# NH – Natural hazards and climate change

*The relevant area specific zone chapter provisions apply in addition to this chapter.*

## Overview

(1) The NH – Natural hazards and climate change chapter identifies risks associated with natural hazards and manages land use in areas subject to risk from natural hazards. It identifies areas where certain types of new development will be avoided because of the natural hazards present, but also recognises that there is existing development, including infrastructure, already located on land subject to natural hazards. These areas will require management through mitigation and adaptation to ensure that the risk of damage to property, or injury or loss of lives is not increased.

(2) This chapter sets out a two-tiered approach where natural hazard risk from subdivision, use and development is to be avoided within the following identified high risk natural hazard areas:

(a) High Risk Flood Area;

(b) High Risk Coastal Inundation Area; and

(c) High Risk Coastal Erosion Area.

(3) Outside of these areas, subdivision, use and development is provided for where natural hazard risk can be adequately avoided, remedied or mitigated and the risk is not exacerbated or transferred to adjoining sites.

(4) The following natural hazards areas have been identified and mapped in the District Plan:

| **Overlay** | **Description** |
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| **Flood hazards** | |
| High flood risk area | Identifies areas within the floodplain where the depth of flood water in a 1% AEP flood event exceeds 1 metre and the speed of flood water exceeds 2 metres per second, or the flood depth multiplied by the flood speed exceeds one. |
| Flood plain management area | Identifies the 1% Annual Exceedance Probability (AEP) floodplain and has been developed through both 1D and 2D modelling, depending on the level of information available. |
| Flood ponding area | Identifies areas that experience floodwater ponding in a 1% AEP rainfall event. |
| Residual risk areas / Defended areas | Identifies areas of land that would be at risk from a natural hazard event if it were not for a structural defence such as a stop bank. |
| **Coastal hazards** | |
| High risk coastal inundation area / High risk coastal erosion area | Identify land where there is significant risk from either coastal inundation or coastal erosion with existing sea level and coastal processes. |
| Coastal sensitivity area (Erosion) / Coastal sensitivity area (Inundation) | Identify land that is potentially vulnerable to either coastal erosion or coastal inundation over a 100 year period to 2120, assuming a sea level rise of 1.0 metre. |

| Subsidence risk | |
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| Mine subsidence risk area | Identifies an area where subsidence has occurred at Huntly due to former underground coal mining. |

## Objectives

NH-O1 High risk natural hazards areas.

In an identified high risk natural hazards area, the risks associated with natural hazards on people, property and infrastructure from subdivision, use and development of land are avoided.

NH-O2 Areas at risk from natural hazards.

Subdivision, use and development within areas at risk from natural hazards are managed so that natural hazard risks on people, property and infrastructure are avoided, remedied or mitigated.

NH-O3 Awareness of natural hazard risks.

Ensure communities respond effectively and efficiently to natural hazards.

NH-O4 Climate change.

Communities are well-prepared to adapt to the effects of climate change.

## Policies

NH-P1 New development in areas at high risk from natural hazards.

(1) Avoid subdivision, use and new development in the following high risk natural hazard areas:

(a) High risk flood area;

(b) High risk coastal inundation area;

(c) High risk coastal erosion area,

where there is an increase in risk to people and property.

NH-P2 Changes to existing land use activities and development in areas at high risk from natural hazards.

In areas of High risk flood, High risk coastal erosion and High risk coastal 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, well-being and property is avoided.

NH-P3 Small scale non-habitable structures in areas subject to high risk from natural hazards.

Enable small scale accessory and farm buildings to be located within areas at high risk from natural hazards, including High risk flood, High risk coastal inundation and High risk coastal erosion, provided the risks to people, property and the environment beyond the site are managed to acceptable levels.

NH-P4 New emergency services and hospitals in areas at significant high risk from natural hazards.

Avoid locating new emergency service facilities and hospitals in areas which are at high risk from natural hazards, including High risk flood, High risk coastal inundation and High risk coastal erosion, unless, considering engineering and technical constraints or functional and operational requirements, they cannot be reasonably located elsewhere and will not increase the risk to or vulnerability of people or communities.

NH-P5 New and upgrading of infrastructure and utilities in areas subject to high risk from natural hazards.

(1) Enable the construction of new infrastructure, utilities and ancillary activities and upgrading of existing infrastructure and utilities, in areas at high risk from natural hazards, including High risk flood, High risk coastal inundation and High risk coastal erosion areas only where:

(a) The infrastructure and utilities are technically, functionally or operationally required to locate in areas subject to natural hazards, or it is not reasonably practicable to be located elsewhere; and

(b) Any increased risks to people, property and the environment are mitigated to the extent practicable; and

(c) The infrastructure and utilities are designed, maintained and managed, including provision of hazard mitigation works where appropriate, to function to the extent practicable during and after natural hazard events.

NH-P6 Existing infrastructure and utilities in all areas subject to natural hazards.

Provide for the operation, maintenance and minor upgrading of existing infrastructure and utilities in all areas subject to natural hazards.

NH-P7 Managing natural hazard risk generally.

(1) Outside of high risk natural hazard areas, provide for subdivision, use and development where:

(a) Natural hazard risk has been appropriately identified and assessed;

(b) The risk can be adequately avoided, remedied or mitigated;

(c) The risk does not transfer to adjoining sites; and

(d) The risk is not exacerbated.

NH-P8 Protection from risks of coastal hazards.

Recognise the importance of natural features and buffers, and soft hazard protection works, and prefer them wherever practicable over hard protection structures, where new hazard mitigation measures and/or works are required to protect people, property infrastructure and the environment from the risks of coastal hazards.

NH-P9 Limitations on hard protection works for coastal hazard mitigation.

(1) Ensure that where hard protection structures and works are proposed to protect existing development on public or privately−owned land from coastal hazards that the following is achieved:

(a) The structures have primarily a public and/or environmental benefit when located on public land;

(b) The structures are effective considering a range of coastal hazard events including the effects of climate change and the activities or development they are designed to protect;

(c) The economic, social and environmental benefits outweigh costs;

(d) Risk to people, property, infrastructure, the natural environment, historic heritage or Sites and Areas of Significance to Maaori is not transferred or increased;

(e) Structures are located as far landward as practicable; and

(f) Public access both to and along the coastal area and to the coastal marine area are provided for where the structure is located on public land

(2) Ensure that when new hard protection structures are to be located in an area where an adaptive management strategy has been prepared to manage coastal hazards, they are consistent with that strategy.

(3) Where adaptive management strategies have been prepared, plan change or resource consent processes should have regard to these strategies.

NH-P10 Natural features and buffers providing natural hazard protection.

(1) Protect, maintain and, where appropriate, enhance the integrity of natural features and buffers which provide a natural defence against the effects of natural hazards and sea level rise, including natural ponding areas, coastal dunes, intertidal areas, wetlands, waterbody margins, riparian/coastal vegetation and floodways.

