (1)Replacement of an existing building within the same site where: ...	Support in part	FFNZ understands the purpose of the planning response if applied and targeted to habitable buildings.	<b>Amend as follows:</b> 15.9.2 D3 (1) Replacement of an existing <u>habitable</u> building within the same site where:...
<b>15.10 High Risk Coastal Hazard (Inundation) Area</b>			
P1 1) Construction of an accessory building without a floor;	Support in part	FFNZ is unsure why there are extra conditions imposed on farm buildings and accessory buildings with a floor. We do not consider there is a need to make a distinction based on the flooring of an implement shed to the extent it becomes a non-	<b>Amend as follows;</b> (1) Construction of an accessory building <del>without a floor;</del>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
(2) Construction of a farm building without a floor.		complying activity in some areas. It is highly unlikely a suspended timber floor will be appropriate for farming buildings such as utility and implement sheds that may have heavy machinery stored in them. There is no extra risk to life or potential to exacerbate risk off-site due to the type of flooring in a shed.	(2) Construction of a <a href="#">farm building</a> <del>without a floor.</del>
P3 Maintenance or repair of an existing lawfully established coastal protection structure.	Support	FFNZ supports the enabling, practical planning approach.	<b>Retain as notified</b>
P4 Earthworks for an activity listed in Rule 15.10.1 P1 - P3, including the maintenance and repair of access tracks.	Support in part	FFNZ supports the enabling and practical intent of Rules 15.9.1 P1-P4 however considers that the P4 condition thresholds are too low to enable the usual and anticipated earthworks associated with farming activities.	<b>Amend as follows</b> P4 Earthworks for (a) an activity listed in Rule 15.10.1 P1 - P3, including the maintenance and repair of access tracks; <u>Ancillary Rural earthworks</u>
15.10.2 D1 Earthworks not provided for in Rule 15.10.1 P4.	Support in part	Conditional support is extended to the rule, pending the outcome of the relief sought at P4.	<b>Retain as notified, subject to outcome of relief sought at P4.</b>
D2 (1) Replacement and relocation of an existing building within the same site where: ...	Support in part	FFNZ understands the purpose of the planning response if applied and targeted to habitable buildings.	<b>Amend as follows:</b> 15.10.2 D2 (1) Replacement and relocation of an existing <u>habitable</u> building within the same site where:...
<b>15.14 Definitions</b>			
<b>Coastal Sensitivity Area (Erosion)</b> Means an area identified on the planning maps that is potentially		FFNZ considers the appropriate identification and assessment of natural hazards is crucial to meeting the Council's responsibility under the Act and to	<b>Retain as notified, subject to appropriate refinement through the Schedule 1 process.</b>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
vulnerable to coastal erosion over the period to 2120, assuming sea level rise of 1.0 m.		<p>satisfy its obligations under higher order policy documents including the New Zealand Coastal Policy Statement ('NZCPS') and the Waikato Regional Policy Statement ('WRPS') to control land use in order to avoid, remedy and mitigate the risks posed by natural hazards. The s32 analyses completed for this chapter show a robust, evidence-based process for the identification of natural hazards.</p> <p>As robust as such a process may be FFNZ considers there is no substitute for a site-specific assessment to ground truth the proposed overlays and to take into account the differences that will exist between differing properties and land uses. FFNZ therefore reserves the right to challenge the accuracy of the proposed natural hazard overlays where they are shown to unreasonably impact of our members. FFNZ therefore seeks to retain the proposed natural hazard overlays as notified, subject to appropriate refinement through the Schedule 1 process.</p>	
<p><b>Defended Area</b></p> <p>Means an area identified on the planning maps which could normally flood in a 1% AEP flood event but is protected from flooding by a flood protection scheme managed by the Waikato Regional Council, the Waikato District Council or the Crown.</p>		<p>FFNZ considers the appropriate identification and assessment of natural hazards is crucial to meeting the Council's responsibility under the Act and to satisfy its obligations under higher order policy documents including the New Zealand Coastal Policy Statement ('NZCPS') and the Waikato Regional Policy Statement ('WRPS') to control land use in order to avoid, remedy and mitigate the risks posed by natural hazards. The s32 analyses completed for</p>	<p><b>Retain as notified, subject to appropriate refinement through the Schedule 1 process.</b></p>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
		<p>this chapter show a robust, evidence-based process for the identification of natural hazards.</p> <p>As robust as such a process may be FFNZ considers there is no substitute for a site-specific assessment to ground truth the proposed overlays and to take into account the differences that will exist between differing properties and land uses. FFNZ therefore reserves the right to challenge the accuracy of the proposed natural hazard overlays where they are shown to unreasonably impact of our members. FFNZ therefore seeks to retain the proposed natural hazard overlays as notified, subject to appropriate refinement through the Schedule 1 process.</p>	
