

OFFICER'S REPORT FOR:

Independent Hearing Commissioners:

Trevor Robinson (Chair)

Miria Pomare

Mark St Clair

Julia Williams

SUBJECT:

Proposed Porirua District Plan: Natural Hazards

PREPARED BY:

Torrey James McDonnell

REPORT DATED:

5 November 2021

DATE OF HEARING:

3 December to 10 December 2021

Executive Summary

1. This report considers submissions received by Porirua City Council (the Council) in relation to the relevant objectives, policies, rules, definitions, appendices and maps of the Proposed Porirua District Plan (PDP) as they apply to the topic of natural hazards. The report outlines recommendations in response to the issues that have emerged from these submissions. Submissions on coastal hazards are addressed in the CE – Coastal Environment s42A report.
2. There were a number of submissions and further submissions received on this topic. The submissions received were diverse and sought a range of outcomes. The following are considered to be the key issues in contention:
 - a. Fire hazards;
 - b. Flood hazards as a non-statutory layer
 - c. Hazard sensitivity rating of activities;
 - d. Policy approach in medium and high-hazard areas;
 - e. Amendments to flood hazard maps; and
 - f. Seismic hazards and fault rupture.
3. This report addresses each of these key issues, as well as any other issues raised by submissions.
4. This topic is also subject to a number of consequential amendments arising from submissions to the whole of the PDP and other chapters.
5. I have recommended some changes to the PDP provisions to address matters raised in submissions and are summarised below:
 - a. Amendments to definitions: hazard-sensitive, potentially-hazard-sensitive and less-hazard sensitive activities (and consequential amendments to APP10 Table 2 to align with these definitions);
 - b. Addition of a definition for hard engineering structures;
 - c. Additional wording in the introduction relating to where fire risk is addressed in the PDP;
 - d. Minor amendments to NH-O1, NH-O2 and NH-P9 to include infrastructure;
 - e. Amendments for NH-P2 and NH-P2 relating to Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within Medium and High Hazard areas; and
 - f. Amendments to NH-R6 to include the Moonshine Fault as a Low Hazard Area.
6. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP be amended as set out in Appendix A of this report.
7. For the reasons set out in the Section 32AA evaluation and included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:

- a. achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
- b. achieve the relevant objectives of the PDP, in respect to the proposed provisions.

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Interpretation

8. Parts A and B of the Officer's reports utilise a number of abbreviations for brevity as set out in Table 1 below:

Table 1: Abbreviations

Abbreviation	Means
the Act / the RMA	Resource Management Act 1991
AEP	Annual Exceedance Probability
ARI	Average Return Interval
the Council	Porirua City Council
the Operative Plan/ODP	Operative Porirua District Plan 1999
the Proposed Plan/PDP	Proposed Porirua District Plan 2020
GWRC	GWRC
NES	National Environmental Standard
NES-AQ	National Environmental Standards for Air Quality 2004
NES-CS	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
NES-ETA	National Environmental Standards for Electricity Transmission Activities 2009
NES-FW	National Environmental Standards for Freshwater 2020
NES-MA	National Environmental Standards for Marine Aquaculture 2020
NES-PF	National Environmental Standards for Plantation Forestry 2017
NES-SDW	National Environmental Standards for Sources of Drinking Water 2007
NES-TF	National Environmental Standards for Telecommunication Facilities 2016
NPS	National Policy Statement
NPS-ET	National Policy Statement on Electricity Transmission 2008
NPS-FM	National Policy Statement for Freshwater Management 2020
NPS-UD	National Policy Statement on Urban Development 2020
NPS-REG	National Policy Statement for Renewable Electricity Generation 2011
NZCPS	New Zealand Coastal Policy Statement 2010
PNRP	Proposed Wellington Natural Resources Plan (Decisions Version) 2019
RPS	Wellington Regional Policy Statement 2013

Table 2: Abbreviations of Submitters' Names

Abbreviation	Means
Dept of Corrections	Ara Poutama Aotearoa the Department of Corrections
DOC	Department of Conservation Te Papa Atawhai
FENZ	Fire and Emergency New Zealand
Foodstuffs	Foodstuffs North Island Limited
Forest and Bird	Royal Forest and Bird Protection Society
GWRC	Greater Wellington Regional Council
Harvey Norman	Harvey Norman Properties (N.Z.) Limited
Heritage NZ	Heritage New Zealand Pouhere Taonga
House Movers Association	House Movers section of the New Zealand Heavy Haulage Association Inc

Kāinga Ora	Kāinga Ora – Home and Communities
KiwiRail	KiwiRail Holdings Limited
NZDF	New Zealand Defence Force
Oranga Tamariki	Oranga Tamariki – Ministry of Children
QEII	Queen Elizabeth the Second National Trust
RNZ	Radio New Zealand
Survey+Spatial	Survey+Spatial New Zealand (Wellington Branch)
Telco	Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited
Transpower	Transpower New Zealand Ltd
TROTR	Te Rūnanga o Toa Rangatira
Waka Kotahi	Waka Kotahi NZ Transport Agency
WE	Wellington Electricity Lines Limited
Woolworths	Woolworths New Zealand Limited

In addition, references to submissions includes further submissions, unless otherwise stated.

1 Introduction

1.1 Purpose

9. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on the topic and to recommend possible amendments to the PDP in response to those submissions.
10. This report is prepared under section 42A of the RMA. It considers submissions received by the Council in relation to the relevant objectives, policies, rules, definitions, appendices and maps as they apply to natural hazards in the PDP. The report outlines recommendations in response to the key issues that have emerged from these submissions. Submissions on coastal hazards are addressed in the CE – Coastal Environment s42A report.
11. This report discusses general issues, the original and further submissions received following notification of the PDP, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the PDP provisions or maps based on the preceding discussion in the report.
12. The recommendations are informed by both the technical evidence provided by Wellington Water and GNS science, which is available on the PDP portal¹, and my evaluation. In preparing this report, I have had regard to recommendations made in other related s42A reports.
13. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
14. This report is intended to be read in conjunction with Officers' Report: Part A – Overview which contains factual background information, statutory context and administrative matters pertaining to the district plan review and PDP.

1.2 Author

15. My name is Torrey James McDonnell. My qualifications and experience are set out in Appendix C of this report.
16. My role in preparing this report is that of an expert planner.
17. I was involved in the preparation of the PDP and authored the Section 32 Evaluation Reports for: Hongoeka and Papakāinga; Open Space and Recreation Zones, Rural Zones; Special Purpose Zone (BRANZ) and Hospital Zone; and the Overview to s32 Evaluation. I contributed to the s32 evaluation on Natural Hazards, as I led much of the pre-notification consultation and hazard mapping process. I did not draft the Natural Hazards Chapter itself, but I was involved in its preparation as a member of a District Plan Oversight Group.

¹ pdpportal.porirua.govt.nz

18. Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court December 2014. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
19. The scope of my evidence relates to Natural Hazards. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
20. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
21. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.3 Supporting Evidence

22. The expert evidence, literature, legal cases or other material which I have used or relied upon in support of the opinions expressed in this report includes the following:
 - Statement of evidence by Nadia Nitsche of Wellington Water - Modelling Manager; and
 - Statement of evidence by Dr Nicola Litchfield of GNS Science - Earthquake Geologist.

1.4 Key Issues in Contention

23. A number of submissions and further submissions were received on the provisions relating to this topic. The submissions received were diverse and sought a range of outcomes.
24. I consider the following to be the key issues in contention in the chapter:
 - a. Fire hazards;
 - b. Flood hazards as a non-statutory layer
 - c. Hazard sensitivity rating of activities;
 - d. Policy approach in medium and high-hazard areas;
 - e. Amendments to flood hazard maps; and
 - f. Seismic hazards and fault rupture.
25. I address each of these key issues in this report, as well as any other issues raised by submissions.

1.5 Procedural Matters

26. At the time of writing this report there has not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.

2 Statutory Considerations

2.1 Resource Management Act 1991

27. The PDP has been prepared in accordance with the RMA and in particular, the requirements of:

- section 74 Matters to be considered by territorial authority, and
- section 75 Contents of district plans,

28. As set out in Section 32 Evaluation Report Part 1 - Overview to s32 Evaluation, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP. These documents are discussed in detail within the Section 32 Evaluation Report Part 2: Natural Hazards. There is further discussion in the Section 32 Evaluation Report Part 1 – Overview to the s32 Evaluation on the approach the Council has taken to giving effect to the NPS-UD and NPS-FM. This is also discussed in the Officer's Report: Part A.

2.2 Section 32AA

29. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA . Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) A further evaluation required under this Act—

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

30. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to this topic is contained within the assessment of the relief sought in submissions in section 3 of this report as required by s32AA(1)(d)(ii).

2.3 Trade Competition

31. Trade competition is not considered relevant to the provisions of the PDP relating to this topic.
32. There are no known trade competition issues raised within the submissions.

3 Consideration of Submissions and Further Submissions

3.1 Overview

33. There were 128 original submission points received on this topic, and 34 further submission points.

3.1.1 Report Structure

34. Submissions on this topic raised a number of issues which have been grouped into sub-topics within this report. Some of the submissions are addressed under a number of topic headings based on the topics contained in the submission. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submissions to which they relate.

35. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on both an issues and provisions-based approach, as opposed to a submission by submission approach. I have organised the evaluation in accordance with the layout of chapters of the PDP as notified.

36. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally. This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in Appendix B.

37. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in Appendix B. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the Chapter with recommended amendments in response to submissions as Appendix A.

38. This report only addresses definitions that are specific to this topic. Definitions that relate to more than one topic have been addressed in Hearing Stream 1.

3.1.2 Format for Consideration of Submissions

39. For each identified topic, I have considered the submissions that are seeking changes to the PDP in the following format:

- Matters raised by submitters;
- Assessment;
- Summary of recommendations; and
- Section 32AA evaluation.

40. The recommended amendments to the relevant chapters are set out in Appendix A of this report where all text changes are shown in a consolidated manner.

41. I have undertaken a s32AA evaluation in respect to the recommended amendments in my assessment.

3.2 Strategic Objective – REE-O3

3.2.1 Matters raised by submitters

42. Telco [51.64] seek that energy resilience is provided for throughout the plan so that it guides decision makers. The submitter supports the objective but considers that it is not immediately supported through the PDP. They consider that infrastructure resilience is an important planning consideration, as it can have significant social, cultural, economic and environmental wellbeing effects if infrastructure networks are interrupted.

3.2.2 Assessment

43. I agree with the submitter that infrastructure resilience is important. However, I am unclear as to exactly what relief the submitter is seeking in terms of specific provisions and how the proposed provisions in the PDP do not provide for this. I note that the INF – Infrastructure chapter addresses the establishment, operation, maintenance and repair and upgrading of infrastructure in areas subject to natural hazards, which includes provisions that provide for resilience. The Panel may wish to ask the submitter to address this at the hearing.

3.2.3 Summary of recommendations

44. I recommend for the reasons set out above that the submission from Telco [51.64], be **accepted in part**.

3.3 General submissions

3.3.1 Matters raised by submitters

45. Light House Cinema Limited [199.1], Jason Alder [232.3, 232.4], Quest Projects Limited [233.6], Graham and Janet Reidy [234.5, 234.6], James McLaughlan [237.6, 237.7], and Anita and Fraser Press [253.5, 253.6] seek removal of the Natural Hazard risk overlays from their land, or amendment of provisions to provide a less restrictive planning framework for subdivision and development as:

The NH provisions have the potential to 'taint' applications for subdivision and development envisaged by the Proposed District Plan and consistency in activity status and planning framework will better implement the objectives for the RLZ or Settlement Zone.

46. Trustees of the Blue Cottage Trust [210.5], Trustees of the Ken Gray No. 1 Family Trust & Ken Gray No. 2 Family Trust [211.6] seek the preparation of a policy framework that provides for the appropriate mitigation of risk associated with confirmed natural hazards, including any river flood hazard.

3.3.2 Assessment

47. The submitters have not provided any evidence relating to the modelling or mapping of natural hazard overlays, nor have they provided any planning evidence or s32AA evaluation demonstrating that the planning framework is unduly restrictive in the context of the natural hazard being managed.
48. I consider that the overlays should remain, subject to changes recommended in Appendix A of this report.
49. As outlined in the Natural Hazards s32 Evaluation Report (including section 8 of this report), the planning framework takes a practical risk-based approach to natural hazards. I consider that the planning framework is appropriate subject to changes recommended in Appendix A of this report.

3.3.3 Summary of recommendations

50. I recommend for the reasons given in the assessment that the submissions from Lighthouse Cinema [199.1], Jason Alder [232.3, 232.4], Quest Projects Limited [233.6], Graham and Janet Reidy [234.5, 234.6], James Mclaughlan [237.6, 237.7], Anita and Fraser Press [253.5, 253.6], Trustees of the Blue Cottage Trust [210.5], and Trustees of the Ken Gray No. 1 Family Trust & Ken Gray No. 2 Family Trust [211.6] be **rejected**.

3.4 Fire hazards

3.4.1 Matters raised by submitters

51. Heather Phillips and Donald Love [79.2, 79.3] seek the plan be amended in relation to wildfire. Their submissions states:

The plan is silent and redirecting of council's responsibilities on wildfire mitigation measures such as maintaining exit routes clear of trees that can fall and deny people the ability to flee a wildfire. Historically the Horokiwi Valley and Moonshine Valley areas have seen enormous wildfires that have destroyed vast areas. It is only a matter of time before it happens again.

52. FENZ [119.29] seeks that fire be added to the list of hazards addressed by the PDP.

3.4.2 Assessment

53. The reasons why wildfires are not addressed in the PDP as a natural hazard overlay are outlined in the Natural Hazards s32 evaluation (see Section 5 of that report). I agree with this analysis and consider no further amendments to provisions are required.
54. The PDP does not restrict the ability of landowners and road controlling authorities to maintain trees that may obstruct accesses. For example, the ECO - Ecosystem and Indigenous

Biodiversity Chapter specifically provides for removal of vegetation for these purposes within Significant Natural Areas through the permitted activity rule ECO-R1-1.a.ii.

55. I agree with the submitters that some reference note relating to fire hazards is required, as the hazard is addressed throughout the PDP in various ways. However, rather than including it as part the list of hazards addressed in in the Chapter as requested by FENZ, I consider that a sentence could be added to the fifth paragraph indicating that fire risks are addressed through zone and transport provisions (such as requirements for firefighting water supply and access in zone provisions and the Transport chapter).

3.4.3 Summary of recommendations

56. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the Introduction as outlined below and in Appendix A.

(...)

Slope stability is addressed through the Earthworks provisions which require appropriate measures to be incorporated into Earthworks design to maintain the stability of sloping sites. [Fire risk is addressed through requirements for firefighting water supply and access in various zone provisions and the Transport Chapter.](#)

57. I recommend that the submissions from Heather Phillips and Donald Love [79.2, 79.3] and FENZ [119.29], be **accepted in part**.