(2) Enable natural systems to adapt and respond to natural coastal processes including the effects of climate change.

NH-P11 Areas defended by stopbanks adjacent to the Waikato River.

(1) Control subdivision, use and development in areas identified as Defended Areas adjacent to the Waikato River by:

(a) Assessing the potential risk of overtopping or structural failure of the stopbanks, and overwhelming of associated flood protection structures, before subdivision, use and development occurs; and

(b) Requiring that consideration be given to appropriate mitigation to reduce any residual risk identified to acceptable levels; and

(c) Ensuring that any residual risk is not transferred to neighbouring sites; and

(d) Recognising the functional needs and operational needs of the National Grid.

(2) Specify minimum setbacks for buildings and earthworks from stopbanks to:

(a) Protect the structural integrity of the stopbanks; and

(b) Provide a buffer to reduce the potential risk to life and damage to property from deep and fast-flowing flood waters in the event of a breach.

NH-P12 New development that creates demand for new protection structures and works.

Avoid locating new subdivision, use and development in High risk flood, High risk coastal inundation and High risk coastal erosion areas where a demand or need for new structural protection works will be required to reduce the risk from natural hazards to acceptable levels.

NH-P13 Reduce potential for flood damage to buildings located on the floodplains and flood ponding areas.

(1) Reduce the potential for flood damage to buildings located on floodplains and flood ponding areas by ensuring that the minimum floor level of building development is above the design flood levels/ponding levels in a 1% AEP flood event, plus an allowance for freeboard, unless:

(a) The building is of a type that is not likely to suffer material damage during a flood; or

(b) The building is a small-scale addition to an existing building; or

(c) The risk from flooding is otherwise avoided, remedied or mitigated.

NH-P14 Control filling of land within the 1% AEP floodplain and flood ponding areas.

Control filling of land within the 1% AEP floodplain and flood ponding areas to ensure that the potential adverse effects on flood storage capacity, overland flows, run-off volumes on surrounding properties or infrastructure, are avoided or mitigated.

NH-P15 Managing flood hazards through integrated catchment management.

(1) Manage flood hazards by requiring new subdivision and development within floodplains, flood ponding areas and overland flow paths to adopt integrated catchment plan-based management methods which:

(a) Maintain the function of natural floodplains, wetlands and ponding areas including flood storage capacity; and

(b) Retain the function and capacity of overland flow paths to convey stormwater run-off; and

(c) Do not transfer or increase risk elsewhere within the catchment; and

(d) Promote best practice stormwater management with reference to the Waikato Stormwater Management Guideline and the Regional Infrastructure Technical Specifications (RITS); and

(e) Minimise impervious surfaces.

NH-P16 Development in the coastal sensitivity areas.

(1) In coastal sensitive areas, control subdivision, use and development by ensuring that the subdivision, use and development is:

(a) Supported by a detailed site specific risk assessment, which includes measures to address the effects of climate change; and

(b) Designed, constructed and located to minimise the level or risk to people, property and the environment.

NH-P17 Setbacks from the coast.

Avoid increasing the risk from coastal hazards by requiring new built development to be set back from the coastal edge, unless there is a functional or operational need for facilities to be located at or near the coast.

NH-P18 Residential development and subdivision potentially subject to fire risk.

(1) In areas assessed or identified as being potentially subject to elevated fire risk, ensure that an appropriate design and layout, including a buffer area or setback, is provided around for new residential subdivision and development, and the following matters are considered:

(a) Access for emergency service vehicles;

(b) Provision of and access to emergency firefighting water supply;

(c) Separation and management of vegetation (with regard to slope, aspect, management regimes and use of less flammable vegetation); and

(d) The design and materials of any buildings.

NH-P19 Development on land subject to instability or subsidence.

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.

NH-P20 Development of land in the Mine subsidence risk area

(1) On land identified within the Mine subsidence risk area, ensure that:

(a) An assessment by an appropriately qualified engineer occurs before subdivision, use or development takes place to confirm that the land is suitable for development; and

(b) Buildings are designed and constructed, and uses appropriate materials, to effectively minimise the risk of damage to the buildings from ground subsidence.

NH-P21 Stormwater management in areas subject to risk of land instability or subsidence.

(1) Avoid discharge of stormwater directly to ground on land that is potentially at risk of land instability or subsidence unless:

(a) An assessment has been undertaken by an appropriately qualified geotechnical specialist, indicating that the site is suitable for the proposed discharges; and

(b) Any adverse effects on the site and receiving environment can be appropriately mitigated.

NH-P22 Liquefaction susceptible land risk assessment.

(1) On land assessed as potentially susceptible to liquefaction, ensure that:

(a) An assessment by a geotechnical specialist occurs before new subdivision, use or development takes place; and

(b) The level of assessment reflects the type and scale of the subdivision, use or development and the overall vulnerability of the activity to the effects of liquefaction; and

(c) The assessment confirms that the land is suitable for the proposed development.

NH-P23 Control activities on land susceptible to damage from liquefaction

Control subdivision, use and development on land assessed as being susceptible to liquefaction induced ground damage, to ensure that appropriate mitigation is provided so that the level of risk to people, property, infrastructure.

NH-P24 Natural hazard risk information.

(1) Enable people to be informed and have access to information on the natural hazards affecting their properties and surrounding area, including through:

(a) Provision of Land Information Memoranda;

(b) Natural hazard technical information, including the projected effects of climate change, risk registers and mapping on the Council's website, the Waikato Regional Council Hazards Portal, this district plan and accompanying planning maps;

(c) Education, provision of information and community engagement; and

(d) Alignment with the work of other agencies including iwi and the Waikato Regional Council.

NH-P25 Awareness of Community Response Plans.

Improve response to and recovery from natural hazard events by encouraging community awareness and use of information and methods contained in Community Response Plans.

NH-P26 Effects of climate change on new subdivision and development.

(1) Ensure that adequate allowances are made for the projected effects of climate change in the design and location of new subdivision and development including new urban zoning throughout the District, including undertaking assessments where relevant that provide for:

(a) The projected increase in rainfall intensity, as determined by national guidance, assuming a temperature increase of not less than 2.3°C by 2120;

(b) The projected increase in sea level, where relevant, as determined by national guidance and the best available information, but being not less than 1m by 2120;

(c) In respect to new urban zoning, stress testing under the RCP 8.5 scenario for rainfall[1] and RCP 8.5H+ for sea level rise[2];

[1] Stress testing under the RCP 8.5 scenario for rainfall, see Ministry for the Environment, 2018: Climate Change Projections for New Zealand. September 2018. Publication No. MFE 1385.
[2] Stress testing under the RCP 8.5H+ scenario for sea level rise, see Ministry for the Environment, 2017: Coastal Hazards and Climate Change – Guidance for Local Government. December 2017. Publication No. ME 1341.