<b>Emergency service facility</b> Means a fire station, ambulance station, police station or an emergency co-ordination facility.	Support	FFNZ considers this an appropriate definition of Emergency service facility.	<b>Retain as notified</b>
<b>Farm building</b> For the purposes of Chapter 15, means a building that supports the primary use of the site for farming. It excludes residential units.	Support	FFNZ considers this an appropriate definition in this context.	<b>Retain as notified</b>
<b>Flood plain management area</b> Means an area identified on the planning maps which is at risk of flooding in a 1% AEP flood event and is otherwise described as the 1% AEP floodplain.	Support	FFNZ considers the appropriate identification and assessment of natural hazards is crucial to meeting the Council's responsibility under the Act and to satisfy its obligations under higher order policy documents including the New Zealand Coastal Policy Statement ('NZCPS'), Waikato Region Coastal Policy Statement (WRCPS) and the Waikato Regional Policy	<b>Retain as notified, subject to appropriate refinement through the Schedule 1 process.</b>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
		<p>Statement ('WRPS') to control land use in order to avoid, remedy and mitigate the risks posed by natural hazards.</p> <p>As robust as such a process may be FFNZ considers there is no substitute for a site-specific assessment, if requested, to ground truth proposed overlays and to take into account the differences that will exist between differing properties and land uses. FFNZ therefore reserves the right to challenge the accuracy of the notified natural hazard overlays and seek appropriate amendment through the Schedule 1 process</p>	
<p><b>Flood ponding area</b> Means an area shown on the planning maps as an identified <a href="#">flood ponding area</a> or an area that experiences floodwater ponding in a 1% AEP rainfall event.</p>	Support	<p>FFNZ considers the appropriate identification and assessment of natural hazards is crucial to meeting the Council's responsibility under the Act and to satisfy its obligations under higher order policy documents including the New Zealand Coastal Policy Statement ('NZCPS'), Waikato Region Coastal Policy Statement (WRCPS) and the Waikato Regional Policy Statement ('WRPS') to control land use in order to avoid, remedy and mitigate the risks posed by natural hazards.</p> <p>As robust as such a process may be FFNZ considers there is no substitute for a site-specific assessment, if requested, to ground truth proposed overlays and to take into account the differences that will exist between differing properties and land uses. FFNZ therefore reserves the right to challenge the accuracy of the notified natural hazard overlays and seek</p>	<p><b>Retain as notified, subject to appropriate refinement through the Schedule 1 process.</b></p>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
		appropriate amendment through the Schedule 1 process	
<p><b>High risk flood area</b> Means an area identified on the planning maps, located within the Flood Plain Management Area, which is subject to river or surface flooding during an event with an annual exceedance probability of no more than 1%, and during such an event:</p> <p>(a) the depth of flood waters exceeds one metre; or</p> <p>(b) the speed of flood waters exceeds two metres per second; or</p> <p>(c) the flood depth multiplied by the flood speed exceeds one.</p>	Support	<p>FFNZ considers the appropriate identification and assessment of natural hazards is crucial to meeting the Council's responsibility under the Act and to satisfy its obligations under higher order policy documents including the New Zealand Coastal Policy Statement ('NZCPS'), Waikato Region Coastal Policy Statement (WRCPS) and the Waikato Regional Policy Statement ('WRPS') to control land use in order to avoid, remedy and mitigate the risks posed by natural hazards.</p> <p>As robust as such a process may be FFNZ considers there is no substitute for a site-specific assessment, if requested, to ground truth proposed overlays and to take into account the differences that will exist between differing properties and land uses. FFNZ therefore reserves the right to challenge the accuracy of the notified natural hazard overlays and seek appropriate amendment through the Schedule 1 process</p>	<b>Retain as notified, subject to appropriate refinement through the Schedule 1 process.</b>
<p><b>High Risk Coastal Hazard (Erosion) Area</b> Means an area identified on the planning maps which is currently at risk from coastal erosion with existing sea level and existing coastal processes.</p>	Support	<p>FFNZ considers the appropriate identification and assessment of natural hazards is crucial to meeting the Council's responsibility under the Act and to satisfy its obligations under higher order policy documents including the New Zealand Coastal Policy Statement ('NZCPS'), Waikato Region Coastal Policy Statement (WRCPS) and the Waikato Regional Policy Statement ('WRPS') to control land use in order to</p>	<b>Retain as notified, subject to appropriate refinement through the Schedule 1 process.</b>



Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
		<p>avoid, remedy and mitigate the risks posed by natural hazards.</p> <p>As robust as such a process may be FFNZ considers there is no substitute for a site-specific assessment, if requested, to ground truth proposed overlays and to take into account the differences that will exist between differing properties and land uses. FFNZ therefore reserves the right to challenge the accuracy of the notified natural hazard overlays and seek appropriate amendment through the Schedule 1 process</p>	
<p><b>High Risk Coastal Hazard (Inundation) Area</b></p> <p>Means an area identified on the planning maps which is currently at risk from coastal inundation with existing sea level and coastal processes.</p>	Support	<p>FFNZ considers the appropriate identification and assessment of natural hazards is crucial to meeting the Council's responsibility under the Act and to satisfy its obligations under higher order policy documents including the New Zealand Coastal Policy Statement ('NZCPS'), Waikato Region Coastal Policy Statement (WRCPS) and the Waikato Regional Policy Statement ('WRPS') to control land use in order to avoid, remedy and mitigate the risks posed by natural hazards.</p> <p>As robust as such a process may be FFNZ considers there is no substitute for a site-specific assessment, if requested, to ground truth proposed overlays and to take into account the differences that will exist between differing properties and land uses. FFNZ therefore reserves the right to challenge the accuracy of the notified natural hazard overlays and seek</p>	<p><b>Retain as notified, subject to appropriate refinement through the Schedule 1 process.</b></p>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
		appropriate amendment through the Schedule 1 process.	
<b>Mine Subsidence Risk Area</b> Means an area identified on the planning maps which is currently at risk of surface subsidence as a result of historic underground coal mining operations.	Support	FFNZ considers the appropriate identification and assessment of natural hazards is crucial to meeting the Council's responsibility under the Act and to satisfy its obligations under higher order policy documents including the New Zealand Coastal Policy Statement ('NZCPS'), Waikato Region Coastal Policy Statement (WRCPS) and the Waikato Regional Policy Statement ('WRPS') to control land use in order to avoid, remedy and mitigate the risks posed by natural hazards.  As robust as such a process may be FFNZ considers there is no substitute for a site-specific assessment, if requested, to ground truth proposed overlays and to take into account the differences that will exist between differing properties and land uses. FFNZ therefore reserves the right to challenge the accuracy of the notified natural hazard overlays and seek appropriate amendment through the Schedule 1 process.	<b>Retain as notified, subject to appropriate refinement through the Schedule 1 process.</b>
<b>Minor upgrading</b> For the purposes of Chapter 15 means an increase in the capacity, efficiency or security of existing utilities where this utilises existing structures and networks and/or structures and	Support	Support to the extent that this definition is consistent with the NPSET and NESET	<b>Retain as notified</b>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
networks of a similar scale and character.			
<b>Risk assessment</b> Means the overall process of risk identification, risk analysis and risk evaluation.	Support	FFNZ considers this an appropriate definition of risk assessment in this context.	<b>Retain as notified</b>
<b>Standalone Garage</b> Means a roofed and enclosed building which is detached from the main residential unit and designed to accommodate one or more motor vehicles.	Support	FFNZ considers this an appropriate definition of standalone garage.	<b>Retain as notified</b>
<b>Utility</b> (1) Transformation, transmission, generation or distribution of electricity provided by network <a href="#">utility</a> operators or requiring authorities, including: (a) Transmission lines and electricity distribution lines and associated equipment; and (b) private connections to such utilities; (2) Telecommunication and radiocommunication facilities, including: (a) transmitting/receiving devices such as aerials, antennas, dishes (including cables), insulators, castings, tunnels and associated equipment; and	Support	FFNZ considers this an appropriate definition of utility in this context.	<b>Retain as notified</b>

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
<p>(b) Support structures such as towers, masts and poles, accessory buildings and private receiving dish antennas;</p> <p>(3) Storage tanks and pipes for the distribution or transmission of petroleum or natural or manufactured gas, including necessary incidental equipment provided by network utility operators or requiring authorities, and private connections to such utilities;</p> <p>(4) Reticulated water for supply or irrigation, stormwater management basins, swales or drainage systems, and reticulated sewerage, including:</p> <p>(a) private stormwater facilities connecting to such utilities; and</p> <p>(b) necessary incidental equipment, including water storage tanks and pumping facilities; and</p> <p>(5) Meteorological facilities, navigation aids and beacons, including approach control services within the meaning of the Civil Aviation Act 1990.</p> <p>(6) Flood management infrastructure including stopbanks and erosion protection structures associated with flood management where owned or operated by the Waikato Regional</p>			

Subject or Provision In Proposed Chapter	Support/Oppose	Comments	Decision Sought
Council, the Waikato District Council or the Crown. (7) Public roads and railway lines.			

In each of the individual submission points made above, the decision sought implies any consequential amendments that may be required to any and all other related elements in the proposal.

**SUBMISSION ENDS**