3.5 Flood hazards as a non-statutory layer

3.5.1 Matters raised by submitters

58. Kāinga Ora [81.404, 81.928] seeks that the flood hazard overlays be deleted from the PDP, replacing them with non-statutory maps on Council's GIS server. The submitter considers:

Including Flood Hazard overlays in the PDP ignores the dynamic nature of flood hazards and will create unnecessary additional cost and uncertainty for landowners and land developers. Kāinga Ora accepts that it is appropriate to include rules in relation to flood hazards but seeks that the rules are not linked to static maps...

...The advantage of this approach is the ability to operate a separate set of interactive maps which are continually subject to improvement and updates, outside of and without a reliance on the Schedule 1 Resource management Act 1991 process

3.5.2 Assessment

59. I consider that including flood hazard overlays in the PDP is in line with national best practice. I consider having hazard maps within the PDP gives certainty to plan users and provides procedural transparency to affected landowners.

60. The Submitter is correct that the flood hazard maps incorporated in the PDP can only be updated through a Schedule 1 process, however the underlying model is a “live” model administered by Wellington Water’s catchment stormwater modelling team on behalf of Council. This model is periodically updated with changes in catchment hydrology, and changes to the plan to update flood hazard mapping can take place in between plan review cycles (perhaps multiple times). These plan changes would be relatively straightforward as any changes would likely only affect a select group of properties in any previously modelled catchment (if there was an increase in the extent of the flood hazard), and the risk management policy approach will already be embedded in the PDP. The Schedule 1 process gives the opportunity for any properties newly affected by hazard maps to submit on the modelling or mapping if they consider there are any inaccuracies.
61. The policy framework of the NH – Natural Hazards Chapter provisions and APP10 link hazards to different types of activity status based on the classification of the risk profile of the hazard. If the planning maps sat outside the PDP, an amendment to the maps would affect the activity status of rules in the PDP. I consider that it is inappropriate to have to refer to an external document to determine the activity status under the PDP. Further, it is not in line with the principle of natural justice to have the activity status change without the knowledge of the landowner.
62. While a live non-statutory model does provide flexibility to frequently update maps, it also means that there is no certainty for plan-users, and people do not have the opportunity to challenge the mapping through a statutory process. I cannot see how this would be consistent with Part 3 of Schedule 1, in respect to the incorporation of documents by reference in a plan. In my view, referencing non-statutory maps within a district plan is not consistent with this Part of Schedule 1.
63. While the recently announced Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill is still being consulted on, I note that there may be some relevant provisions to this matter. Section 77H requires any plan change to give effect to the intensification requirements to include in their s32 analysis:
- (ii) a description of how modifications to the MDRS as applied to the relevant residential zones are limited to only those modifications necessary to accommodate qualifying matters, and in particular how they apply to any spatial layers relating to overlays, precincts, specific controls, and development areas, including—*
- (A) any operative district plan spatial layers; and*
- (B) any new spatial layers proposed for the district plan.*
64. This indicates that for flood hazards to be considered as a qualifying matter, they must be included in a plan as a spatial layer.

3.5.3 Summary of recommendations

65. I recommend for the reasons given in the assessment that the submissions from Kāinga Ora [81.404, 81.928] be **rejected**.

3.6 Hazard sensitivity rating of activities

3.6.1 Matters raised by submitters

66. Kimberley Vermey [50.3] seeks that more variation is made between hazard-sensitive and potentially-hazard-sensitive activities, including changes to policies and consent categories.

3.6.2 Assessment

67. The submitter is correct that there is no variation between hazard-sensitive and potentially-hazard-sensitive activities in the Natural Hazards Chapter. In comparison, the Coastal Environment Chapter has much more variation between these activities. This difference is due to the nature of the hazards themselves that these respective chapters address. Potentially-hazard-sensitive activities are more vulnerable to the medium hazard areas relevant to the Natural Hazards Chapter (fault rupture and overland flow paths) than the Coastal Environment Chapter (1:500 year tsunami and future coastal hazards with sea level rise). This is because there are less management options available to address fault rupture and overland flow paths.
68. Under CE-R7, potentially hazard-sensitive activities are a controlled activity in a low hazard area (1:1000 year inundation event from a tsunami), whereas the same activities are a restricted discretionary activity under the Natural Hazards Chapter. This is due to the return period of the event. The low hazard flooding event is a 1:100 year event, with the impacts expected to increase due to climate change. Whereas the low hazard tsunami is a 1:1000 event, and climate change is not expected to change its recurrence interval. As such, people are more likely to feel flood hazard impacts in a lifetime than those from a tsunami hazard. As such, I consider it is appropriate to have different activity statuses for these two low hazard areas.
69. Section 8 of the s32 Evaluation report for this topic has more information on how the categories for hazard sensitivity and hazard rankings were determined.

3.6.3 Summary of recommendations

70. I recommend for the reasons given in the assessment that the submission from Kimberley Vermey [50.3] be **rejected**.

3.7 Policy approach in medium and high-hazard areas

3.7.1 Matters raised by submitters

71. Porirua City Council [11.34, 11.35] seeks that the policy approach to Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in medium and high-hazard areas is amended. This includes removing the requirement for there to be an operational or functional need to locate in a high-hazard area where located in certain commercial zones that are a scarce resource in Porirua. These zones include Commercial and Mixed Use Zones, the General Industrial Zone and the Hospital Zone. The submitter seeks that both NH-P2 and NH-P3 be changed to require a "reduction in risk to people's lives and wellbeing" rather than the "risk to people's life and wellbeing is avoided" as NH-P2 and NH-P3 are currently worded.

72. The submitter's reasons can be summarised as:
- a. Greater recognition is needed of the existing hazard risk to the built environment;
 - b. Some zones are a scarce physical resource in Porirua, and there is little ability to relocate the activities that occur within these zones;
 - c. There are many older buildings in Porirua that are constructed to lower standards compared to new buildings, and there would be a perverse outcome if they were unable to be replaced;
 - d. There is a need for the above provisions to be amended in the natural hazards and coastal hazards chapters to provide a pathway for redevelopment to occur; and
 - e. This would retain a high regulatory bar that recognises there is a level of risk in these areas that needs to be addressed.
73. Further submitters have mixed views on this change. GWRC [FS40.4, FS40.5] support the change, but consider more of a distinction is needed between new development and additions to existing development. Foodstuffs [FS38.1, FS38.2] support in part, but consider that the use of the term "avoid" is onerous (NH-P2) and that "enable" should be used rather than "only allow" in NH-P3 [see also their submission point 122.6]. FENZ [FS54.9] supports the reduction in risk to people and property posed by hazards, but opposes the suggested removal of NH-P2(1) which appropriately recognises that there may be an operational and functional need for hazard sensitive activities (e.g. fire stations) to locate in High Hazard Areas in some instances.
74. TJI Associates [56.1, 56.2, 56.4] seek that the PDP is amended "to provide an appropriate consenting pathway, that seeks to reduce the risk of hazards instead of avoiding it altogether". The submitter:
- Considers this 'avoidance' framework is not appropriate given that, in relation to fault rupture in particular, geotechnical and structural engineering solutions can reduce/mitigate the effects of fault rupture to an acceptable [level] [sic]. Full avoidance of development in the fault rupture zone will render the majority of the CBD unavailable for redevelopment.*
75. Light House Cinema Limited [199.2], Anita and Fraser Press [253.7], James McLaughlan [237.8], Graham and Janet Reidy [234.7], Quest Projects Limited [233.7], Jason Alder [232.5], Carolyn Vasta and Carole Reus [230.6] seek that the term "avoid" in NH-P2 is amended to "manage", and that NH-P2-2 is amended to "building damage is avoided or mitigated". They also seek that the consent activity status of NH-R8 is amended from non-complying to discretionary.
76. Foodstuffs [122.5, 122.6] seeks an amendment to NH-P2 so that "avoid" is replaced by the term "discourage", and an amendment to NH-P3 so that "Only allow" is replaced by the term "enable".
77. FENZ [119.37], Woolworths [120.3] and Kāinga Ora [81.423] also seek that the consent category for NH-R8 is amended from non-complying to discretionary. The latter considers that this reduction in activity status should only apply to the City Centre Zone as:

...a large area of the City Centre of Porirua are located within a High Hazard Area and this rule will considerably constrain both residential and commercial development opportunities within the Central City.

78. Thomas Charles and Claire Louise Clark [153.10] seek that activities in the high-hazard stream corridor should not be non-complying as there are various mitigation methods that can be used.

3.7.2 Assessment

79. I agree with submitters that the current approach to the high-hazard area in certain zones, including the City Centre, could potentially impact redevelopment, including the replacement of hazard prone buildings with more modern buildings that meet the Building Code. Therefore, there is the potential that NH-P2 as notified could prevent a longer-term reduction in risk.
80. I agree with the changes sought by submitters that the policy should be broadened out to allow for measures to reduce the risk of damage to buildings. I consider the term "minimise" is more appropriate than "mitigate" as the latter would be a duplication with the start of the criterion which says "the activity incorporates mitigation measures".
81. I consider that this should be balanced by an overall requirement to demonstrate a reduction in risk to people's lives and wellbeing. This would provide a pathway for redevelopment that has a net decrease in risk but is a lower regulatory bar than demonstrating that "risk to people's life and wellbeing is avoided" as NH-P2 is currently worded.
82. However, I consider that the policy setting needs to remain a "high bar" that recognises there is a high level of risk in these areas that needs to be addressed. For this reason, I do not agree with:
- the softening of the language in NH-P3 to "discourage" or "manage";
 - the softening of language in NH-P3 to "enable"; or
 - any reduction in activity status in NH-R8.
83. I also do not agree with the wording suggested by Porirua City Council: "There will be a reduction in risk to people's lives and wellbeing". I consider that a more appropriate test would be to demonstrate that the residual risk after development is "low". Demonstrating a risk is reduced may only result in a marginal decrease in risk. Demonstrating the residual risk is low would put the onus on an applicant to demonstrate that the ultimate risk to life and property (including to neighbouring properties) from the natural hazard is low. This would likely result in much more mitigation being undertaken for redevelopment where existing buildings are hazard-prone.
84. I do not agree with the further submission from GWRC that more of a distinction is needed between new development and additions to existing development, as the latter is already covered by NH-P8.
85. I agree with the submission from Porirua City Council that any policy change should be restricted to certain commercial zones, as these zones contain the vast majority of older hazard-prone buildings. In other zones, such as the residential and rural zones, there is the

ability to avoid high risk areas altogether. I consider that the policy in these areas should limit activities to those that have an operational and functional need to locate in these areas.

86. I disagree with the submission seeking that activities in the stream corridor be amended to a lesser activity status than non-complying for the reasons outlined in the Natural Hazards s32 Evaluation.

3.7.3 Summary of recommendations

87. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** NH-P2 and NH-P3 as outlined below and in Appendix A.

NH-P2	Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the High Hazard Areas
	<p>Avoid the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the High Hazard Areas of the Natural Hazard Overlay unless it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The activity has a critical operational need and functional need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option; 1. <u>The resulting risk to people's lives and wellbeing will be low;</u> 2. The activity incorporates mitigation measures that demonstrate that risk to people's life and wellbeing; and <u>minimise the risk of damage to buildings</u>² damage is avoided; 3. People can safely evacuate the property during a natural hazard event; and 4. The risk to the activity and surrounding properties is either avoided, or is low due to site-specific factors, and/or the scale, location and design of the activity 5. <u>Other than within Commercial and Mixed Use Zones, the General Industrial Zone and the Hospital Zone, the activity has an operational need and functional need to locate within the High Hazard Area and locating outside the High Hazard is not a practicable option.</u>³
NH-P3	Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the Medium Hazard Areas
	<p>Only allow Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the Medium Hazard Areas of the Natural Hazard Overlay where:</p> <ol style="list-style-type: none"> 1. The activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing, and building damage is avoided <u>low, and any damage to buildings is minimised</u>⁴;

² Porirua City Council [11.34]; TJL Associates [56.1, 56.2, 56.4], Light House Cinema Limited [199.2], Anita and Fraser Press [253.7], James Mclaughlan [237.8], Graham and Janet Reidy [234.7], Quest Projects Limited [233.7], Jason Alder [232.5], Carolyn Vasta and Carole Reus [230.6], GWRC [FS40.4, FS40.5], and Foodstuffs [FS38.1, FS38.2]

³ Porirua City Council [11.34]

⁴ Porirua City Council [11.34]; TJL Associates [56.1, 56.2, 56.4], Light House Cinema Limited [199.2], Anita and Fraser Press [253.7], James Mclaughlan [237.8], Graham and Janet Reidy [234.7], Quest Projects Limited

2. People can safely evacuate the property during a natural hazard event; and
3. The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding.

88. I recommend that the submissions from Porirua City Council [11.34, 11.35], TJJ Associates [56.1, 56.2, 56.4], Light House Cinema Limited [199.2], Anita and Fraser Press [253.7], James Mclaughlan [237.8], Graham and Janet Reidy [234.7], Quest Projects Limited [233.7], Jason Alder [232.5], Carolyn Vasta and Carole Reus [230.6], GWRC [FS40.4, FS40.5], and Foodstuffs [FS38.1, FS38.2] be **accepted in part**.
89. I recommend that the submissions from Kāinga Ora [81.423], FENZ [119.37], Woolworths [120.3], Foodstuffs [122.5, 122.6], Thomas Charles and Claire Louise Clark [153.10], Light House Cinema Limited [199.3], Anita and Fraser Press [253.8], James Mclaughlan [237.9], Graham and Janet Reidy [234.8], Quest Projects Limited [233.8], Jason Alder [232.6], Carolyn Vasta and Carole Reus [230.7] be **rejected**.
90. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.7.4 Section 32AA evaluation

91. In my opinion, the amendments recommended to NH-P2 and NH-P3 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.
92. I consider that the amendments provide a pathway for redevelopment of buildings in hazard prone areas where there will still be a resulting "low" risk from natural hazards. This will have economic and benefits in terms of enabling greater commercial and industrial activity, as well as socio-economic benefits in terms of increased employment and vibrancy of commercial areas through redevelopment.
93. I consider that the policies better achieve objectives REE-O3 and NH-O1 as they provide greater long-term reduction in risk through providing a pathway for replacement of building stock that is currently vulnerable to hazards.
94. Therefore, the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

3.8 Amendments sought to flood hazard maps

3.8.1 Matters raised by submitters

95. There are 11 submissions seeking amendment of flood hazard mapping.

[233.7], Jason Alder [232.5], Carolyn Vasta and Carole Reus [230.6], GWRC [FS40.4, FS40.5], and Foodstuffs [FS38.1, FS38.2]

96. Kieran Smith [58.1] seeks that “if hazard maps are to be used, they should come with warning notes on them... that they are for 'guide use only'”, and that more Council investment should be going into those areas to help mitigate some of the issues, or the Council should decrease its rates. The submitter states:

The hazard maps also do to not take into account individual steps each homeowner may have put in place to minimise any of these hazards on their home i.e house rasing, increased drainage channels, solid concrete flood protection walls etc.