(d) In respect to the coastal environment, increases in storm surge, waves and wind; and

(e) The ability for natural systems to respond and adapt to the projected changes included in (a) to (d) above.

NH-P27 Future land use planning and climate change.

(1) Increase the ability of the community to adapt to the effects of climate change when undertaking future land use planning by:

(a) Ensuring the potential environmental and social costs of climate change, including effects on indigenous biodiversity (inland migration), historic heritage, Sites and areas of Significance to Maaori, mahinga kai, public health and safety, public access to the coast and waterway margins, and the built environment are addressed;

(b) Encouraging the incorporation of sustainable design measures within new subdivision, land use and development, including:

(i) Low impact, stormwater management, urban design and green infrastructure;

(ii) Of relocatable buildings and structures in areas potentially at risk due to sea level rise or increased flood levels;

(iii) Efficient water storage;

(iv) Provision of renewable energy generation; and

(v) Transferring to activities with lower greenhouse gas emissions.

(c) Providing ongoing monitoring of changes to the environment due to climate change; and

(d) Facilitating community discussion on adaptive pathways to manage the risks associated with climate change and incorporating them, where appropriate, into the district plan through plan changes.

NH-P28 Precautionary approach for dealing with uncertainty.

In areas throughout the district likely to be affected by climate change over the next 100 years, adopt a precautionary approach towards new subdivision, use and development which may have potentially significant or irreversible adverse effects, but for which there is incomplete or uncertain information.

NH-P29 Provide sufficient setbacks for new development.

(1) Protect people, property and the environment from the projected adverse effects of climate change, including sea level rise, by providing sufficient setbacks from water bodies and the coast when assessing new development.

(2) Ensure that, in establishing development setbacks for new development, adequate consideration is given to:

(a) The protection of natural ecosystems, including opportunities for the inland migration of coastal habitats;

(b) The vulnerability of the community;

(c) The maintenance and enhancement of public access to the coast and public open space;

(d) The requirements of infrastructure; and

(e) Natural hazard mitigation provision, including the protection of natural defences.

NH-P30 Assess the impact of climate change on the level of natural hazard risks.

(1) For all new subdivision, use and development requiring rezoning or a resource consent, ensure that account is taken of the projected effects of climate change over the next 100 years when assessing any identified risks from natural hazards, and their effects on people, property, infrastructure and the environment.

(2) Ensure that, when assessing the effects of climate change on the level of natural hazard risk in accordance with Policy NH-P30(1) above, the allowances in Policy NH-26(1)(a)-(d) are applied.

(3) Where the assessment required by Policy NH-P30(1) indicates that natural hazards are likely to be exacerbated by climate change, ensure that subdivision and development are designed and located so that any increased and cumulative risk from natural hazards is managed to acceptable levels and any intolerable risks are avoided or reduced to tolerable or acceptable levels.

## Rules

(1) The rules in this chapter apply alongside the National Environmental Standards for Electricity Transmission 2010 (NESETA).

(2) The rules in this chapter do not apply to:

(a) Any activity which is a regulated activity under the National Environmental Standards for Telecommunication Facilities 2016 (NESTF);

(b) Plantation forestry activities regulated under the National Environmental Standards for Plantation Forestry (NESPF).

*Flood plain management area and Flood ponding area*

| **NH-R1** | Construction of a new building, or reconstruction of or an addition to an existing building, unless specified in Rules NH-R2 – NH-R6 | |
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| Flood plain management area and Flood ponding area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>(a) The minimum floor level is at least 0.5m above the 1% AEP flood level; and<br>(b) Compliance with Standard NH-R1(1)(a) shall be demonstrated by a suitably qualified engineer with experience in hydrology. | **(2) Activity status where compliance not achieved: RDIS**<br>**Council's discretion is restricted to the following matters:**<br>(a) Assessment of risk from the 1% AEP flood event;<br>(b) Alternative locations within the site outside of the 1% AEP floodplain or flood ponding area;<br>(c) The type of building development proposed and whether it is likely to suffer material damage during a flood; |

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| | | (d) Ability to manage risk through building materials, structural or design work, engineering solutions or other appropriate measures; and<br>(e) Other mitigation measures to reduce the potential for flood damage to buildings. |
| **NH-R2** | Additions to an existing building that does not increase the ground floor area of the building by more than 15m² | |
| Flood plain management area and Flood ponding area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R3** | Standalone garage with a gross floor area not exceeding 40m² | |
| Flood plain management area and Flood ponding area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R4** | Construction of an accessory building without a floor | |
| Flood plain management area and Flood ponding area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R5** | Construction of a farm building without a floor | |
| Flood plain management area and Flood ponding area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R6** | Construction, replacement, repair, maintenance, minor upgrading or upgrading of utilities | |
| Flood plain management area and Flood ponding area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R7** | Earthworks associated with construction, replacement, repair, maintenance, minor upgrading or upgrading of utilities, including the formation and maintenance of access tracks. | |

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| Flood plain management area and Flood ponding area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R8** | Earthworks to create a building platform for residential purposes | |
| Flood plain management area and Flood ponding area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>(a) Filling height is only to the extent necessary to achieve compliance with Rule NH-R1(1)(a). | **(2) Activity status where compliance not achieved: RDIS**<br>**Council's discretion is restricted to the following matters:**<br>(a) Timing, location and scale of earthworks;<br>(b) Adverse effects on:<br>(i) Existing overland flow paths and surface drainage patterns;<br>(ii) Flood storage capacity;<br>(iii) Runoff volumes;<br>(iv) Adjoining properties, including the transfer of risk;<br>(v) Infrastructure and flood protection works;<br>(vi) Consideration of soil types and potential for erosion; and<br>(c) Mitigation including compensatory storage, or other flood management measures proposed. |
| **NH-R9** | Earthworks not provided for under Rules NH-R7 or NH-R8 | |
| Flood plain management area and Flood ponding area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>(a) In the GRZ – General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone, SETZ – Settlement zone and RLZ – Rural lifestyle zone, a maximum volume of filling above natural ground level of 10m$^3$ per site, and a maximum cumulative volume of filling and excavation of 20m$^3$; or<br>(b) In the GRUZ – General rural zone – a maximum volume of filling above natural ground level of 100m$^3$ per site, and a maximum cumulative volume of | **(2) Activity status where compliance not achieved: RDIS**<br>**Council's discretion is restricted to the following matters:**<br>(a) Timing, location and scale of earthworks;<br>(b) Adverse effects on:<br>(i) Existing overland flow paths and surface drainage patterns;<br>(ii) Flood storage capacity;<br>(iii) Runoff volumes;<br>(iv) Adjoining properties, including the transfer of risk;<br>(v) Infrastructure and flood protection works; |

