

WAIKATO DISTRICT COUNCIL

Hearings of Submissions on the Proposed Waikato District Plan

Report and Decisions of Independent Commissioners

Decision Report 29: Natural Hazards and Climate Change – General

17 January 2022

Commissioners

Dr Phil Mitchell (Chair)

Mr Paul Cooney (Deputy Chair)

Councillor Jan Sedgwick

Councillor Janet Gibb

Ms Linda Te Aho

Mr Dynes Fulton

Mr Weo Maag

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Glossary of Terms

Waikato District Council	Council
The Waikato District Plan Hearings Panel	Panel
Proposed Waikato District Plan	PDP
Stage 2 Natural Hazards and Climate Change	Stage 2

1 Introduction

- 1.1 This report addresses the subject matter of the Stage 2 Natural Hazards and Climate Change provisions (Stage 2), specifically the background and hearing process followed.
- 1.2 This report should be read alongside the following Natural Hazard and Climate Change Decision Reports which address the following specific topics:
 - a) Decision Report 29A: Objectives, Policies, and General Submissions;
 - b) Decision Report 29B: Flood Hazards, and Defended Areas;
 - c) Decision Report 29C: Coastal Hazards;
 - d) Decision Report 29D: Subsidence, Liquefaction, and Other Hazards; and
 - e) Decision Report 29E: Fire, Climate Change, and Definitions
- 1.3 By way of background, in April 2014 the Waikato District Council (Council) initiated a full review of the Operative Waikato District Plan including both the Waikato and Franklin sections.¹ In 2017, it became clear to Council that the natural hazard and climate change topics would not be completed in time for notification with the rest of the PDP. This was due to delays in receiving flood mapping data and other technical information associated with natural hazards.²
- 1.4 In March 2018, Council resolved that the climate change and natural hazards topics be reviewed and notified separately from the rest of the district plan topics.³ In June 2018, Council adopted Stage 1 of the PDP for notification. This covered all district plan topics except natural hazards and climate change. Stage 1 was notified on 18 July 2018.
- 1.5 Council approved Stage 2 of the PDP for notification on 20 July 2020. Stage 2 contains planning provisions for natural hazards including river flooding, flood ponding, coastal inundation and erosion, mine subsidence, slope instability, wildfire and liquefaction, as well as climate change.⁴
- 1.6 These natural hazard provisions are contained in a new chapter proposed to be added to the PDP, *Chapter 15 Natural Hazards and Climate Change*. Maps of natural hazard areas are proposed to be added as overlays on the planning maps. Chapter 15 and the maps were accompanied by another document, Variation 2, which amended Stage 1 PDP text to make it consistent with the approach to natural hazards and climate change proposed in Stage 2⁵.
- 1.7 Stage 2 and Variation 2 to the PDP were notified on 27 July 2020, with submissions open for 40 days.⁶
- 1.8 The submissions period closed on 23 September 2020 and submissions from 189 individuals and organisations were received. The names of the submitters are listed on

¹ Section 42A Report, Hearing 27A: Background and Process, dated 31 March 2021, Paragraph 15.

² Section 42A Report, Hearing 27A: Background and Process, dated 23 March 2021, Paragraph 16.

³ Section 42A Report, Hearing 27A: Background and Process, dated 23 March 2021, Paragraph 17.

⁴ Section 42A Report, Hearing 27A: Background and Process, dated 23 March 2021, Paragraphs 57 and 58.

⁵ Section 42A Report, Hearing 27A: Background and Process, dated 23 March 2021, Paragraph 59.

⁶ Section 42A Report, Hearing 27A: Background and Process, dated 23 March 2021, Paragraph 66.

Council’s website under the summary of submissions. Each section 42A report includes a full list of submitters and submission summaries relevant to the report topic.⁷

- 1.9 Council publicly notified a summary of decisions requested on 30 November 2020. Further submissions were invited, and this period closed on December 2020.⁸
- 1.10 Further submissions were received from 34 individuals and organisations. The names of the further submitters are available on Council’s website.⁹

2 Late submissions

- 2.1 The following submissions or further submissions were received late by the Council:¹⁰

Table 1: Late submissions and further submissions

Name and Submission No.	Closing date	Date received	
Fraser & Rachel, Jacqueline, & Terence McNutt, Keelan Peebles, & Peebles [2166]	23/09/2020	23/09/2020	
Mark Mathers [2187]		23/10/2020	
David Whyte [2188]		23/10/2020	
David Whyte [2189]		23/10/2020	
Jade McCormack [2165]		24/09/2020	
Joytishna Arti Devi [2154]		25/09/2020	
Glenn & Marion Hunter [2162]		28/09/2020	
Amanda & Max Ravlich [2164]		28/09/2020	
Judi Gallagher [2167]		30/09/2020	
Charles Verstappen [2184]		8/10/2020	
Chris Horne [FS 3002]		14/12/2020	14/12/2020
Stuart Penfold [FS 3028]			15/12/2020

- 2.2 We accepted all of the above late submissions and further submissions on 15 March 2021.

3 Hearings arrangement and evidence presented

- 3.1 The specific hearing for the Stage 2 Natural Hazards and Climate Change provisions was held between 10 and 12 May 2021 via Zoom. All of the relevant information

⁷ Section 42A Report, Hearing 27A: Background and Process, dated 23 March 2021, Paragraph 68.

⁸ Section 42A Report, Hearing 27A: Background and Process, dated 23 March 2021, Paragraph 70.

⁹ Section 42A Report, Hearing 27A: Background and Process, dated 23 March 2021, Paragraph 71.

¹⁰ Section 42A Report, Hearing 27A: Background and Process, dated 23 March 2021, Paragraph 78.

pertaining to the subject matter of this hearing (i.e., the section 42A report, legal submissions, and evidence) is contained on Council's website.

4 Panel decisions

4.1 Our decisions with respect to the Stage 2 provisions are set out by topic matter in the following Decisions Reports:

- a) Decision Report 27A: Objectives, Policies, and General Submissions;
- b) Decision Report 27B: Flood Hazards, and Defended Areas;
- c) Decision Report 27C: Coastal Hazards;
- d) Decision Report 27D: Subsidence, Liquefaction, and Other Hazards; and
- e) Decision Report 27E: Fire, Climate Change, and Definitions.

For the Hearings Panel



Dr Phil Mitchell, Chair

Dated: 17 January 2022