These maps also do not take into account other problems that homeowners may face, that are out of their control i.e, the lack of council investment in the drainage networks and lack investment in street curbing

97. Robert Crumpton [192.1] seeks “In relation to 27 Kapiti Crescent, shift pool area to another disused property” as “his area of the section was used for recreation, now it is flooded, it is dangerous for children”.

98. Grant Abdee [238.6] while not seeking specific relief states that:

Seven or eight of the Rawhiti Road properties are lower than the road boundary. The Hazards and Risks Overlays 'Flood Hazard - Ponding' map does not highlight stormwater runoff, which has resulted in some scaring/erosion damage on the property. Council appears to have done little to improve problems relating to surface water and Council's past poor planning.

99. Kenepuru Limited Partnership [59.29, 59.30] seek that flood maps be updated to reflect post-development hydrology in the Kenepuru Landing development site.

100. Paul and Julia Botha [118.12] raise issues with flood ponding and stream corridor mapping, including topography and a culvert that is incorrectly placed.

101. Steve Grant [158.3] provides some information in relation to the flood hazard in the vicinity of 99-109 Saint Andrews Road, Plimmerton. The submitter seeks:

...indication of any proposed flood mitigation by Council for the owners and other upstream property owners prior to accepting any condition on flood mitigation in relation to 99-109 Saint Andrews Road, Plimmerton.

102. Shedlands Limited [187.2], Melanie and Scott Draper [188.2], Vic Draper [189.2] and Vic Draper [261.2] seek that the flood overlay be removed from 275b and 287 Paremata Haywards Road, Judgeford. No reasoning is provided by the submitters beyond the decision requested.

103. The Neil Group Limited and Gray Family [241.5] and Pukerua Property Group Limited [242.3] both “generally opposes the location of the Stream Corridor Flood Hazard” on their properties. No reasoning is provided by the submitters beyond the decision requested.

3.8.2 Assessment

104. The flood maps are not “for guide use only” but are suitable for detailed site planning and hazard mitigation. Flood mapping has been undertaken at a fine-grained level of detail that can be applied at a property level. Drainage networks and structures are factored into the

model. Even if a building is raised above the 1 in 100 flood level, there is still underlying flood risk to the land, and this should be considered with any redevelopment of a site.

105. Council does have a role in reducing flood risk through investment in the stormwater network. A primary level of service has been set for a 1 in 10 year event⁵, but does not protect buildings from a 1 in 100 year event. It should be noted that the risk of flooding is not created by these maps, it already existed. Council does not have the ability to remove or relocate flooding hazards from a 1 in 100 year event off someone's property when the flooding is known to exist. Council has no control over insurance rates, and it is likely that insurance companies will increasingly take this risk into account whether mapped in district plans or not.
106. I consider no changes are required to the PDP where submitters have not provided any reasoning or evidence that flood mapping is incorrect including submissions from: Kieran Smith, Robert Crumpton, Shedlands Limited, Melanie and Scott Draper, and Vic Draper.
107. Nadia Nitsche is the Modelling Manager for Wellington Water who led the team undertaking modelling and mapping of Porirua's flood hazard maps for the PDP. Ms Nitsche has reviewed a number of submissions on behalf of Council in her expert evidence.
108. Ms Nitsche has reviewed the submission from Grant Abdee and considers:

The inundation mapping shown on the property shows the low velocity flood extents that are greater than 50mm for the extreme events of 100 year plus Climate Change. It will not represent the sheet flow that can occur for lower than 50mm stormwater flooding. The stormwater drain on the property is represented in the model and shows that this is under capacity in a 10 year event as well as a 100 year event and will flood the low lying properties. This is confirmed with the evidence provided in this submission.

109. I accept the expert evidence of Ms Nitsche, and I consider no changes are required to the flood hazard maps in this area.
110. Ms Nitsche has reviewed the submission from Kenepuru Limited Partnership and agrees with the submitter that the PDP hazard maps are based on predevelopment information. Ms Nitsche considers the planning maps should be amended to reflect the post-development changes in the flood hazard both at the site and also downstream. Her evidence states:

The changes in runoff from the site before and after the proposed development show that as a result of the proposed detention ponds there is a reduction in flow both in network and surface flows at the property as well as at the downstream properties.

111. Ms Nitsche has provided some amended flood depth maps in her evidence as below. These will need to be converted into hazard maps if they are to be included in the PDP. This process involves converting flood depth maps into a two dimensional map which indicates whether the flood hazard is classified as a stream corridor, an overland flow path or a ponding area.

⁵ See Wellington Water Regional Standard for Water Services May 2019, levels of service are set out on p19

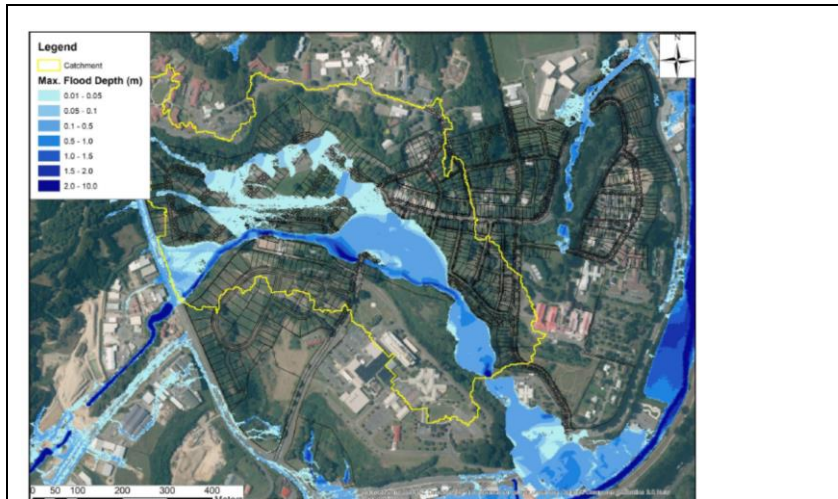


Figure 5: Modelled maximum flood depth for the 100-year event with climate change – pre development

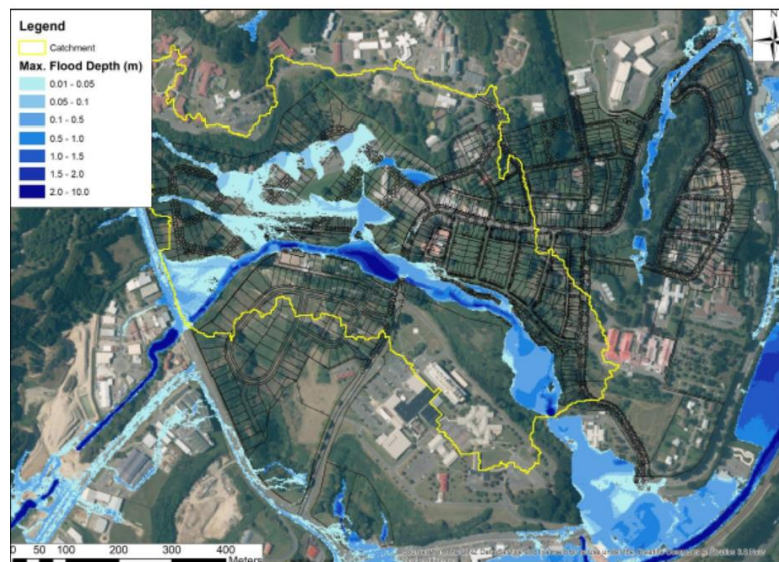


Figure 6: Modelled maximum flood depth for the 100-year event with climate change – post development

Figure 1: Changes in flood hazard post-development at Kenepuru Landing (taken from Figures 5 & 6 on page 8 of Ms Nitsche's evidence)

112. Ms Nitsche agrees with the submitter's request that the flood hazard maps be amended to remove the "Flood Hazard - Stream Corridor" from Lot 1509 DP 533884. Ms Nitsche considers that the Stream flooding Overlay in Lot 1509 DP 533884 on the Kenepuru Landing site needs to be removed as it is not a stream and will become a stormwater attenuation area.
113. Ms Nitsche agrees with Paul and Julia Botha that there is an error in regard to the mapping of the flood hazard on their property. She considers that the error is due to the incorrect placement of a Kiwirail culvert in the model connecting a fragment of Taupo swamp on their property to the main Taupo swamp body. This will have been incorrect due to the fact that Wellington Water have not surveyed every culvert in Porirua, and Wellington Water have not

received all the details of every Kiwirail culvert. Ms Nitsche also provides some commentary on the nature of the ponding flood hazard in response to the matters raised by the submitter.

114. Ms Nitsche reviewed the matter raised by the submitter relating to 'Flood Hazard – Ponding' showing in areas greater than 65m in elevation. Ms Nitsche considers:

All flood hazards: streams, overland flow paths and ponding have been mapped for the extreme event of the 100-year ARI including Climate Change. The "ponding layer" indicates flooding that is greater than 50mm in a 100-year event plus Climate Change and which has low velocity flows [as shown by the red arrows in the Figure under paragraph 20 of her evidence]. This is of lower hazard than the streams and overland flow paths.

115. I accept the expert evidence of Ms Nitsche in relation to the need to update the flood hazard maps as they relate to Paul and Julia Botha's property and to Kenepuru Landing. Wellington Water will need to undertake some additional mapping work to finalise amended maps for inclusion in the PDP. Amended maps will be provided to the Panel either through supplementary evidence or in Council's right of reply.
116. I also accept the evidence of Ms Nitsche that the "Flood Hazard – Ponding" would be better categorised as "Flood Hazard – Inundation".
117. Ms Nitsche has reviewed the submission from Steve Grant. She considers that the flood hazard maps are accurate in relation to these properties and do not need to be amended. I do not consider that the Council is required to provide any additional flood mitigation work as a prerequisite to flood maps being included in the PDP. I note that the flood hazard is well known in the Taupō Swamp flood plain, and that Council has had ongoing discussions with landowners in the area about flood hazard management, including with Waka Kotahi in relation to State Highway 1.
118. Ms Nitsche has reviewed the submissions from John Carrod, The Neil Group Limited and Gray Family and the Pukerua Property Group. She considers that the flood hazard maps are accurate in relation to these properties and do not need to be amended.

3.8.3 Summary of recommendations

119. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the flood hazard maps as outlined Ms Nitsche's expert evidence for Paul and Julia Botha's property and Kenepuru Landing⁶.
 - b. **Amend** the term "Flood Hazard – Ponding" to "Flood Hazard – Inundation" throughout the PDP.
120. I recommend that the submissions from Kenepuru Limited Partnership [59.29, 59.30], be **accepted**

⁶ Wellington Water will need to undertake some additional mapping work to finalise amended maps for inclusion in the PDP. These will be provided to the Panel either through supplementary evidence or in Council's right of reply.

121. I recommend that the submission from Paul and Julia Botha [118.12] be **accepted in part**.
122. I recommend that the submissions from Kieran Smith [58.1], Steve Grant [158.3] Robert Crumpton [192.1], Shedlands Limited [187.2], Melanie and Scott Draper [188.2], Vic Draper [189.2], Grant Abdee [238.6], Vic Draper [261.2], The Neil Group Limited and Gray Family [241.5], and Pukerua Property Group Limited [242.3] be **rejected**.
123. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.9 Seismic hazards and fault rupture

3.9.1 Matters raised by submitters

124. Kenepuru Limited Partnership (KLP) [59.1] seeks that the Fault Rupture Zone be amended based on recent geotechnical reports commissioned through the Kenepuru Landing development project.
125. Heriot Drive Ltd [156.2-156.6] and Raiha Properties Ltd [157.2-157.6] seek that the approach to seismic risk in the PDP be amended to be consistent with: the GWRC Natural Hazard Strategy (2017); the definition of risk as set out in the Part 2 of the Proposed District Plan "Natural Hazards"; and Table 1 of Appendix 10 of the proposed Porirua District Plan which shows the likelihood ranking of a 1:500 – 1:2500 year event as "very unlikely". The submitters say that:

The approach to managing seismic risk is inconsistent with:

- *the objectives and risk methodology of the GWRC Natural Hazard Strategy February 2017*
- *the approach taken in the GWRC combined earthquake hazard map which identifies slope failure, liquefaction potential and ground shaking as well as fault rupture lines*
- *relevant natural hazard strategies and plans of the GWRC and other territorial authorities in the Wellington Region*

126. Heriot Drive Ltd [156.7-156.11] and Raiha Properties Ltd [157.7-157.11] seek a reassessment of the "High" risk of the Ohariu Fault Rupture Zone and 20m either side of it having regard to: GWRC Natural Hazard Strategy (2017); Appendix B which indicates the recurrence interval of the Ohariu fault is 2200 years; the definition of risk as set out in the Part 2 of the Proposed District Plan "Natural Hazards"; and Table 1 of Appendix 10 of the proposed Porirua District Plan which shows the likelihood ranking of a 1:500 – 1:2500 year event as "very unlikely". The submitters consider:

The Letter Report No: CR 2018/125 LR referred to in the section 32 report raises the need to have GNS investigate new information available on the Ohariu Fault in the Kenepuru hospital area with a view to giving consideration to redefining the Ohariu Fault's Fault Avoidance Zone in that area. This needs to be done and copies of the report provided to submitters prior to any hearings on this matter.

127. Heriot Drive Ltd [156.12-156.16] and Raiha Properties Ltd [157.12-157.16] seek that the PDP:

Take a more holistic approach to addressing the risk to buildings and property from seismic events including liquefaction, slope failure and ground shaking rather than the current single focus on fault rupture.

3.9.2 Assessment

128. Dr Nicola Lichfield from GNS science has reviewed the reports referred to by Kenepuru Limited Partnership relating to recent investigations of the Ohariu fault as part of the Kenepuru Landing Development.