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| | filling and excavation of 200m³ per site; or<br>(c) All other zones – a maximum volume of filling above natural ground level of 20m³ per site, and a maximum cumulative volume of filling and excavation of 50m³ per site; and<br>(d) Height and depth of earthworks in all zones:<br>(i) A maximum height of 0.2m of filling above natural ground level; and<br>(ii) a maximum depth of excavation of 0.5m below natural ground level.<br><br>Advice note: where a site is located partly within the flood plain management area or flood ponding area this rule only applies to that part of the site within the flood plain management area or flood ponding area. | (vi) Consideration of soil types and potential for erosion; and<br>(c) Mitigation including compensatory storage, or other flood management measures proposed. |
| **NH-R10** | Subdivision to create one or more additional vacant lot(s) other than a utility allotment, access allotment or subdivision to create a reserve allotment. | |
| Flood plain management area and Flood ponding area across all zones | **(1) Activity status: DIS** | |

*High risk flood area*

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| **NH-R11** | Repair, maintenance or minor upgrading of existing utilities | |
| High risk flood area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R12** | Construction, replacement or upgrading of telecommunication lines, poles, cabinets and masts/poles supporting antennas | |
| High risk flood area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R13** | Construction, replacement or upgrading of electricity lines, poles, cabinets, and supporting structures | |
| High risk flood area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R14** | Construction of an accessory building without a floor; | |

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| High risk flood area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R15** | Construction of a farm building without a floor. | |
| High risk flood area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R16** | New utilities not provided for in Rules NH-R12 or NH-R13 | |
| High risk flood area across all zones | **(1) Activity status: RDIS**<br>**Activity-specific standards:**<br>Nil.<br><br>**Council's discretion is restricted to the following matters:**<br>(a) Functional and operational requirements to be located in the High risk flood area;<br>(b) The adverse effects on people and property from establishing or upgrading the utility in the High risk flood area;<br>(c) The potential for the development to transfer/increase flood risk to neighbouring properties;<br>(d) Consideration of alternative locations;<br>(e) Consideration of the projected effects of climate change;<br>(f) Any mitigation measures to reduce the risk to people's safety, well-being and property. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R17** | Upgrading of existing utilities not provided for in Rule NH-R11 | |
| High risk flood area across all zones | **(1) Activity status: RDIS**<br>**Activity-specific standards:**<br>Nil.<br><br>**Council's discretion is restricted to the following matters:**<br>(a) Functional and operational requirements to be located in the High risk flood area;<br>(b) The adverse effects on people and property from establishing or upgrading the utility in the High risk flood area;<br>(c) The potential for the development to | **(2) Activity status where compliance not achieved: n/a** |

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| | transfer/increase flood risk to neighbouring properties;<br>(d) Consideration of alternative locations;<br>(e) Consideration of the projected effects of climate change;<br>(f) Any mitigation measures to reduce the risk to people's safety, well-being and property. | |
| **NH-R18** | One addition to a lawfully established building existing at 17 January 2022, where the addition does not increase the ground floor area of the existing building by more than 15m$^2$, unless provided for in Rules NH-R17 or NH-R18 | |
| High risk flood area across all zones | **(1) Activity status: RDIS**<br>**Activity-specific standards:**<br>Nil.<br><br>**Council's discretion is restricted to the following matters:**<br>(a) The ability to manage flood risk through appropriate building materials, structural or design work or other engineering solutions;<br>(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;<br>(c) Any mitigation measures to reduce the risk to people's safety, well-being and property. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R19** | Subdivision that creates one or more additional vacant lot(s) where:<br>(a) The additional lot(s) are located entirely outside the High risk flood area; or<br>(b) The additional lot(s) are partially within the High risk flood area and each additional lot(s) contains an area capable of containing a complying building platform entirely outside the High risk flood area.<br><br>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment. | |
| High risk flood area across all zones | **(1) Activity status: DIS** | |
| **NH-R20** | Construction of a new building or additions to an existing building, not provided for in Rules NH-R11 – NH-R18 | |
| High risk flood area across all zones | **(1) Activity status: NC** | |
| **NH-R21** | Subdivision that does not comply with Rule NH-R19 | |

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| | This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment. |
| High risk flood area across all zones | **(1) Activity status: NC** |
| **NH-R22** | Emergency service facilities and hospitals |
| High risk flood area across all zones | **(1) Activity status: NC** |

*Defended area (Residual risk)*

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| **NH-R23** | Activities are permitted activities within the Defended area identified on the planning maps, unless specified in Rules NH-R24 to NH-R26 below, or as otherwise specified in the relevant zone chapter or the Part 2 – District-wide matters chapters | |
| Defended area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R24** | Subdivision that creates one or more additional vacant lot(s).<br><br>This rule does not apply to subdivision for a utility allotment, an access allotment or subdivision to create a reserve allotment. | |
| Defended area across all zones | **(1) Activity status: RDIS**<br>**Activity-specific standards:**<br>Nil.<br><br>**Council's discretion is restricted to the following matters:**<br>(a) The actual level of service provided by the structural defence and associated flood protection works, including any change in the level of service anticipated due to climate change and sea level rise;<br>(b) The impact of any planned improvements, maintenance or upgrading on the residual risk;<br>(c) The effect of groundwater levels and variability in ground conditions on stop-bank security at and adjacent to the site to be subdivided;<br>(d) The likely depth and duration of flooding as a result of a breach or overtopping event or flood ponding;<br>(e) The location of the subdivision, including services such as wastewater, water supply and roading/access (including escape | **(2) Activity status where compliance not achieved: n/a** |

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| | routes), in relation to potential breakout points (failure zone);<br>(f) The adverse effects on:<br>(i) People and property,<br>(ii) Historic heritage and Sites and Areas of Significance to Maaori, and<br>(iii) Overall vulnerability from potential failure or overwhelming of the structural defences and associated flood protection works relevant to the proposed new lot(s);<br>(g) Potential for the development to transfer/increase flood risk/residual risk to neighbouring properties;<br>(h) Any additional mitigation measures proposed or site features which reduce residual risk (e.g., natural high ground; evacuation plan). | |
| **NH-R25** | Construction of a new building, or reconstruction of, or new accessory building, 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. | |
| Defended area across all zones | **(1) Activity status: DIS** | |
| **NH-R26** | 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.<br><br>This rule does not apply to earthworks associated with utilities where the written approval of the authority managing the stop-bank has been obtained. | |
| Defended area across all zones | **(1) Activity status: DIS** | |

*Coastal sensitivity areas*

| **NH-R27** | Additions to an existing lawfully established building | |
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| Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>(a) The gross floor area of all additions to the building from 17 January 2022 do not exceed a total of 15m$^2$. | **(2) Activity status where compliance not achieved: RDIS**<br>**Council's discretion is restricted to the following matters:**<br>(a) The ability to manage coastal hazard risk through appropriate building materials, structural or design work, engineering solutions, and other appropriate mitigation measures, including |