129. In her expert evidence for Council, Dr Lichfield considers that the Fault Avoidance Zone should be amended based on this new information, although not to the extent requested by the Submitter. Dr Lichfield considers that the Fault Avoidance Zone through the Kenepuru Landing Site should be revised as outlined in Figure 3 of her evidence:

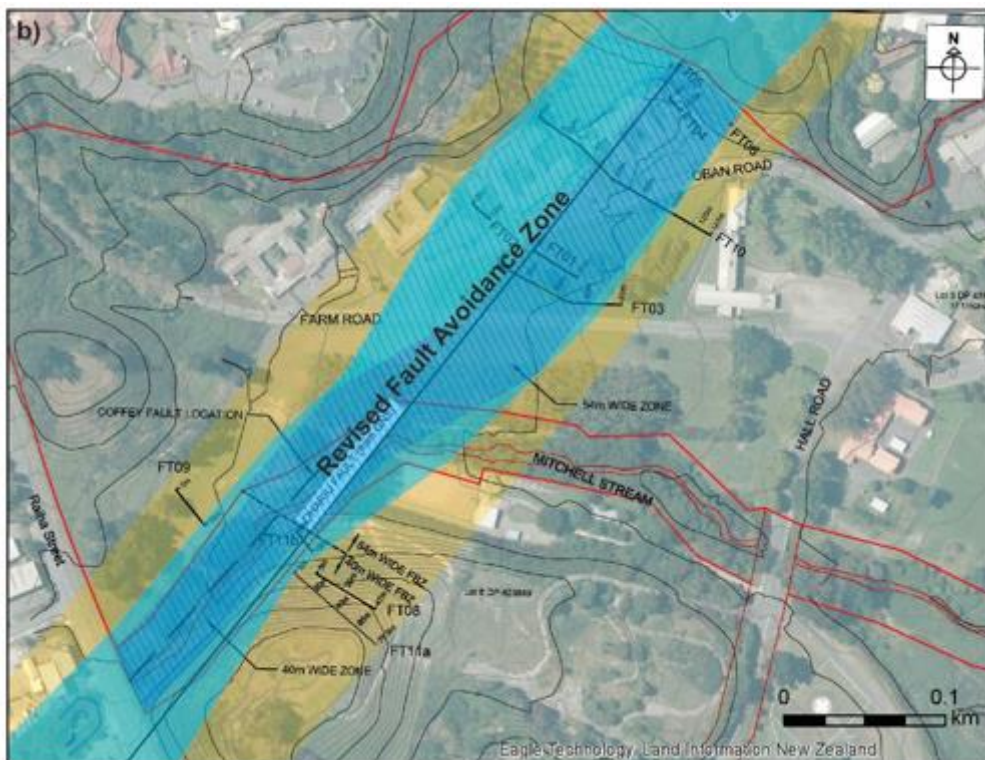


Figure 2: Recommended amendments to delineation of the Kenepuru Fault Avoidance Zone through Kenepuru (taken from Dr Litchfield's evidence (Figure 3 in appendices))

130. I accept the expert evidence of Dr Lichfield and I consider that the Ohariu Fault Avoidance Zone should be amended as recommended in her evidence. I note that there is a footnote to paragraph 25 of Dr Lichfield's evidence as follows:

Figure 3 was revised using georeferenced maps from the Coffey reports, so there may be some additional small (a few metres) uncertainty resulting from the georeferencing. If Council decide to adopt this revised FAZ then the final version

could be constructed using Coffey survey and/or GIS data of the locations of trenches and the geophysical anomalies.

131. Therefore, GNS Science will need to undertake some additional mapping work to finalise amended maps for inclusion in the PDP. Amended maps will be provided to the Panel either through supplementary evidence or in Council's right of reply.
132. Dr Lichfield has reviewed submission points from Heriot Drive Ltd and Raiha Properties Ltd. As outlined above, she agrees that new information from the development of the Kenepuru Hospital area is relevant, and that the Fault Avoidance Zone should be amended. Further, Dr Lichfield provides clarification that the same Ohariu Fault data that has been used for the Greater Wellington Regional Council Natural Hazard Strategy (Feb 2017) was used to determine the Fault Avoidance Zones that underly the PDP.
133. The reasons for the 'high' hazard ranking of the Ohariu Fault are outlined in the s32 evaluation. I consider that the overall approach and 'high' hazard ranking of the Ohariu Fault is consistent with the concept of risk outlined in the introduction to the Natural Hazards Chapter, which outlines that risk "is a product of both the consequences and likelihood from a natural hazard". While the likelihood of the Ohariu Fault rupturing is "very unlikely" as outlined in APP10, the consequences of it rupturing are severe. The submitters have not provided any reasoning why the consequences of a fault rupture event mean that the hazard should mean the ranking of 'high' is inappropriate.
134. Section 8 of the Natural Hazard s32 evaluation report outlines how the management of natural hazard risk aligns with regulation and guidance at both a regional and national level. While referencing some of these documents, the submitters have not explained how the approach taken in the PDP is inconsistent with these. I consider that subject to the amendments recommended in Appendix A, the PDP does take a holistic approach towards natural hazard management, within a national and regional context.

3.9.3 Summary of recommendations

135. I recommend for the reasons given in the assessment, that the Hearings Panel:
 - a. **Amend** the fault avoidance zone as outlined Dr Litchfield's expert evidence⁷.
136. I recommend that the submissions from Kenepuru Limited Partnership (KLP) [59.1], Heriot Drive Ltd [156.2-156.16] and Raiha Properties Ltd [157.2-157.16] be **accepted in part**.

⁷ Wellington Water will need to undertake some additional mapping work to finalise amended maps for inclusion in the PDP. These will be provided to the Panel either through supplementary evidence or in Council's right of reply.

3.10 Definitions

3.10.1 Matters raised by submitters

137. Kenepuru Limited Partnership [59.28] seeks that the definition for 'Hazard-Sensitive Activities' is amended to only apply to residential units not designed specifically for the hazard area in which it is located, as:

The blanket inclusion of all residential units in this definition is too crude. Houses with resilient design for the particular hazard should be removed from this definition and placed in a lower risk category;

138. FENZ [119.13, 119.76] seeks that 'emergency service facilities' are removed from the definition of 'Hazard-Sensitive Activities' as:

Emergency service facilities, such as fire stations comprise firefighters, appliances and equipment used specifically to respond to emergencies and hazards in the community. The on-site activities of fire stations are not sensitive in nature and are complimentary and supportive of being located in areas with proximity to natural hazards. Unlike all other activities listed in the proposed definition, fire stations are not designed to be readily accessed by the general public which reduces their sensitivity to natural hazards.

139. Kimberley Vermey [50.1] seeks that 'Potentially-Hazard-Sensitive Activities' is amended to remove 'retirement villages' and add 'service stations'. Z Energy Ltd, BP Oil NZ Ltd and Mobil Oil NZ Ltd [FS49.10] oppose the latter amendment as:

...the inclusion of service stations as a potentially-hazard-sensitive activity incorrectly identifies service stations as susceptible to natural hazards such as flooding where in reality the design and layout of service stations are resilient to inundation. The Oil Companies request the submission be rejected in part where it relates to the inclusion of service stations to the definition of potentially-hazard-sensitive activities.

140. Kimberley Vermey [50.2] also seeks that the definition of 'Less-Hazard-Sensitive Activities' include buildings and structures that do not have habitable rooms or provide employment.

141. Kāinga Ora [81.112] seeks the amendment of 'Natural hazard mitigation activity' as "it repeats the definition term and the definition as drafted in the PDP is unclear", the submitter seeks the definition be amended as follows:

Natural Hazard Mitigation activity

~~*means hazard mitigation earthworks, hazard mitigation structures, repair and maintenance of hazard mitigation structures, features or earthworks and emergency natural hazard mitigation activities.*~~

means earthworks, structures, repair and maintenance, and emergency work to reduce or eliminate risks caused by natural hazards.

142. Kāinga Ora [81.113] seeks the deletion of 'Natural Hazard Overlay' "in favour of instruction on how to use the PDP being included in the 'how the plan works' section under Part 1".
143. Forest and Bird [225.64] seeks the definition 'Natural hazard mitigation activity' or related provisions in the plan are amended to provide consistency with the defined terms. The submitter seeks:

Amend the plan provisions to:

- *Ensure a consenting requirement for all new natural hazard mitigation activities.*
- *Include discretion within consenting processes to consider effects on indigenous biodiversity, and*
- *To enable decision makers to decline consent on the basis of adverse effects*

144. Forest and Bird [225.74] seeks that 'Soft engineering measures' is amended as follows: "It includes the use of like to like substrates as sacrificial fill...". The submitters states:

Suggests adding clarity to the definition regarding sacrificial fill. For example, it would be inappropriate to use fill such as a clay and gravel mix in a natural dune system. The sacrificial fill needs to be an appropriate fill for the site in question, using like to like substrates.

3.10.2 Assessment

145. I do not agree with Kenepuru Limited Partnership's amendment to exclude buildings designed for the hazard area. I consider that it is appropriate that all residential buildings are considered hazard-sensitive, and mitigations will be considered through the resource consent process. The submitter's approach would require an evaluation process to occur to determine whether a building had been designed for a hazard area, which I do not consider provides the certainty that is needed for a definition.
146. I do not agree with the removal of emergency service facilities from being classified as a hazard-sensitive activity. Emergency service facilities are hazard-sensitive as they can be rendered unusable or ineffective in a hazard event where their services would likely be needed the most by the community. Furthermore, in some cases these facilities have staff residing on-site either temporarily or permanently which gives them a similar vulnerability to residential activities.
147. I agree with Kimberly Vermey that retirement villages should be a hazard-sensitive activity. The residents of retirement villages are particularly vulnerable to natural hazards as they are less mobile and cannot evacuate as easily and have more underlying health conditions than the general population. I note that APP10 lists this activity as both a hazard-sensitive and potentially-hazard-sensitive activity. I consider that both the definition and APP10 should be amended. I also agree with the submitter that service stations are 'potentially-hazard-sensitive activities'. However, they are already covered as a subset of 'commercial activities' so I consider that no changes are required.
148. I agree with Kimberly Vermey that buildings and structures that do not have habitable rooms or are used for employment should be classified as less-hazard-sensitive. I consider that using

the phrase “not used for commercial purposes” would be preferable. The addition of this item in the list would make “Accessory buildings used for non-habitable purposes” redundant and I consider that it should be deleted as a consequential amendment.

149. I disagree with the points raised in the further submission from Z Energy Ltd, BP Oil NZ Ltd and Mobil Oil NZ Ltd. I consider that amending the design and layout of service stations is a form of mitigation, which demonstrates that the activity is potentially-hazard-sensitive, and that this would most appropriately be addressed through a resource consent process.
150. I disagree with the amendment sought to ‘Natural hazard mitigation activity’, I consider that this definition is clear, and the proposed amendment sought by Kāinga Ora is broad and would be more open to interpretation. I also disagree with the deletion of ‘Natural hazard overlay’. I consider that this term needs to be defined as it is used throughout the Chapter and the definition makes the plan more user-friendly and robust.
151. I disagree with the relief sought by Forest and Bird that all hazard mitigation activities should require consent. The PDP seeks to: enable flood mitigation or stream or river management works (NH-R2), encourage ‘soft engineering measures’ (NH-R3 and CE-R5), and only allow hard engineering measures in high coastal hazard areas where a number of criteria are met as a discretionary activity (CE-R12). I consider that this approach strikes an appropriate balance between enabling the works necessary to protect life and property with the potential adverse environmental effects. The submitter references ECO-R1 which permits natural hazard mitigation works within significant natural areas. I note that this is limited to statutory agencies and their nominated contractors. All other proposals would require consent under ECO-R1-2 as a restricted discretionary activity and matters of discretion include ECO-P2 which would require application of the effects management hierarchy to address any ecological effects.
152. I disagree with the amendment sought by Forest and Bird to ‘soft engineering measures’ as I consider that “like to like” may not be an appropriate engineered response to reduce hazard risk. For example, much of Porirua’s coastline is highly modified, and like for like would not be appropriate in many instances, for example where a hard engineering structure was being replaced by a soft engineering measure.

3.10.3 Summary of recommendations

153. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the definitions of ‘hazard-sensitive activities’, ‘potentially-hazard-sensitive activities’ and ‘Less-Hazard-Sensitive-Activities’ as outlined below and in Appendix A;

Hazard-Sensitive Activities

means activities that are sensitive to natural hazards, including:

- a. childcare services;
- b. community ~~facilities;~~ ~~activity;~~⁸
- c. educational ~~facilities;~~ ~~facility;~~⁹

⁸ Minor correction under Clause 16 (to align with the National Planning Standards definition of ‘Community Facility’)

⁹ Minor correction under Clause 16 (should be plural for consistency)

	<ul style="list-style-type: none"> d. emergency service facilities; e. healthcare activity; f. hospital; g. marae; h. multi-unit housing; i. places of worship; and j. residential units and minor residential units (including those associated with Papakāinga¹⁰); k. <u>retirement villages¹¹; and</u> l. <u>visitor accommodation.¹²</u> <p>Potentially-Hazard-Sensitive Activities means activities that are potentially sensitive to natural hazards, including:</p> <ul style="list-style-type: none"> a. buildings associated with primary production (excluding residential units, minor residential units, residential activities or buildings identified as Less-Hazard-Sensitive Activities); b. commercial activity; c. commercial service activity; d. community corrections activity; e. entertainment <u>facilities; facility¹³</u>; f. food and beverage activity; g. industrial <u>activity; activities¹⁴</u> h. large format retail activity; i. major sports <u>facilities; facility¹⁵</u>; j. offices; k. retail <u>activity; and activities¹⁶</u> l. <u>retirement village; and¹⁷</u> m. rural industry. <p>It excludes Hazard-Sensitive Activities even if they are ancillary to Potentially-Hazard-Sensitive Activities.</p>
	<p>Less-Hazard-Sensitive Activities means activities that are less sensitive to natural hazards, including:</p> <ul style="list-style-type: none"> a. accessory buildings used for non-habitable purposes;¹⁸ b. boating facilities (above MHWS); c. <u>buildings and structures that do not have habitable rooms or are used for commercial purposes;¹⁹</u> d. parks facilities; e. parks furniture; and f. buildings associated with temporary activities. <p>It excludes Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities even if they are ancillary to Less-Hazard-Sensitive Activities.</p>

¹⁰ Minor correction under Clause 16 (incorrect spelling of Papakāinga)

¹¹ Kimberley Vermey [50.5]

¹² Minor correction under Clause 16 (to align with Table 2 APP10)

¹³ Minor correction under Clause 16 (should be plural for consistency)

¹⁴ Minor correction under Clause 16 (should be singular for consistency)

¹⁵ Minor correction under Clause 16 (should be plural for consistency)

¹⁶ Minor correction under Clause 16 (should be singular for consistency)

¹⁷ Kimberley Vermey [50.1]

¹⁸ Kimberley Vermey [50.2]

¹⁹ Kimberley Vermey [50.2]

b. Amend APP10 as outlined in Appendix A; and

APP10-Table 2 Hazard sensitivity	
Hazard provisions sensitivity classification	Land use activities
Hazard-Sensitive Activities	Childcare services Community facilities activity ; ²⁰ Educational facilities facility ; ²¹ Emergency service facilities Healthcare activity Hospital Marae Multi-unit housing Places of worship Residential units and minor residential units (including those associated with Papakāinga) ²² Retirement villages ²³ Visitor accommodation
Potentially-Hazard-Sensitive Activities	Buildings associated with primary production (excluding residential units, minor residential units, residential activities or buildings identified as Less-Hazard-Sensitive Activities) Commercial activity commercial service activity Community corrections activity Entertainment facilities facility ; ²⁴ Food and beverage activity Industrial activity activities ²⁵ Integrated retail activity ²⁶ Large format retail activity Major sports facilities; facility ; ²⁷ Offices Retail activity activities ²⁸ Retirement village ²⁹ Rural industry
Less-Hazard-Sensitive Activities	Accessory buildings used for non-habitable purposes ³⁰ Boating facilities (above MHWS) Buildings and structures that do not have habitable rooms or are used for commercial purposes ³¹ Parks facilities Parks furniture

²⁰ Minor correction under Clause 16 (to align with the National Planning Standards definition of 'Community Facility')

²¹ Minor correction under Clause 16 (should be plural for consistency)

²² Minor correction under Clause 16 (incorrect spelling of Papakāinga)

²³ Minor correction under Clause 16 (should be plural for consistency)

²⁴ Minor correction under Clause 16 (should be plural for consistency)

²⁵ Minor correction under Clause 16 (should be singular for consistency)

²⁶ Minor correction under Clause 16 (is a subset of large format retail activity, and is not in list under definition of 'Potentially-hazard-sensitive activities')

²⁷ Minor correction under Clause 16 (should be plural for consistency)

²⁸ Minor correction under Clause 16 (should be singular for consistency)

²⁹ Kimberley Vermey [50.1]

³⁰ Kimberley Vermey [50.2]

³¹ Kimberley Vermey [50.2]

Buildings associated with temporary activities

- c. **Add** a definition for 'Hard engineering structures' as outlined in Appendix A.