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| | | the ability to relocate the building;<br>(b) The setting of minimum floor levels where appropriate;<br>(c) The application of mitigation through natural features and buffers where appropriate;<br>(d) The ability to impose time limits or triggers to determine when the building and services to be removed or relocated;<br>(e) The degree to which coastal hazard risk, including the effects of climate change over a period to 2120, has been assessed in a site specific coastal hazard risk assessment;<br>(f) Suitability of the site for the proposed use, including the provision for servicing such as access, wastewater, stormwater, and water supply;<br>(g) Adverse effects to people and property and overall vulnerability from the establishment of the new building or additions to an existing building<br>(h) Any mitigation measures to reduce risk; and<br>(i) Whether there is any suitable alternative location for the activity to locate within the site. |
| **NH-R28** | Construction of an accessory building without a floor | |
| Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R29** | Construction of a farm building without a floor | |
| Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R30** | Construction, upgrading, minor upgrading, replacement, repair or maintenance of utilities excluding hard protection structures. | |

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| Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R31** | Maintenance or repair of an existing lawfully established hard protection structure | |
| Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R32** | Construction of a new building, or reconstruction of, or additions to existing buildings in the RPZ – Rangitahi Peninsula zone and Coastal sensitivity area (Erosion) on a certificate of title which was created by subdivision consent granted between 28 September 2015 and 17 January 2022 | |
| Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>(a) Compliance with the requirements of any consent notice for the certificate of title pursuant to section 221 of the Resource Management Act 1991 containing specific design or location requirements for buildings. | **(2) Activity status where compliance not achieved: RDIS**<br>**Council's discretion is restricted to the following matters:**<br>(a) The ability to manage coastal hazard risk through appropriate building materials, structural or design work, engineering solutions, and other appropriate mitigation measures, including the ability to relocate the building;<br>(b) The setting of minimum floor levels where appropriate;<br>(c) The application of mitigation through natural features and buffers where appropriate;<br>(d) The ability to impose time limits or triggers to determine when the building and services to be removed or relocated;<br>(e) The degree to which coastal hazard risk, including the effects of climate change over a period to 2120, has been assessed in a site specific coastal hazard risk assessment;<br>(f) Suitability of the site for the proposed use, including the provision for servicing such as |

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| | | access, wastewater, stormwater, and water supply;<br>(g) Adverse effects to people and property and overall vulnerability from the establishment of the new building or additions to an existing building<br>(h) Any mitigation measures to reduce risk; and<br>(i) Whether there is any suitable alternative location for the activity to locate within the site. |
| **NH-R33** | Construction of a new building or additions to an existing building not provided for in Rules NH-R27- NH-R30 and NH-R32 | |
| Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones | **(1) Activity status: RDIS**<br>**Activity-specific standards:**<br>Nil<br><br>**Council's discretion is restricted to the following matters:**<br>(a) The ability to manage coastal hazard risk through appropriate building materials, structural or design work, engineering solutions, and other appropriate mitigation measures, including the ability to relocate the building;<br>(b) The setting of minimum floor levels where appropriate;<br>(c) The application of mitigation through natural features and buffers where appropriate;<br>(d) The ability to impose time limits or triggers to determine when the building and services to be removed or relocated;<br>(e) The degree to which coastal hazard risk, including the effects of climate change over a period to 2120, has been assessed in a site specific coastal hazard risk assessment;<br>(f) Suitability of the site for the proposed use, including the provision for servicing such as access, wastewater, stormwater, and water supply;<br>(g) Adverse effects to people and property and overall vulnerability from the | **(2) Activity status where compliance not achieved: n/a** |

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| | establishment of the new building or additions to an existing building<br>(h) Any mitigation measures to reduce risk; and<br>(i) Whether there is any suitable alternative location for the activity to locate within the site. | |
| **NH-R34** | Any subdivision to create any additional vacant lots where the additional vacant lot(s) are located partially or entirely within the Coastal sensitivity area (Inundation), Coastal sensitivity area (Erosion).<br><br>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision creating a reserve allotment | |
| Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones | **(1) Activity status: RDIS**<br>**Activity-specific standards:**<br>Nil<br><br>**Council's discretion is restricted to the following matters:**<br>(a) Whether the vacant lot(s) are capable of containing a complying building platform entirely outside the Coastal sensitivity area (Inundation), or the Coastal sensitivity area (Erosion); or<br>(b) Where the vacant lot(s) are not capable of containing a complying building platform entirely outside of the Coastal sensitivity area (Inundation), or the Coastal sensitivity area (Erosion):<br>(i) The degree to which coastal hazard risk, including the effects of climate change over a period to 2120, has been assessed in a site specific coastal hazard risk assessment;<br>(ii) Suitability of the vacant lot for the likely future uses, including the provision for servicing such as access, wastewater, stormwater, and water supply;<br>(iii) The degree to which alternative subdivision layout(s) have been investigated to avoid or mitigate coastal hazards; | **(2) Activity status where compliance not achieved: n/a** |

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| | (iv) Adverse effects to people, property and the environment and overall vulnerability from the likely future uses, including any mitigation measures to reduce risk; and<br>(v) The setting of minimum floor levels in areas subject to inundation. | |
| **NH-R35** | Construction of a new hard protection structure, or any extension to, or upgrade or replacement of an existing hard protection structure | |
| Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones | **(1) Activity status: RDIS**<br>**Activity-specific standards:**<br>Nil<br><br>**Council's discretion is restricted to the following matters:**<br>(a) Whether structures have primarily a public and/or environmental benefit when located on public land;<br>(b) The extent to which the structure is effective, considering a range of coastal hazard events including the effects of climate change and the activities or development they are designed to protect;<br>(c) The extent to which economic, social and environmental benefits outweigh costs;<br>(d) Whether risk to people, property, infrastructure, environment, historic heritage or sites and areas of significance to Maaori is not transferred or increased;<br>(e) The extent to which structures are located as far landward as practicable;<br>(f) Whether public access both to and along the coastal area and to the coastal marine area are provided for where the structure is located on public land; and<br>(g) Whether an adaptive management strategy has been prepared to manage coastal hazards, and whether the | **(2) Activity status where compliance not achieved: n/a** |

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| | structure is consistent with that strategy. | |