Hard engineering measures

Engineering works that use structural materials such as concrete, steel, timber or rock armour to provide a hard, inflexible edge between the land-water interface along rivers, shorelines or lake edges. Typical structures include groynes, seawalls, revetments or bulkheads that are designed to prevent erosion of the land.³²

154. I recommend that the submission from Kimberley Vermey [50.1, 50.2] be **accepted in part**.
155. I recommend that the submissions from Kenepuru Limited Partnership [59.28], Kāinga Ora [81.112, 81.113], FENZ [119.13, 119.76], Forest and Bird [225.64, 225.74] be **rejected**.
156. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.10.4 Section 32AA evaluation

157. In my opinion, the amendments recommended to definitions and APP10 more appropriate in terms of achieving the objectives of the PDP than the notified provisions.
158. I consider that the amendments more accurately reflect the hazard sensitivity of activities and will better protect life and property from the consequences of natural hazard events. I consider that clarifying that 'retirement villages' are hazard-sensitive activities will ensure they are not established in high hazard areas. I consider that adding "buildings and structures that do not have habitable rooms or are used for commercial purposes" to less-hazard-sensitive-activities will reduce the number of resource consents required for these activities and therefore unnecessary costs. NH-R1 still ensures that buildings will not be placed in a Flood Hazard - Overland Flow or Flood Hazard - Stream Corridor Overlay so as to not increase the risk that the hazard poses for adjacent properties.
159. I consider that the addition of a definition for "hard engineering measures" will improve plan clarity and usability.
160. Therefore, the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

³² Waka Kotahi [82.8]

3.11 Introduction

3.11.1 Matters raised by submitters

161. Kāinga Ora [81.403] seeks amendments to “assist in simplifying the introduction text” as well as to reflect other submission points they make opposing flooding hazard information being incorporated in a Hazard Overlay within the PDP.

3.11.2 Assessment

162. I consider that the Introduction is appropriate as notified. It is clear and provides adequate guidance for plan users. I disagree with changes sought by Kāinga Ora in relation to flood maps being removed from the PDP, as outlined in section 3.5 of this report.

3.11.3 Summary of recommendations

163. I recommend that the submissions from Kāinga Ora [81.403] be **rejected**.

164. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.12 Policies

3.12.1 Matters raised by submitters

165. Waka Kotahi [82.110] seeks that NH-P10 be amended as follows:

Encourage soft engineering measures where practicable, when undertaking planned natural hazard mitigation works within the Natural Hazard Overlay that reduce the risk from natural hazards.

3.12.2 Assessment

166. I do not consider that the term “where practicable” is needed as this is policy seeks to encourage rather than require, therefore no qualifier is needed.

3.12.3 Summary of recommendations

167. I recommend that the submissions from Waka Kotahi [82.110] be **rejected**.

3.13 Rules

3.13.1 NH-R6 - Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings in Low Hazard Areas in a Natural Hazard Overlay

3.13.2 Matters raised by submitters

168. Porirua City Council [11.36] seeks amendments to NH-R6 as:

NH-R6-1.b was intended to apply to the area within fault rupture zones that is outside an area 20m either side of the fault itself. Where Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities are proposed within 20m, rule NH-R8 applies. They also a non-complying activity through NH-R6-3.

The proposed wording of NH-R6-1.c was omitted from the rule in error, the policy intent was to manage Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in this area as a restricted discretionary activity. Currently there is no rule trigger applying to this area defined as low hazard in APP10.

The advice note clarifies that there are areas within the Moonshine Fault Rupture Zone which are not subject to NH rules.

169. Kāinga Ora [81.421] seeks amendments to NH-R6 including:

- b. Amending NH-R6-1.a as follows: "located above the 1:100 year flood level, where this level is ~~the bottom of~~ below the floor joists"
- c. Precluding limited notification as well as full notification; and
- d. Discretionary activity status for proposals that are unable to comply with NH-R6-1.b.

170. The reason given by the submitter is:

This rule is concerned with Hazard-Sensitive and Potentially-Hazard-Sensitive Activities within Low Hazard Areas. A Non-Complying Activity status is not reflective of the risk profile. A Discretionary Activity status still affords Council the appropriate considerations.

Kāinga Ora also seeks that the notification clauses under NH-R6-1.a, NH-R6-1.b, and NH-R6-2.a preclude limited notification in addition to public notification.

3.13.3 Assessment

171. I agree with the amendments sought by Porirua City Council for the reasons given by the submitter.

172. I agree the wording change sought by Kāinga Ora to NH-R6-1.a would make the rule more robust. However, I do not agree with the reduction in activity status for hazard-sensitive-activities within 20m of the Ohariu or Pukerua Faults. This would be inconsistent with NH-P2 and does not reflect the high risk profile of this hazard and the vulnerability of the activities.

173. I also do not agree with the preclusion of limited notification for the reason set out in the Natural Hazards s32 evaluation, as follows:

....However, these buildings are not precluded from limited notified as in some instances building in the ponding area will displace water onto neighbouring properties from development and therefore result in increased flooding effects on these parties. It is therefore appropriate that this development form is not precluded from limited notification.

3.13.4 Summary of recommendations

174. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. Amend NH-R6 as outlined below and in Appendix A.

NH-R6	Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings in Low Hazard Areas in a Natural Hazard Overlay
All zones	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Any buildings within a Flood Hazard - <u>Ponding Inundation</u>³³ Overlay are located above the 1:100 year flood level, where this level is below the bottom of³⁴ the floor joists or the base of the concrete floor slab; or b. Any buildings and activities are located <u>within the Pukerua Fault Rupture Zone or the Ohariu Fault Rupture Zone are located</u> no closer than 20m from <u>either fault; side of either;</u> c. <u>Any buildings and activities within the Moonshine Fault Rupture Zone are located within 20m of either side of the Moonshine Fault.</u>³⁵ <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in NH-P4. <p>Notification:</p> <p>An application under this rule is precluded from being publicly notified in accordance with section 95B of the RMA.</p> <p><u>Note: To avoid doubt, once the Moonshine Fault is located through site-specific investigation, there are areas within the mapped Moonshine Fault Rupture Zone that will be outside of 20m of either side of the Fault Line. These areas are not a Low Hazard Area and are therefore not subject to the Natural Hazard chapter rules (unless affected by another hazard such as a Flood Hazard).</u>³⁶</p>

³³ Paul and Julia Botha [118.12]

³⁴ Kāinga Ora [81.421]

³⁵ Porirua City Council [11.36]

³⁶ Ibid

175. I recommend that the submission from Porirua City Council [11.36] be **accepted**.
176. I recommend that the submission from Kāinga Ora [81.421] be **accepted in part**.
177. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.13.5 Section 32AA evaluation

178. In my opinion, the amendments recommended to NH-R6 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.
179. I consider that the amendments ensure that Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities taking place in low-hazard areas are subject to a resource consent process so the risk to people and property can be addressed. The addition of an advice note will aid plan users and reduce administrative costs, as will the recommended amendments to NH-R6-1.a. The amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

3.13.6 NH-R7 - Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings within the Medium Hazard Area in a Natural Hazard Overlay

3.13.7 Matters raised by submitters

180. FENZ [119.36] seeks an amendment of activity status for NH-R7 from discretionary to restricted discretionary. The submitter states:

Titahi Bay Fire Station is located within a Medium Hazard Area. Understands the risk associated with development within hazard-prone areas. Considers that an activity status of restricted discretionary, with matters of discretion linked to those within NH-P3, would be more appropriate.

3.13.8 Assessment

181. The submitter has not provided a substantive reason for this requested change in activity status, apart from noting an example of an existing fire station being in a medium hazard zone. I consider that discretionary activity status is appropriate for hazard-sensitive activities in medium hazard areas as outlined in the Natural Hazards s32 evaluation.

3.13.9 Summary of recommendations

182. I recommend that the submissions from FENZ [119.36] be **rejected**.

3.14 APP10 - Natural Hazard Risk Assessment

3.14.1 Matters raised by submitters

183. Linda Dale [247.17] seeks that Residential units and minor residential units (including those associated with papakāinga) be removed from being classed as a hazard-sensitive activity. The submitter:

Compares residential to other activities currently categorised as potentially hazard sensitive (such as an entertainment facility or a major sports facility) and finds that a residential building is a lesser risk than other activities. This includes setting out how there are warning systems in place and the speed of which evacuation can occur for residential uses.

Also notes that the damage to large scale property types, such as many of those in the list of potential-hazard-activities, in the case of a hazardous event would be of far greater scale and cost than for a residential unit.

3.14.2 Assessment

184. I disagree with the submitter that these activities should be removed from being classed as a hazard-sensitive activity. I consider they are hazard-sensitive as outlined in Section 8 of the Natural Hazards s32 evaluation report.
185. The submitter has not provided any evidence that the costs of damage or risk to life from natural hazard events are greater for commercial or community areas than in residential areas. Furthermore, residential properties have a higher risk profile as they are occupied day and night, as opposed to commercial and community facilities for the most part are only be occupied during the daytime.

3.14.3 Summary of recommendations

186. I recommend that the submission from Linda Dale [247.17] be **rejected**.

3.15 Minor Errors

187. I recommend that amendments be made to Definitions and APP10 to fix minor errors under Clause 16 of Schedule 1 of the RMA. The recommended amendments are set out in Appendix A.

4 Conclusions


188. Submissions have been received in support of and in opposition to the PDP.
189. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP should be amended as set out in Appendix A of this report.
190. For the reasons set out in the Section 32AA evaluation included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- a. achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
 - b. achieve the relevant objectives of the PDP, in respect to the proposed provisions.

Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report; and
2. The PDP is amended in accordance with the changes recommended in Appendix A of this report.

Signed:

Name and Title		Signature
Report Author	Torrey McDonnell Principal Policy Planner, Porirua City Council	

Appendix A. Recommended Amendments to Chapters

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the PDP is underlined.
- Text recommended to be deleted from the PDP is ~~struckthrough~~.

Definitions

Hard engineering measures

Engineering works that use structural materials such as concrete, steel, timber or rock armour to provide a hard, inflexible edge between the land-water interface along rivers, shorelines or lake edges. Typical structures include groynes, seawalls, revetments or bulkheads that are designed to prevent erosion of the land.”³⁷

Hazard-Sensitive Activities

means activities that are sensitive to natural hazards, including:

- childcare services;
- community facilities; activity,³⁸
- educational facilities; facility,³⁹
- emergency service facilities;
- healthcare activity;
- hospital;
- marae;
- multi-unit housing;
- places of worship; ~~and~~
- residential units and minor residential units (including those associated with Papakāinga⁴⁰);
- retirement villages⁴¹; ~~and~~
- visitor accommodation.⁴²

Potentially-Hazard-Sensitive Activities

means activities that are potentially sensitive to natural hazards, including:

- buildings associated with primary production (excluding residential units, minor residential units, residential activities or buildings identified as Less-Hazard-Sensitive Activities);
- commercial activity;
- commercial service activity;
- community corrections activity;
- entertainment facilities; facility,⁴³
- food and beverage activity;
- industrial activity; activities.⁴⁴

³⁷ Waka Kotahi [82.8]

³⁸ Minor correction under Clause 16 (to align with the National Planning Standards definition of 'Community Facility')

³⁹ Minor correction under Clause 16 (should be plural for consistency)

⁴⁰ Minor correction under Clause 16 (incorrect spelling of Papakāinga)

⁴¹ Kimberley Vermey [50.5]

⁴² Minor correction under Clause 16 (to align with Table 2 APP10)

⁴³ Minor correction under Clause 16 (should be plural for consistency)

⁴⁴ Minor correction under Clause 16 (should be singular for consistency)

- h. large format retail activity;
- i. major sports ~~facilities; facility;~~⁴⁵
- j. offices;
- k. retail ~~activity; and activities~~ ⁴⁶
- l. ~~retirement village; and~~⁴⁷
- m. rural industry.

It excludes Hazard-Sensitive Activities even if they are ancillary to Potentially-Hazard-Sensitive Activities.

Less-Hazard-Sensitive Activities

means activities that are less sensitive to natural hazards, including:

- ~~a. accessory buildings used for non-habitable purposes;~~⁴⁸
- b. boating facilities (above MHWS);
- c. buildings and structures that do not have habitable rooms or are used for commercial purposes;⁴⁹
- d. parks facilities;
- e. parks furniture; and
- f. buildings associated with temporary activities.

It excludes Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities even if they are ancillary to Less-Hazard-Sensitive Activities.

⁴⁵ Minor correction under Clause 16 (should be plural for consistency)

⁴⁶ Minor correction under Clause 16 (should be singular for consistency)

⁴⁷ Kimberley Vermey [50.1]

⁴⁸ Kimberley Vermey [50.2]

⁴⁹ Kimberley Vermey [50.2]

NH - Natural Hazards

Natural hazards are addressed in two chapters; the Natural Hazards chapter covers non-coastal hazards and the Coastal Environment chapter covers coastal hazards. Both chapters take the same risk-based approach to natural hazards. To avoid duplication, this chapter provides an overview of all hazards within Porirua City and the risk-based approach to managing those hazards (both coastal and non-coastal). However, the objectives, policies and rules in the Natural Hazards chapter only deal with non-coastal hazards. The objectives, policies and rules in the Coastal Environment chapter address coastal hazards.