*High risk coastal erosion area*

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| **NH-R36** | Construction of an accessory building without a floor | |
| High risk coastal erosion area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>(a) The gross floor area of the building does not exceed 40m$^2$. | **(2) Activity status where compliance not achieved: NC** |
| **NH-R37** | Construction of a farm building without a floor | |
| High risk coastal erosion area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>(a) The gross floor area of the building does not exceed 40m$^2$. | **(2) Activity status where compliance not achieved: NC** |
| **NH-R38** | Repair, maintenance or minor upgrading of existing utilities excluding hard protection structures | |
| High risk coastal erosion area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R39** | Construction, operation, replacement or upgrading of telecommunications lines, poles, cabinets and masts/poles supporting antennas | |
| High risk coastal erosion area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R40** | New electricity lines, poles, cabinets and masts/ poles supporting antennas | |
| High risk coastal erosion area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R41** | Maintenance or repair of an existing lawfully established hard protection structure. | |
| High risk coastal erosion area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R42** | Earthworks for an activity listed in Rules NH-R36 – NH-R41, including the maintenance and repair of access tracks | |
| High risk coastal erosion area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>(a) The maximum volume of filling does not exceed 10m$^3$ per site; and | **(2) Activity status where compliance not achieved: DIS** |

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| | (b) The maximum depth of any excavation or filling does not exceed 0.5m above or below ground level. | |
| **NH-R43** | Construction of a new hard protection structure, or any extension to, or upgrade or replacement of an existing hard protection structure. | |
| High risk coastal erosion area across all zones | **(1) Activity status: RDIS**<br>**Activity-specific standards:**<br>Nil<br><br>**Council's discretion is restricted to the following matters:**<br>(a) Whether structures have primarily a public and/or environmental benefit when located on public land;<br>(b) The extent to which the structure is effective, considering a range of coastal hazard events including the effects of climate change and the activities or development they are designed to protect;<br>(c) The extent to which economic, social and environmental benefits outweigh costs;<br>(d) Whether risk to people, property, infrastructure, environment, historic heritage or sites and areas of significance to Maaori is not transferred or increased;<br>(e) The extent to which structures are located as far landward as practicable;<br>(f) Whether public access both to and along the coastal area and to the coastal marine area are provided for where the structure is located on public land; and<br>(g) Whether an adaptive management strategy has been prepared to manage coastal hazards, and whether the structure is consistent with that strategy. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R44** | Earthworks not provided for in Rule NH-42 | |
| High risk coastal erosion area | **Activity status: DIS** | |

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| across all zones | |
| **NH-R45** | Relocation of an existing building within the same site where the building is relocated landward of its existing position |
| High risk coastal erosion area across all zones | **Activity status: DIS** |
| **NH-R46** | Replacement of an existing building within the same site where:<br>(a) The replacement building is located landward of the existing building that it replaces;<br>(b) The replacement building is relocatable on a suspended timber floor; and<br>(c) The gross floor area of the replacement building is no larger than the existing building that it replaces |
| High risk coastal erosion area across all zones | **Activity status: DIS** |
| **NH-R47** | Construction of new utilities not provided for in Rules NH-R39 and NH-R40 |
| High risk coastal erosion area across all zones | **Activity status: DIS** |
| **NH-R48** | Upgrading of existing utilities not provided for in Rules NH-R38 and NH-R39 |
| High risk coastal erosion area across all zones | **Activity status: DIS** |
| **NH-R49** | Subdivision that creates one or more additional vacant lot(s) where the additional lot(s) are partially within the High risk coastal erosion area and each additional lot(s) contains a net site area capable of containing a complying building platform entirely outside the High risk coastal erosion area.<br><br>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment. |
| High risk coastal erosion area across all zones | **Activity status: DIS** |
| **NH-R50** | Construction of a new building or additions to an existing building, not provided for in Rules NH-R36 – NH-R40, NH-R45 – NH-R48 |
| High risk coastal erosion area across all zones | **Activity status: NC** |

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| **NH-R51** | Subdivision to create one or more additional lot(s) that does not comply with Rule NH-R49.<br><br>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment. |
| High risk coastal erosion area across all zones | **Activity status: NC** |
| **NH-R52** | Emergency service facilities and hospitals |
| High risk coastal erosion area across all zones | **Activity status: NC** |

*High risk coastal inundation area*

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| **NH-R53** | Construction of an accessory building without a floor | |
| High risk coastal inundation area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>(a) The gross floor area of the building does not exceed 40m$^2$. | **(2) Activity status where compliance not achieved: NC** |
| **NH-R54** | Construction of a farm building without a floor | |
| High risk coastal inundation area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>(a) The gross floor area of the building does not exceed 40m$^2$. | **(2) Activity status where compliance not achieved: NC** |
| **NH-R55** | Repair, maintenance or minor upgrading of existing utilities excluding hard protection structures | |
| High risk coastal inundation area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R56** | Construction, operation, replacement or upgrading of telecommunications lines, poles, cabinets and masts/poles supporting antennas | |
| High risk coastal inundation area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R57** | New electricity lines, poles, cabinets and masts/ poles supporting antennas | |
| High risk coastal inundation area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R58** | Maintenance or repair of an existing lawfully established hard protection structure. | |

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| High risk coastal inundation area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R59** | Earthworks for an activity listed in Rules NH-R53 – NH-R57, including the maintenance and repair of access tracks | |
| High risk coastal inundation area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>(a) The maximum volume of filling does not exceed 10m³ per site; and<br>(b) The maximum depth of any excavation or filling does not exceed 0.5m above or below ground level. | **(2) Activity status where compliance not achieved: DIS** |
| **NH-R60** | Construction of a new hard protection structure, or any extension to, or upgrade or replacement of an existing hard protection structure. | |
| High risk coastal inundation area across all zones | **(1) Activity status: RDIS**<br>**Activity-specific standards:**<br>Nil<br><br>**Council's discretion is restricted to the following matters:**<br>(a) Whether structures have primarily a public and/or environmental benefit when located on public land;<br>(b) The extent to which the structure is effective, considering a range of coastal hazard events including the effects of climate change and the activities or development they are designed to protect;<br>(c) The extent to which economic, social and environmental benefits outweigh costs;<br>(d) Whether risk to people, property, infrastructure, environment, historic heritage or sites and areas of significance to Maaori is not transferred or increased;<br>(e) The extent to which structures are located as far landward as practicable;<br>(f) Whether public access both to and along the coastal area and to the coastal marine area are provided for where the | **(2) Activity status where compliance not achieved: n/a** |