Porirua is susceptible to a wide range of natural hazards. When natural hazards occur, they can result in damage to property and infrastructure, and may lead to a loss of human life. It is therefore important to identify areas susceptible to natural hazards and to restrict or manage subdivision, use and development, including infrastructure, relative to the natural hazard risk posed in order to reduce the damage to property and infrastructure and the potential for loss of human life.

The District Plan focuses on the following natural hazards as they are the hazards that present the greatest risk to people and property, and whose future effects can be addressed through appropriate land use planning measures:

1. Flooding;
2. Fault rupture;
3. Tsunami;
4. Coastal erosion; and
5. Coastal inundation.

Flooding, coastal erosion and sea level rise are influenced by climate change. It is predicted that rainfall events will become more intense, storm events will become more common and sea levels will rise over the next 100 years. The flooding, sea level inundation and coastal erosion hazard layers in the Plan incorporate current climate change predictions.

Slope stability is addressed through the Earthworks provisions which require appropriate measures to be incorporated into Earthworks design to maintain the stability of sloping sites. [Fire risk is addressed through requirements for firefighting water supply and access in various zone provisions and the Transport Chapter.](#)⁵⁰

Objectives

NH-01	Risk from natural hazards
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⁵⁰ Heather Phillips and Donald Love [79.2, 79.3], FENZ [119.29]

Subdivision, use and development in the Natural Hazard Overlay do not significantly increase the risk to life, <u>infrastructure</u> ⁵¹ or property and do not reduce the ability for communities to recover from a natural hazard event.	
NH-O2	Planned mitigation works
There is reduced risk to life, <u>infrastructure</u> ⁵² and property from flood hazards through planned mitigation works.	
Policies	
NH-P1	Identification and mapping of natural hazards
Identify and map natural hazards in the Natural Hazard Overlay and take a risk-based approach to the management of subdivision, use and development within the Natural Hazard Overlay based on the approach outlined in APP10 - Natural Hazard Risk Assessment, including: <ol style="list-style-type: none"> 1. The sensitivity of the activity to loss of life, damage from a natural hazard and the ability for communities to recover after a natural hazard event; and 2. The level of risk presented to people and property from a natural hazard. 	
NH-P2	Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the High Hazard Areas
Avoid the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the High Hazard Areas of the Natural Hazard Overlay unless it can be demonstrated that: <ol style="list-style-type: none"> 1. The activity has a critical operational need and functional need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option; 1. The resulting risk to people's lives and wellbeing will be low; 2. The activity incorporates mitigation measures that demonstrate that risk to people's life and wellbeing; and <u>minimise the risk of damage to buildings</u>⁵³ damage is avoided; 3. People can safely evacuate the property during a natural hazard event; and 4. The risk to the activity and surrounding properties is either avoided, or is low due to site-specific factors, and/or the scale, location and design of the activity 5. <u>Other than within Commercial and Mixed Use Zones, the General Industrial Zone and the Hospital Zone, the activity has an operational need and functional need to locate within the High Hazard Area and locating outside the High Hazard is not a practicable option.</u>⁵⁴ 	

⁵¹ Waka Kotahi [82.108]

⁵² Waka Kotahi [82.293]

⁵³ Porirua City Council [11.34]; TJL Associates [56.1, 56.2, 56.4], Light House Cinema Limited [199.2], Anita and Fraser Press [253.7], James McLaughlan [237.8], Graham and Janet Reidy [234.7], Quest Projects Limited [233.7], Jason Alder [232.5], Carolyn Vasta and Carole Reus [230.6], GWRC [FS40.4, FS40.5], and Foodstuffs [FS38.1, FS38.2]

⁵⁴ Porirua City Council [11.34]

NH-P3	Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the Medium Hazard Areas
<p>Only Allow Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the Medium Hazard Areas of the Natural Hazard Overlay where:</p> <ol style="list-style-type: none"> 1. The activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing, and building damage is avoided <u>low, and any damage to buildings is minimised⁵⁵</u>; 2. People can safely evacuate the property during a natural hazard event; and 3. The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding. 	
NH-P4	Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the Low Hazard Areas
<p>Provide for Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the Low Hazard Areas of the Natural Hazard Overlays where it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing and building damage is avoided; and 2. The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding. 	
NH-P5	Less-Hazard-Sensitive Activities within the Natural Hazard Overlay
<p>Allow for Less-Hazard-Sensitive Activities within all of the Hazard Areas of the Natural Hazard Overlay, providing:</p> <ol style="list-style-type: none"> 1. They do not impede or block stream and flood water pathways; 2. Mitigation measures are incorporated, where appropriate, to reduce the risk from the natural hazard to people's lives and wellbeing; and 3. The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding. 	
NH-P6	Less-Hazard-Sensitive Activities within a Flood Hazard - Stream Corridor or Flood Hazard - Overland Flow Overlay
<p>Only allow buildings associated with Less-Hazard-Sensitive Activities within a Flood Hazard - Stream Corridor or Flood Hazard - Overland Flow Overlay where:</p> <ol style="list-style-type: none"> 1. Flood waters are not displaced onto neighbouring properties and do not increase the risk to people and property; 2. The stream and flood water pathways are not impeded or blocked as a result of the building; 3. Mitigation measures have been incorporated to reduce the potential of damage from flooding over the lifespan of the building; and 4. There is no increase in risk to life as a result of the building being located in a Flood Hazard - Stream Corridor or Flood Hazard - Overland Flow Overlay. 	

⁵⁵ Porirua City Council [11.35]; TJL Associates [56.1, 56.2, 56.4], Light House Cinema Limited [199.2], Anita and Fraser Press [253.7], James Mclaughlan [237.8], Graham and Janet Reidy [234.7], Quest Projects Limited [233.7], Jason Alder [232.5], Carolyn Vasta and Carole Reus [230.6], GWRC [FS40.4, FS40.5], and Foodstuffs [FS38.1, FS38.2]

NH-P7	Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within a Flood Hazard - <u>Pending Inundation</u>⁵⁶ Overlay
<p>Only allow the establishment of buildings associated with Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within a Flood Hazard - <u>Pending Inundation</u>⁵⁷ Overlay where the floor level is below the 1:100 flood level and where it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The nature of the activity means the risk to people's lives and wellbeing is low or the potential for damage from flooding is reduced to a low level; or 2. Mitigation measures are incorporated into the design of the development so that the risk to people's lives is low or the potential for damage from flooding is reduced to a low level; and 3. People can safely evacuate from the property during a flood event. 	
NH-P8	Additions to Existing Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities
<p>Provide for small-scale additions to buildings that accommodate existing Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities where they:</p> <ol style="list-style-type: none"> 1. Provide for the continued use of the existing building; 2. Incorporate mitigation measures to reduce the potential damage to the additions from the natural hazard; 3. The resulting change in risk from the additions to life and property is low; and 4. Do not increase the risk from the natural hazard to adjacent properties, activities and people. 	
NH-P9	Planned mitigation works
<p>Enable natural hazard mitigation or stream or river management works undertaken by a statutory agency or their nominated contractors or agents within identified Natural Hazard Overlay where these decrease the risk to people, <u>infrastructure</u>⁵⁸ and property.</p>	
NH-P10	Soft engineering measures
<p>Encourage soft engineering measures when undertaking planned natural hazard mitigation works within the Natural Hazard Overlay that reduce the risk from natural hazards.</p>	
Rules	
NH-R1	Less-Hazard-Sensitive Activities within the Low and Medium and High Hazard Areas contained in a Natural Hazard Overlay
All zones	<ol style="list-style-type: none"> 1. Activity status: Permitted <p>Where:</p> <ol style="list-style-type: none"> a. Any buildings must not be located in an identified Flood Hazard - Overland Flow or Flood Hazard - Stream Corridor Overlay.

⁵⁶ Paul and Julia Botha [118.12]

⁵⁷ Paul and Julia Botha [118.12]

⁵⁸ Waka Kotahi [82.109]

All zones	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with NH-R1-1</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters contained in NH-P6.</p>
NH-R2	Flood mitigation or stream or river management works undertaken by a statutory agency or their nominated contractor or agent within the Flood Hazard Overlays in a Natural Hazard Overlay
All zones	1. Activity status: Permitted
NH-R3	Soft engineering measures undertaken by either a statutory agency or their nominated contractor or agent within a Natural Hazard Overlay
All zones	1. Activity status: Permitted
NH-R4	Additions to existing buildings in Hazard Areas contained in a Natural Hazard Overlay
All zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. If the additions are for a Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity in the Low Hazard Area of the Natural Hazard Overlay, the additions:</p> <ol style="list-style-type: none"> i. Do not establish a new additional Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity within the Natural Hazard Overlay; or ii. When are located within a Flood Hazard - Pending Inundation⁵⁹, the finished floor levels are located above the 1:100 year flood level, where this level is the bottom of the floor joists or the base of the concrete floor slab; or <p>b. The additions are for a Less-Hazard-Sensitive Activity in all Hazard Areas of the Natural Hazard Overlay and:</p> <ol style="list-style-type: none"> i. Are not located within a Flood Hazard - Overland Flow; ii. Are not located within a Flood Hazard - Stream Corridor; <p>c. If the additions are for a Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity in the Medium Hazard Area of the Natural Hazard Overlay, the additions:</p> <ol style="list-style-type: none"> i. Do not increase the building footprint by more than 30m²; or ii. Do not establish a new additional Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity within the Natural Hazard Overlay; or iii. Are not located within a Flood Hazard - Overland Flow; or

⁵⁹ Paul and Julia Botha [118.12]

	<p>d. If the additions are for a Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity in the High Hazard Area of the Natural Hazard Overlay, the additions:</p> <ul style="list-style-type: none"> i. Do not increase the building footprint by more than 20m²; or ii. Do not establish a new additional Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity within the Natural Hazard Overlay; or iii. Are not located within a Flood Hazard - Stream Corridor. <p>Note: For the avoidance of doubt, when an addition or alteration to a building establishes a new Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity within the Natural Hazard Overlay, then it shall be assessed under the rule framework for Hazard-Sensitive Activities or Potentially-Hazard-Sensitive Activities and not the additions to buildings framework.</p>
All zones	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with NH-R4-1.a, NH-R4-1.b, NH-R6-1.c or NH-R4-1.d. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The matters in NH-P8.
<p>NH-R5 Earthworks within a Natural Hazard Overlay associated with hazard mitigation works undertaken by a statutory agency</p>	
All zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is achieved with: <ul style="list-style-type: none"> i. EW-S3; and ii. EW-S4.
All zones	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with EW-S3 or EW-S4. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The matters of discretion of any infringed standard. <p>Notification</p> <p>An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</p>
<p>NH-R6 Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings in Low Hazard Areas in a Natural Hazard Overlay</p>	

	<p>All zones 1. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Any buildings within a Flood Hazard - <u>Pending Inundation</u>⁶⁰ Overlay are located above the 1:100 year flood level, where this level is below the bottom of⁶¹ the floor joists or the base of the concrete floor slab; or b. Any buildings and activities are located <u>within the Pukerua Fault Rupture Zone or the Ohariu Fault Rupture Zone are located</u> no closer than 20m from <u>either fault; side of either.</u>; c. <u>Any buildings and activities within the Moonshine Fault Rupture Zone are located within 20m of either side of the Moonshine Fault.</u>⁶² <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The matters in NH-P4. <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95B of the RMA.</p> <p><u>Note: To avoid doubt, once the Moonshine Fault is located through site-specific investigation, there are areas within the mapped Moonshine Fault Rupture Zone that will be outside of 20m of either side of the Fault Line. These areas are not a Low Hazard Area and are therefore not subject to the Natural Hazard chapter rules (unless affected by another hazard such as a Flood Hazard).</u>⁶³</p>
	<p>All zones 2. Activity status: Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with NH-R6-1.a. <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
	<p>All zones 3. Activity status: Non-complying</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with NH-R6-1.b.
NH-R7	<p>Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings within the Medium Hazard Area in a Natural Hazard Overlay</p>

⁶⁰ Paul and Julia

⁶¹ Kāinga Ora [81.421]

⁶² Porirua City Council [11.36]

⁶³ Ibid

	All zones	1. Activity status: Discretionary
NH-R8		Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings within the High Hazard Areas in a Natural Hazard Overlay
	All zones	1. Activity status: Non-complying

APP10 - Natural Hazard Risk Assessment

APP10-Table 2 Hazard sensitivity	
Hazard provisions sensitivity classification	Land use activities
Hazard-Sensitive Activities	Childcare services Community facilities activity ⁶⁴ Educational facilities facility ⁶⁵ Emergency service facilities Healthcare activity Hospital Marae Multi-unit housing Places of worship Residential units and minor residential units (including those associated with Papakāinga ⁶⁶) Retirement villages ⁶⁷ Visitor accommodation
Potentially-Hazard-Sensitive Activities	Buildings associated with primary production (excluding residential units, minor residential units, residential activities or buildings identified as Less-Hazard-Sensitive Activities) Commercial activity commercial service activity Community corrections activity Entertainment facilities facility ⁶⁸ Food and beverage activity Industrial activity activities ⁶⁹ Integrated retail activity ⁷⁰ Large format retail activity Major sports facilities; facility ⁷¹ Offices Retail activity activities ⁷² Retirement village ⁷³ Rural industry
Less-Hazard-Sensitive Activities	Accessory buildings used for non-habitable purposes ⁷⁴ Boating facilities (above MHWS)

⁶⁴ Minor correction under Clause 16 (to align with the National Planning Standards definition of 'Community Facility')

⁶⁵ Minor correction under Clause 16 (should be plural for consistency)

⁶⁶ Minor correction under Clause 16 (incorrect spelling of Papakāinga)

⁶⁷ Minor correction under Clause 16 (should be plural for consistency)

⁶⁸ Minor correction under Clause 16 (should be plural for consistency)

⁶⁹ Minor correction under Clause 16 (should be singular for consistency)

⁷⁰ Minor correction under Clause 16 (is a subset of large format retail activity, and is not in list under definition of 'Potentially-hazard-sensitive activities')

⁷¹ Minor correction under Clause 16 (should be plural for consistency)

⁷² Minor correction under Clause 16 (should be singular for consistency)

⁷³ Kimberley Vermey [50.1]

⁷⁴ Kimberley Vermey [50.2]

Buildings and structures that do not have habitable rooms or are used for commercial purposes⁷⁵

Parks facilities

Parks furniture

Buildings associated with temporary activities

⁷⁵ Kimberley Vermey [50.2]

Appendix B. Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions made on this topic are presented in Table B 1 below.

Table B 1: Recommended responses to submissions and further submissions on Natural Hazards

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
Strategic objectives							
51.64	Telco	REE-O3	Ensure infrastructure resilience is provided for throughout the plan, so that it guides decision makers.	3.2	Accept in part	See body of the report	No
137.15	GWRC	REE-O3	Retain	N/A	Accept	Agree with submitter	No
119.14	FENZ	REE-O3	Retain as proposed	N/A	Accept	Agree with submitter	No
8.4	WCC	REE-O3	Retain the provisions as proposed in the updated District Plan. Supportive of further additions to the Plan, as appropriate through the submissions process, to support a well-functioning and vibrant Porirua City.	N/A	Accept	Agree with submitter	No
83.21	Powerco	REE-O3	Retain as notified	N/A	Accept	Agree with submitter	No
86.12	KiwiRail	REE-O3	Retain as proposed	N/A	Accept	Agree with submitter	No
81.222	Kāinga Ora	REE-O3	Retain objective as notified	N/A	Accept	Agree with submitter	No
General submissions							
60.67	Transpower New Zealand Ltd	General	Retain the Natural Hazards Chapter. If the chapter applies to the National Grid, amend provisions to reflect the relief sought in submission. [Refer to original submission and specific submission points for full decision requested]	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions.	No
123.15	Z Energy, BP Oil NZ Ltd and Mobil Oil NZ Limited	General	Not specified, refer to original submission] While no specific decision sought, the submitter raised the following matter(s): Support the intent and clarification on the application of the NH rules by: "If the building or the activity is not partially or fully located within the Natural Hazard Overlay, then the natural hazard rules will not be triggered".	N/A	Accept	Agree with submitter.	No
264.45	Te Rūnanga o Toa Rangatira	General	Support Review especially for flood areas.	N/A	Accept	Agree with submitter.	No
137.41	GWRC	General	Retain.	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions.	No
137.81	GWRC	Natural Hazard overlays	[Not specified, refer to original submission] While no specific decision sought, the submitter raised the following matter(s): The PDP and associated hazard mapping gives effect to Policy 29 of the RPS, which requires district plans to identify areas at high risk from natural hazards and include policies and rules to avoid inappropriate subdivision and development in those areas.	N/A	Accept	Agree with submitter.	No
137.80 ⁷⁶	GWRC	General	While no specific decision sought, the submitter raised the following matter(s): Strongly supports the all hazards, risk-based approach to natural hazards that is incorporated throughout the PDP. Notes that the approach is present in the district wide natural hazards section and links through to the coastal environment, earthworks and subdivision sections. Supports the hazard sensitive cascading policy and rule approach in the natural hazards and	N/A	Accept	Agree with submitter	No

⁷⁶ Support - Te Rūnanga o Toa Rangatira [FS70.45]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>coastal environment sections and the guidance for applying these rules in the natural hazard risk assessment section.</p> <p>Supports the encouragement of soft engineering approaches and the use of natural features as methods for hazard mitigation and resilience building. This is consistent with Policy 52 of the RPS that directs minimising adverse effects of hazard mitigation measures.</p> <p>In addition to the policy and rule suite, supports the acknowledgement in the PDP that there may be other site-specific hazard matters to be taken into account during a subdivision or development. This is important because there are some hazards, including liquefaction and slope failure, for which there is insufficient information at a district wide level to be incorporated into the district plan mapping, but which may still present a significant hazard at a site requiring hazard treatment or mitigation.</p> <p>It is good to see the PDP acknowledging that natural hazard risk management is not confined to RMA and district plan processes and highlighting links to other important statutes such as the Building Act, the Local Government Act and the Civil Defence Emergency Management Act.</p>				
199.1	Light House Cinema Limited	Flood Hazard	<p>Removal of the Natural Hazard (NH) risk overlays from the land at 119 Paekakariki Hill Road, Pauatahanui</p> <p>or</p> <p>Amendment to the Natural Hazard provisions to provide a less restrictive planning framework for subdivision and development within those overlay areas.</p>	3.3	Reject	See body of report	No
230.4	Carolyn Vasta and Carole Reus	General	<p>Removal of the Natural Hazard (NH) risk overlays from the land or amendment to the Natural Hazard provisions to provide a less restrictive planning framework for subdivision and development within those overlay areas.</p>	3.3	Reject	See body of report	No
232.3	Jason Alder	General	<p>Removal of the Natural Hazard (NH) risk overlays from the land</p> <p>or</p> <p>Amendment to the Natural Hazard provisions to provide a less restrictive planning framework for subdivision and development within those overlay areas.</p> <p>[Refer to original submission for full decision requested]</p>	3.3	Reject	See body of report	No
232.4	Jason Alder	General	<p>Removal of the Natural Hazard (NH) risk overlays from the land</p> <p>or</p> <p>Amendment to the Natural Hazard provisions to provide a less restrictive planning framework for subdivision and development within those overlay areas.</p> <p>[Refer to original submission for full decision requested]</p>	3.3	Reject	See body of report	No
233.6	Quest Projects Limited	General	<p>Removal of the Natural Hazard (NH) risk overlays from the land</p> <p>or</p> <p>Amendment to the Natural Hazard provisions to provide a less restrictive planning framework for subdivision and development within those overlay areas.</p>	3.3	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
234.5 ⁷⁷	Graham and Janet Reidy	General	Removal of the Natural Hazard (NH) risk overlays from the land [119 Paekākāriki Hill Road, Pāuatahanui (Pt Lot 1 DP 29219 (CT WN44D/686))] or Amendment to the Natural Hazard provisions to provide a less restrictive planning framework for subdivision and development within those overlay areas. [See specific submission points for full relief sought]	3.3	Reject	See body of report	No
234.6	Graham and Janet Reidy	General	Removal of the Natural Hazard (NH) risk overlays from the land [119 Paekākāriki Hill Road, Pāuatahanui (Pt Lot 1 DP 29219 (CT WN44D/686))] or Amendment to the Natural Hazard provisions to provide a less restrictive planning framework for subdivision and development within those overlay areas. [See specific submission points for full relief sought]	3.3	Reject	See body of report	No
237.6 ⁷⁸	James Mclaughlan	General	Removal of the Natural Hazard (NH) risk overlays from the land or amendment to the NH provisions to provide a less restrictive planning framework for subdivision and development within those overlay areas.	3.3	Reject	See body of report	No
237.7 ⁷⁹	James Mclaughlan	General	Removal of the Natural Hazard (NH) risk overlays from the land or amendment to the NH provisions to provide a less restrictive planning framework for subdivision and development within those overlay areas.	3.3	Reject	See body of report	No
253.5	Anita and Fraser Press	General	Removal of the Natural Hazard (NH) risk overlays from the land or Amendment to the Natural Hazard provisions to provide a less restrictive planning framework for subdivision and development within those overlay areas. [See original submission and specific submission points for full relief sought]	3.3	Reject	See body of report	No
253.6	Anita and Fraser Press	General	Removal of the Natural Hazard (NH) risk overlays from the land or Amendment to the Natural Hazard provisions to provide a less restrictive planning framework for subdivision and development within those overlay areas. [See original submission and specific submission points for full relief sought]	3.3	Reject	See body of report	No
210.5	Trustees of the Blue Cottage Trust	General	The preparation of a policy framework that provides for the appropriate mitigation of risk associated with confirmed natural hazards.	3.3	Reject	See body of report	No
211.6	Trustees of the Ken Gray No. 1 Family Trust & Ken	General	The preparation of a policy framework that provides for the appropriate mitigation of risk associated with confirmed natural hazards, including any river flood hazard.	3.3	Reject	See body of report	No

⁷⁷ Oppose – GWRC [FS40.144]

⁷⁸ Oppose - Te Rūnunga o Toa Rangatira [FS70.51]

⁷⁹ Oppose - Te Rūnunga o Toa Rangatira [FS70.52]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
	Gray No. 2 Family Trust						
Fire hazards							
79.2	Heather and Donald Phillips and Love	Hazards and Risks	Amend	3.4	Accept in part	See body of report	Yes
79.3	Heather and Donald Phillips and Love	Hazards and Risks	Amend	3.4	Accept in part	See body of report	Yes
119.29 ⁸⁰	FENZ	Introduction	Amend the introduction to read as follows: The District Plan focuses on the following natural hazards as they are the hazards that present the greatest risk to people and property, and whose future effects can be addressed through appropriate land use planning measures: 1. Flooding; 2. Fault rupture; 3. Tsunami; 4. Coastal erosion; 5. Coastal inundation; <u>6. Fire</u>	3.4	Accept in part	See body of report	Yes
Flood hazards as a non-statutory layer							
81.404 ⁸¹	Kāinga Ora	Flood hazards	Delete Flood Hazard - Stream Corridor, Flood Hazard - Overland Flow and Flood Hazard - Ponding overlays and move them to a non-statutory map layer on the e-plan view for information purposes.	3.5	Reject	See body of report	No
81.928	Kāinga Ora	Natural hazard overlays, Non-regulatory methods	Opposes the inclusion of flooding hazards as Natural Hazard Overlays with the PDP. An alternative relief is proposed. Spatial identification of flood hazard areas should be made available through a set of non-statutory flood hazard maps, which would operate as interactive maps on the Council's GIS website - thereby operating as a separate mapping viewer to the statutory DP maps.	3.5	Reject	See body of report	No
Hazard sensitivity rating							
50.3	Kimberley Vermey	NH-R6	Making more variations between hazard sensitive and potentially hazard sensitive activities for the natural hazard and coastal hazards chapters. This may include having them as differing consent levels for the low, medium, and high hazards so that it more aligns with a risk approach. There may need to be some changes to the policies to assist with aligning with the consent categories, including introducing a policy(ies) for potentially hazard sensitive activities to support a lower consent category than hazard sensitive activities. Essentially this	3.6	Reject	See body of report	No

⁸⁰ Oppose - Kāinga Ora [FS65.198]

⁸¹ Support - Kenepuru Limited Partnership (KLP) [FS20.8], Oppose – GWRC [FS40.64]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			submission point also allows for any subsequent changes to the framework to support the sought outcome.				
Policy approach in medium and high-hazard areas							
11.34	Porirua City Council	NH-P2	<p>NH-P2 Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the High Hazard Areas</p> <p>Subject to NH-P8, Avoid the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the High Hazard Areas of the Natural Hazard Overlay unless it can be demonstrated that:</p> <p>1. The activity has a critical operational need and functional need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option;</p> <p><u>1. There will be a reduction in risk to people's lives and wellbeing;</u></p> <p>2. The activity incorporates mitigation measures that demonstrate that risk to people's life and wellbeing, and minimise the risk of damage to buildings; damage is avoided;</p> <p>3. People can safely evacuate the property during a natural hazard event; and</p> <p>4. The risk to the activity and surrounding properties is either avoided, or is low due to site-specific factors, and/or the scale, location and design of the activity; and</p> <p><u>5. Other than within Commercial and Mixed Use Zones, the General Industrial Zone and the Hospital Zone, the activity has an operational need and functional need to locate within the High Hazard Area and locating outside the High Hazard is not a practicable option.</u></p>	3.7	Accept in part	See body of report	Yes
FS38.1	Foodstuffs		Support in part	3.7	Accept in part	See body of report	No
FS40.4	GWRC		Support	3.7	Accept in part	See body of report	No
FS54.9	FENZ		Oppose	3.7	Reject	See body of report	No
11.35	Porirua City Council	NH-P3	<p>Amend policy as follows;</p> <p>NH-P3 Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the Medium Hazard Areas</p> <p>Subject to NH-P8, Only allow Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the Medium Hazard Areas of the Natural Hazard Overlay where:</p> <p>1. The activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing, and building damage is avoided that there will be a reduction in risk to people's lives and wellbeing, and any damage to buildings is minimised;</p> <p>2. People can safely evacuate the property during a natural hazard event; and</p> <p>3. The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding.</p>	3.7	Accept in part	See body of report	Yes
FS38.2	Foodstuffs		Support in part	3.7	Accept in part	See body of report	No
FS40.5	GWRC		Support	3.7	Accept in part	See body of report	No
56.1 ⁸²	TJL Associates	NH-R8	Amend to provide an appropriate consenting pathway, that seeks to reduce the risk of hazards instead of avoiding it altogether.	3.7	Reject	See body of report	No

⁸² Support in part – FENZ [FS54.19]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
56.2	TJL Associates	General	Amend to provide an appropriate consenting pathway, that seeks to reduce the risk of hazards instead of avoiding it altogether.	3.7	Accept in part	See body of report	No
56.4	TJL Associates	NH-P2	Amend to provide an appropriate consenting pathway, that seeks to reduce the risk of hazards instead of avoiding it altogether.	3.7	Accept in part	See body of report	No
81.423 ⁸³	Kāinga Ora	NH-R8	Amend: NH-R8 Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings within the High Hazard Areas in a Natural Hazard Overlay City Centre Zone 1. Activity status: Non-complying Discretionary <u>All zones except the City Centre Zone</u> Activity status: Non-complying	3.7	Reject	See body of report	No
119.37	FENZ	NH-R8	Amend rule as follows: 1. Activity status: Non-complying <u>Restricted Discretionary</u> <u>With matters of discretion linked to those set out in NH-P2.</u>	3.7	Reject	See body of report	No
120.3 ⁸⁴	Woolworths New Zealand Limited	NH-R8	Amend the rule to: <ul style="list-style-type: none">Remove the requirement for Potentially Hazard Sensitive Activities to obtain resource consent as a Non-Complying Activity; and Require Potentially Hazard Sensitive Activities to obtain resource consent as a Restricted Discretionary Activity.	3.7	Reject	See body of report	No
122.5 ⁸⁵	Foodstuffs North Island Limited	NH-P2	Amend the policy as follows: Avoid-Disourage the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the High Hazard Areas of the Natural Hazard Overlay unless it can be demonstrated that: 1. The activity has a critical operational need and functional need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option; 2. The activity incorporates mitigation measures that demonstrate that risk to people's life and wellbeing; and building damage is avoided; 3. People can safely evacuate the property during a natural hazard event; and 4. The risk to the activity and surrounding properties is either avoided, or is low due to site-specific factors, and/or the scale, location and design of the activity.	3.7	Reject	See body of report	No
122.6	Foodstuffs North Island Limited	NH-P3	Amend policy NH-P3 to read:	3.7	Reject	See body of report	No

⁸³ Support in part – FENZ [FS54.18]; Support - Kenepuru Limited Partnership (KLP) [FS20.41]; Support - Z Energy Ltd, BP Oil NZ Ltd and Mobil Oil NZ Ltd [FS49.11]; Oppose – GWRC [FS40.77]

⁸⁴ Support in part – FENZ [FS54.20]