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| | structure is located on public land; and<br>(g) Whether an adaptive management strategy has been prepared to manage coastal hazards, and whether the structure is consistent with that strategy. | |
| **NH-R61** | Earthworks not provided for in Rule NH-59 | |
| High risk coastal inundation area across all zones | **Activity status: DIS** | |
| **NH-R62** | Construction of new utilities not provided for in Rules NH-R56 and NH-R57 | |
| High risk coastal inundation area across all zones | **Activity status: DIS** | |
| **NH-R63** | Upgrading of existing utilities not provided for in Rules NH-R55 and NH-R56 | |
| High risk coastal inundation area across all zones | **Activity status: DIS** | |
| **NH-R64** | Subdivision that creates one or more additional vacant lot(s) where the additional lot(s) are partially within the High risk coastal inundation area and each additional lot(s) contains a net site area capable of containing a complying building platform entirely outside the High risk coastal inundation area.<br><br>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment. | |
| High risk coastal inundation area across all zones | **Activity status: DIS** | |
| **NH-R65** | Construction of a new building or additions to an existing building, not provided for in Rules NH-R53 – NH-R57, NH-R62 – NH-R63 | |
| High risk coastal inundation area across all zones | **Activity status: DIS** | |
| **NH-R66** | Subdivision to create one or more additional lot(s) that does not comply with Rule NH-R64<br><br>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment. | |
| High risk coastal inundation | **Activity status: NC** | |

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| area across all zones | |
| **NH-R67** | Emergency service facilities and hospitals |
| High risk coastal inundation area across all zones | **Activity status: NC** |

*Mine subsidence risk area*

| **NH-R68** | Additions to an existing building | |
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| Mine subsidence risk area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>(a) Additions do not increase the gross floor area of the building by more than 15m²; and<br>(b) Additions do not result in the length of any wall of the building exceeding 20m. | **(2) Activity status where compliance not achieved: RDIS**<br>**Council's discretion is restricted to the following matters:**<br>(a) Construction standards and materials;<br>(b) Suitability of the site for development; and<br>(c) The potential effects on health and safety. |
| **NH-R69** | Standalone garage | |
| Mine subsidence risk area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>(a) The gross floor area of the building does not exceed 55m²; and<br>(b) The maximum length of any wall does not exceed 20m. | **(2) Activity status where compliance not achieved: RDIS**<br>**Council's discretion is restricted to the following matters:**<br>(a) Construction standards and materials;<br>(b) Suitability of the site for development; and<br>(c) The potential effects on health and safety. |
| **NH-R70** | Construction, replacement, repair, minor upgrading, upgrading or maintenance of utilities and associated earthworks | |
| Mine subsidence risk area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>Nil. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R71** | Earthworks | |
| Mine subsidence risk area across all zones | **(1) Activity status: PER**<br>**Activity-specific standards:**<br>(a) The maximum volume of filling does not exceed 20m³ per site; and<br>(b) The maximum depth of any excavation or filling does not exceed 1m above or below ground level. | **(2) Activity status where compliance not achieved: RDIS**<br>**Council's discretion is restricted to the following matters:**<br>(a) Location and scale of earthworks;<br>(b) Geotechnical and geological stability of the site following the completion of earthworks; |

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| | | (c) Risk to people and property from subsidence as a result of earthworks; and<br>(d) Any other mitigation measures to reduce risk. |
| **NH-R72** | The construction or alteration of a building that is not provided for under Rule Rules NH-R68 – NH-R71 where a Consent Notice is registered against the Record of Title confirming that a geotechnical assessment has been approved at the time of subdivision and the approved geotechnical report confirms that the ground is suitable for building development and the building development is in accordance with any recommendations of the geotechnical report. | |
| Mine subsidence risk area across all zones | **(1) Activity status: CON**<br>**Activity-specific standards:**<br>Nil.<br><br>**Council's control is reserved to the following matters:**<br>(a) The degree to which the requirements and recommendations of the geotechnical report approved at the time of subdivision have been incorporated in the building design; and<br>(b) Whether confirmation is provided from a suitably experienced and qualified geotechnical engineer that confirms the proposed building development is consistent with the recommendations and requirements of the geotechnical report approved at the time of subdivision. | **(2) Activity status where compliance not achieved: n/a** |
| **NH-R73** | Construction of a building, or reconstruction of, or accessory building or the reconstruction of or additions to an existing building not provided for in Rules NH-R68 – NH-R70 or NH-R72 | |
| Mine subsidence risk area across all zones | **(1) Activity status: RDIS**<br>**Activity-specific standards:**<br>Nil.<br><br>**Council's discretion is restricted to the following matters:**<br>(a) Construction standards and materials;<br>(b) Suitability of the site for development; and<br>(c) The potential effects on health and safety. | **(2) Activity status where compliance not achieved: n/a** |

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| **NH-R74** | Subdivision to create one or more additional vacant lot(s) other than a utility allotment, access allotment or subdivision to create a reserve allotment |
| Mine subsidence risk area across all zones | **Activity status: DIS** |

*Liquefaction*

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| **NH-R75** | Overview of method |
| All zones | (1) Areas in the District susceptible to liquefaction have not been identified on the planning maps as a natural hazard overlay as is the case with the other natural hazards in this chapter. Where specific land uses have already been identified as restricted discretionary activities in the activity status tables in the relevant zone, liquefaction risk has been added as a matter over which the Council will reserve its discretion, where it is considered relevant for that activity. To satisfy the requirements of sections 104 and 106 of the RMA, identification of appropriate mitigation may be required where the site and proposed development are considered vulnerable to liquefaction based on site-specific characteristics. It is expected that best practice geotechnical and engineering methods will be used to ensure that the site is suitable for the intended use.<br>(2) Where potential liquefaction risk is identified as a matter that the Council restricts its discretion to, the additional matters outlined in Rules NH-R76 and NH-R77 below apply where relevant. |
| **NH-R76** | Additional matters of restricted discretion for subdivision to create one or more additional vacant lots – liquefaction risk |
| All zones | (1) Where potential liquefaction risk is identified as a matter that the Council will restrict its discretion to in a subdivision rule elsewhere in this Plan, and where that proposal involves subdivision to create one or more additional vacant lots, the Council restricts its discretion to the following additional matters (note: these matters will also be relevant to the assessment of a discretionary or non-complying resource consent application where a potential liquefaction hazard has been identified on a site):<br>(a) Geotechnical assessment and/or investigation of any potential liquefaction hazard on the site at a level sufficient to confirm the level of risk and its suitability for the proposed activity (refer to the information requirements in section below);<br>(b) Measures proposed to mitigate the effects of liquefaction hazard if present including:<br>(i) Location, size, layout and design of allotments, structures, and building platforms, including consideration given to alternative siting away from where liquefaction risk is greatest;<br>(ii) Location, timing, scale and nature of earthworks;<br>(iii) Provision for ground strengthening and foundation design;<br>(iv) Provision for resilient services and infrastructure, including wastewater, water supply, roads and access;<br>(v) Setbacks in relation to waterways, waterbodies or any steep change in ground elevation, sloping ground or free face, or alternative geotechnical measures to address any identified potential for lateral spread; and |

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| | (vi) Effects on adjoining properties. |
| **NH-R77** | Additional matters of restricted discretion for new land use (e.g., multi-unit development) – liquefaction risk |
| All zones | (1) Where potential liquefaction risk is identified as a matter that the Council will restrict its discretion to in a rule elsewhere in this Plan for new land use, the Council restricts its discretion to the following additional matters (note: these matters will also be relevant to the assessment of a discretionary or non-complying resource consent application where a potential liquefaction hazard has been identified on a site):<br>(a) Geotechnical assessment and/or investigation of any potential liquefaction hazard on the site at a level sufficient to confirm the level of risk and its suitability for the proposed activity (refer to the information requirements in section below);<br>(b) Measures proposed to mitigate the effects of liquefaction hazard, if present, including:<br>(i) Location, size, layout and design of buildings, structures, car parking areas, access and provision for resilient infrastructure and services, including wastewater, stormwater and water supply;<br>(ii) Location, timing, scale and nature of earthworks;<br>(iii) Provision for ground strengthening and foundation design;<br>(iv) Setbacks in relation to waterways, waterbodies or any steep change in ground elevation, sloping ground (or free face, or alternative geotechnical measures to address any identified potential for lateral spread);<br>(v) Consideration given to ease of repair (including access to repair damaged structures) of liquefaction-induced damage; and<br>(vi) Effects on adjoining properties. |

*Advice note:*

*Effects on archaeological sites, both recorded (identified by the New Zealand Archaeological Association) and unrecorded, are regulated under the Heritage New Zealand Pouhere Taonga Act 2014. Heritage New Zealand Pouhere Taongo must be contacted regarding development and the need to undertake an archaeological assessment to determine the need for an archaeological authority. In the event of an accidental discovery, the Heritage New Zealand Pouhere Taonga Lower Northern Office must be contacted immediately.*

## Information Requirements for all resource consent applications addressing natural hazards

### NH-INFO1 – General

(1) The following documents, to the extent relevant to the proposal:
- (a) Geotechnical assessment, including identification and assessment of any potentially liquefaction prone land and land subject to slope instability;
- (b) An assessment of natural hazard risk, including the type of natural hazards present, such as flooding, slope stability, liquefaction, subsidence and coastal hazards. The assessment shall include the level of risk and any increase in risk as a result of the proposal associated with each hazard. Where applicable, the projected effects of climate change over the period to 2120 must be included;

(c) Remediation and mitigation measures necessary to make the site and any proposed buildings suitable for the proposed use, such as minimum floor levels, foundation design for relocatability, and appropriate time limits and/or triggers for the removal of any building and onsite wastewater disposal systems.

(2) Plans identifying:
   (a) Topographical features within the site and surrounding area; and
   (b) The location of natural hazards on all or part of the site.

(3) Consideration of the information contained in the following stormwater catchment management plans, or any approved updated version, where relevant:
   (a) Ngaruawahia Catchment Management Plan, March 2015;
   (b) Tamahere Stormwater Catchment Management Plan and Report, 2011
   (c) Port Waikato Stormwater Catchment Management Plan and Report, 2004;
   (d) Pokeno Catchment Management Plan, 2010;
   (e) Te Kauwhata Catchment Management Plan, 2009; or
   (f) Tuakau Catchment Management Plan, Draft 2014.

**NH-INFO2 – Liquefaction potential**

(1) For land use resource consent applications where the additional matters the Council will restrict its discretion to include liquefaction, as per Rule NH-R77, the following information is required:
   (a) A preliminary geotechnical assessment in sufficient detail to determine:
      (i) The liquefaction vulnerability category, being either "liquefaction damage is unlikely" or "liquefaction damage is possible", as shown in Table 4.4 in "Preliminary Document: Planning and engineering guidance for potentially liquefaction prone land – Resource Management Act and Building Act aspects. Pub MfE and MBIE, September 2017"; or
      (ii) Whether or not the site is susceptible to liquefaction using an alternative accepted method, observation, or desktop study.
   (b) Where a "liquefaction damage is possible" category has been identified for the site as per NH-INFO2(1)(a)(i) above, or an alternative accepted method, observation or desktop study indicates that the site is susceptible to liquefaction as per NH-INFO2(1)(a)(ii) above, the assessment will be required to determine the liquefaction vulnerability in more detail, and in proportion to the scale and significance of the liquefaction hazard, and must:
      (i) Identify any areas which require particular ground strengthening or other mitigation measures, and recommendations for such mitigation; and
      (ii) Identify areas to be excluded from built development, due to liquefaction hazard constraints (which includes lateral spread), or which require geotechnical setbacks; and
      (iii) Indicate options and recommended locations for the proposed activities and infrastructure recommended by the geotechnical engineer.
   (c) All geotechnical assessments in respect of liquefaction risk are to be prepared by a suitably qualified and experienced engineer with experience in geotechnical engineering or a Professional Engineering Geologist (IPENZ registered).

(2) For subdivision consent applications that create one or more additional vacant lots as per Rule NH-R76:
   (a) An assessment in accordance with NH-INFO2(1)(a) above will be required to be provided.
   (b) Where a "liquefaction damage is possible" category has been identified for the site as per 15.13.2(1)(a)(i) above, or an alternative accepted method, observation, or desktop study indicates that the site is susceptible to liquefaction as per NH-INFO2(1)(a)(ii)above, the subdivision application will be required to include sufficient information and proposed measures to satisfy that liquefaction risk can be adequately avoided, remedied or mitigated, including the potential effects of lateral spread.

(c) Subdivision plans shall show, to the extent relevant or appropriate to the scale and significance of the liquefaction hazard identified:
  (i) Any areas which require particular ground strengthening or other mitigation
  (ii) Measures, and recommendations for such mitigation; and
  (iii) Any areas which should be excluded from built development due to geotechnical constraints, or which require geotechnical setbacks; and
  (iv) Any features of subdivision layout recommended by the geotechnical engineer, for example any recommended locations for proposed activities and other infrastructure as a result of geotechnical constraints.

(d) All geotechnical reports in respect of liquefaction potential are to be prepared by a suitably qualified and experienced engineer with experience in geotechnical engineering or Professional Engineering Geologist (IPENZ registered).

**NH-INFO3 – RLZ – Rural lifestyle zone in Tamahere**

(1) Any resource consent in relation to land located in the RLZ – Rural lifestyle zone in Tamahere will be required to include details of ponding of stormwater and overland flow paths as a result of a 1% AEP storm event (with rainfall events adjusted for climate change), as well as mitigation measures taking account of information that the Council holds in respect to the Tamahere stormwater catchment area.

**NH-INFO3 – Defended areas**

(1) For any Restricted Discretionary Activity land use and subdivision applications within the Defended Area, the following information is required to the extent relevant to the scale of the proposal:
  (a) A risk assessment, carried out by a suitably-qualified and experienced risk assessment practitioner, which identifies the nature and level of residual risk, and details of appropriate methods to further reduce residual risk, where appropriate.