⁸⁵ Support in part – FENZ [FS54.10]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>Only allow <u>Enable</u> Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the Medium Hazard Areas of the Natural Hazard Overlay where:</p> <ol style="list-style-type: none"> 1. The activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing, and building damage is avoided; 2. People can safely evacuate the property during a natural hazard event; and 3. The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding. 				
153.10 ⁸⁶	Thomas Charles and Claire Louise Clark	NH-R8	Flood hazard rules are not the most appropriate way to give effect to the Resource Management Act; and that activities within the Stream Corridor should not be "non-complying" as there are various mitigation methods that can be used.	3.7	Reject	See body of report	No
199.2 ⁸⁷	Light House Cinema Limited	NH-P2	<p>Amend the policy as follows:</p> <p>NH-P2</p> <p>Avoid <u>Manage</u> the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the High Hazard Areas of the Natural Hazard Overlay unless <u>where</u> it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The activity has a critical operational need and functional need to locate within the High Hazard Area and locating overside the High Hazard Area is not a practicable option; 2. The activity incorporates mitigation measures that demonstrate that risk to people's life and wellbeing; and building damage is avoided <u>or mitigated</u>; 3. People can safely evacuate the property during a natural hazard event; and 4. The risk to the activity and surrounding properties is either avoided, or is low due to site-specific factors, and/or the scale, location and design of the activity. 	3.7	Accept in part	See body of report	Yes
253.7 ⁸⁸	Anita and Fraser Press	NH-P2	As above	3.7	Accept in part	See body of report	No
237.8 ⁸⁹	James Mclaughlan	NH-P2	As above	3.7	Accept in part	See body of report	No
234.7 ⁹⁰	Graham and Janet Reidy	NH-P2	As above	3.7	Accept in part	See body of report	No
233.7 ⁹¹	Quest Projects Limited	NH-P2	As above	3.7	Accept in part	See body of report	No

⁸⁶ Support in part – FENZ [FS54.22]

⁸⁷ Support in part – FENZ [FS54.11]

⁸⁸ Support in part – FENZ [FS54.12]

⁸⁹ Support in part – FENZ [FS54.13]

⁹⁰ Support in part – FENZ [FS54.14], Oppose – GWRC [FS40.145]

⁹¹ Support in part – FENZ [FS54.15]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
232.5 ⁹²	Jason Alder	NH-P2	As above	3.7	Accept in part	See body of report	No
230.6 ⁹³	Carolyn Vasta and Carole Reus	NH-P2	As above	3.7	Accept in part	See body of report	No
199.3 ⁹⁴	Light House Cinema Limited	NH-R8	Amend rule as follows: NH-R8.1 Activity Status: Non-complying. Replace NH-R8 with a new restricted discretionary rule.	3.7	Reject	See body of report	No
230.7 ⁹⁵	Carolyn Vasta and Carole Reus	NH-R8	As above	3.7	Reject	See body of report	No
232.6 ⁹⁶	Jason Alder	NH-R8	As above	3.7	Reject	See body of report	No
233.8 ⁹⁷	Quest Projects Limited	NH-R8	As above	3.7	Reject	See body of report	No
234.8 ⁹⁸	Graham and Janet Reidy	NH-R8	As above	3.7	Reject	See body of report	No
237.9 ⁹⁹	James Mclaughlan	NH-R8	As above	3.7	Reject	See body of report	No
253.8 ¹⁰⁰	Anita and Fraser Press	NH-R8	As above	3.7	Reject	See body of report	No
Amending flood hazard maps							
58.1	Kieran Smith	General	If hazard maps are to be used, they should come with warning notes on them. To point out to the users that they are for 'guide use only' and do not fully show the effects on individual properties in the area noted. If these hazards are to be put over these areas, more Council investment should be going into those areas to help mitigate some of the issues. Or there should be a rates decrease on the affected properties, considering it will probably affect their future property prices and they will face much higher insurance costs than other areas.	3.8	Reject	See body of report	No
59.29	Kenepuru Limited Partnership (KLP)	Flood Hazard - Overland Flow	Amend the Planning Maps to reflect the post development information.	3.8	Accept	See body of report	Yes

⁹² Support in part – FENZ [FS54.16]⁹³ Support in part – FENZ [FS54.17]⁹⁴ Support in part – FENZ [FS54.21]⁹⁵ Support in part – FENZ [FS54.23]⁹⁶ Support in part – FENZ [FS54.24]⁹⁷ Support in part – FENZ [FS54.25]⁹⁸ Support in part – FENZ [FS54.26]⁹⁹ Support in part – FENZ [FS54.27]¹⁰⁰ Support in part – FENZ [FS54.28]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
59.30	Kenepuru Limited Partnership (KLP)	Flood Hazard - Stream Corridor	Amend the Planning Maps to remove the Flood Hazard - Stream Corridor from Lot 1509 DP 533884.	3.8	Accept	See body of report	Yes
118.12	Paul and Julia Botha	General	<p>Not specified, refer to original submission]</p> <p>While no specific decision sought, the submitter raised the following matter(s):</p> <p>The flood and stream mapping which is shown for 10A the Track property contains an error. The error is due to the incorrect placement of a Kiwirail culvert connecting a fragment of Taupo swamp. The information appears to be derived from a supporting document which shows a pipe and nodes on the eastern side of the property in the wrong place. As a result of this error, the stream mapping (and assume the flood mapping) for this area is incorrect.</p> <p>The flood maps show ponding in a watercourse on the property that generally only flows during a rain event. The ponding is shown in areas which are up to 65m greater in elevation than the swamp into which they drain. It is difficult to imagine how this ponding has been determined.</p> <p>[Refer to original submission for full reason, including maps]</p>	3.8	Accept in part	See body of report	Yes
158.3	Steve Grant	Flood Hazard, Non-regulatory method	Seeks indication of any proposed flood mitigation by Council for the owners and other upstream property owners prior to accepting any condition on flood mitigation in relation to 99-109 Saint Andrews Road, Plimmerton.	3.8	Reject	See body of report	No
187.2	Shedlands Limited	Flood Hazard	Remove any flood overlay over 275b Paremata Haywards Road, Judgeford.	3.8	Reject	See body of report	No
188.2	Melanie and Scott Draper	Flood Hazard	Remove any flood overlay over 287 Paremata Haywards Road, Judgeford.	3.8	Reject	See body of report	No
189.2	Vic Draper	Flood Hazard	Remove any flood overlay over 287 Paremata Haywards Road, Judgeford.	3.8	Reject	See body of report	No
192.1	Robert Crumpton	Flood Hazard	<p>In relation to 27 Kapiti Crescent, shift pool area to another disused property.</p> <p>[Refer to original submission for full decision requested, including attachment]</p>	3.8	Reject	See body of report	No
238.6	Grant Abdee	Flood Hazard Overlay	<p>[Not specified, refer to original submission]</p> <p>While no specific decision sought, the submitter raised the following matter(s):</p> <p>Seven or eight of the Rawhiti Road properties are lower than the road boundary. The Hazards and Risks Overlays 'Flood Hazard - Ponding' map does not highlight stormwater runoff, which has resulted in some scarring/erosion damage on the property. Council appears to have done little to improve problems relating to surface water and Council's past poor planning.</p>	3.8	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
241.5	The Neil Group Limited and Gray Family	Flood Hazard Overlay	[Not specified. Refer to original submission] While no specific decision sought, the submitter raised the following matter(s): Generally opposes the location of the Stream Corridor Flood Hazard.	3.8	Reject	See body of report	No
242.3	Pukerua Property Group Limited	Flood Hazard Overlays	[Not specified, refer to original submission] While no specific decision sought, the submitter raised the following matter(s): Generally opposes the location of the Stream Corridor and ponding Flood Hazards.	3.8	Reject	See body of report	No
261.2	Vic Draper	Flood Hazard Overlay	Removal of any flood overlay over the properties [the Draper Family Land] For clarification purposes reference to Draper Family Land is the below: <ul style="list-style-type: none"> • 278 Paremata Haywards Road (SH58) also known as Lot 1 DP14428 • 275b Paremata Haywards Road (SH58) also known as Lot 2 DP76421 • 278 Paremata Haywards Road (SH58) also known as Lot 1 DP25982 	3.8	Reject	See body of report	No
Seismic hazards and fault rupture							
59.1 ¹⁰¹	Kenepuru Limited Partnership (KLP)	Fault Rupture Zone	Amend the Planning Maps. Amend the Fault Avoidance Zone to reflect that as shown on the Coffey Reports submitted as part of the Kenepuru Landing Project work and agreed with PCC	3.9	Accept in part	See body of report	Yes
156.2 – 156.6	Heriot Drive Ltd	General	Amend the approach to seismic risk in the district plan to be consistent with: <ol style="list-style-type: none"> 1. The GWRC Natural Hazard Strategy (Feb 2017) and in particular: <ol style="list-style-type: none"> a. Objective 3 and 3.1 – “develop regionally consistent and co-ordinated plan provisions” b. Appendix B which indicates the recurrence interval of the Ohariu fault is 2200 years with an elapsed time of 1050 -1000 years since the last event and for the North Ohariu fault the recurrence interval is 1500 – 3500 years with an estimated 1000 years since the last event; and 2 The definition of risk as set out in the Part 2 of the Proposed District Plan “Natural Hazards” – “risk is a product of both the consequences and the likelihood from a natural hazard.”: and 3. Table 1 of Appendix 10 of the proposed Porirua District Plan which shows the likelihood ranking of a 1:500 – 1:2500 year event as “very unlikely”. 	3.9	Accept in part	See body of report	Yes
157.2 – 157.6	Raiha Properties Ltd	General	As above	3.9	Accept in part	See body of report	Yes
156.7 – 156.11	Heriot Drive Ltd	General	Reassess the “High” risk of the Ohariu Fault Rupture Zone and 20m either side of it having regard to: <ol style="list-style-type: none"> 1. The GWRC Natural Hazard Strategy (Feb 2017) and in particular: <ol style="list-style-type: none"> a. Objective 3 and 3.1 – “develop regionally consistent and co-ordinated plan provisions” b. Appendix B which indicates the recurrence interval of the Ohariu fault is 2200 years with an elapsed time of 1050 -1000 years since the last event and for the North Ohariu 	3.9	Accept in part	See body of report	Yes

¹⁰¹ Oppose – GWRC [FS40.18]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>fault the recurrence interval is 1500 – 3500 years with an estimated 1000 years since the last event; and</p> <p>2 The definition of risk as set out in the Part 2 of the Proposed District Plan “Natural Hazards” – “risk is a product of both the consequences and the likelihood from a natural hazard.”: and</p> <p>3. Table 1 of Appendix 10 of the proposed Porirua District Plan which shows the likelihood ranking of a 1:500 – 1:2500 year event as “very unlikely”.</p>				
157.7 – 157.11	Raiha Properties Ltd	General	As above	3.9	Accept in part	See body of report	No
156.12 – 156.16	Heriot Drive Ltd	General	Take a more holistic approach to addressing the risk to buildings and property from seismic events including liquefaction, slope failure and ground shaking rather than the current single focus on fault rupture.	3.9	Accept in part	See body of report	No
157.12 – 157.16	Raiha Properties Ltd	General	Take a more holistic approach to addressing the risk to buildings and property from seismic events including liquefaction, slope failure and ground shaking rather than the current single focus on fault rupture.	3.9	Accept in part	See body of report	No
Definitions							
59.28	Kenepuru Limited Partnership (KLP)	Hazard-Sensitive Activities	<p>Amend the definition as follows:</p> <p>Residential units and minor residential units (including those associated with papakāinga) <i>not designed specifically for the hazard area in which it is located.</i></p> <p><i>Add this category of houses to the definition of lower risk buildings and activities.</i></p>	3.10	Reject	See body of report	No
82.8	Waka Kotahi	General	<p>Add the following definition for “Hard Engineering Matters”:</p> <p><u>“Engineering works that use structural materials such as concrete, steel, timber or rock armour to provide a hard, inflexible edge between the land-water interface along rivers, shorelines or lake edges. Typical structures include groynes, seawalls, revetments or bulkheads that are designed to prevent erosion of the land.”</u></p>	N/A	Accept	Agree with submitter	Yes
119.13	FENZ	Hazard-Sensitive Activities	<p>Seeks the definition to be amended as follows:</p> <p>Definition of Hazard-Sensitive Activities</p> <p>means activities that are sensitive to natural hazards, including:</p> <p>a. childcare services;</p> <p>b. community facility;</p> <p>c. educational facility;</p> <p>d. emergency service facilities;</p> <p>e. healthcare activity;</p> <p>f. hospital;</p> <p>g. marae;</p> <p>h. multi-unit housing;</p> <p>i. places of worship; and</p> <p>j. residential units and minor residential units (including those associated with papakāinga)</p>	3.10	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
134.4	Ministry of Education	Hazard-Sensitive Activities	Retain as proposed.	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
81.73	Kāinga Ora	Hazard-Sensitive Activities natural hazards, including:	Amend definition: Hazard-Sensitive Activities means activities that are sensitive to natural hazards, including: a. childcare services; b. community facility; c. educational facility; d. emergency service facilities; e. healthcare activity; f. hospital; g. marae; h. multi-unit housing; i. places of worship; and j. residential units and minor residential units (including those associated with papakāinga)	N/A	Accept	Agree with submitter	Yes
50.2	Kimberley Vermey	Less-Hazard-Sensitive Activities	Include buildings, and structures that do not have habitable rooms or provide employment to this definition.	3.10	Accept in part	See body of report	Yes
81.96	Kāinga Ora	Less-Hazard-Sensitive Activities	Retain definition as notified	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
81.112	Kāinga Ora	Natural hazard mitigation activity	Amend definition: Natural Hazard Mitigation activity means hazard mitigation earthworks, hazard mitigation structures, repair and maintenance of hazard mitigation structures, features or earthworks and emergency natural hazard mitigation activities. <u>means earthworks, structures, repair and maintenance, and emergency work to reduce or eliminate risks caused by natural hazards.</u>	3.10	Reject	See body of report	No
81.113	Kāinga Ora	Natural Hazard Overlay	Delete definition Natural Hazard Overlay means the areas identified in Table 3 Natural Hazard Overlays in APP10 – Natural Hazard Risk Assessment and shown on the planning maps.	3.10	Reject	See body of report	No
50.1 ¹⁰²	Kimberley Vermey	Potentially-Hazard-Sensitive Activities	Remove retirement villages from this definition and add service stations to this definition.	3.10	Accept	See body of report	Yes

¹⁰² Oppose in part - Z Energy Ltd, BP Oil NZ Ltd and Mobil Oil NZ Ltd [FS49.10]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
81.129	Kāinga Ora	Potentially-Hazard-Sensitive Activities	Retain definition as notified	3.10	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
81.156	Kāinga Ora	Soft engineering measures	Retain definition as notified	N/A	Accept	Agree with submitter	No
225.64	Forest and Bird	Natural hazard mitigation activity	<p>Amend the definition or the provisions in the plan to provide consistence with the defined terms.</p> <p>Amend the plan provisions to:</p> <ul style="list-style-type: none"> • Ensure a consenting requirement for all new natural hazard mitigation activities. • Include discretion within consenting processes to consider effects on indigenous biodiversity, and <p>To enable decision makers to decline consent on the basis of adverse effects.</p>	3.10	Reject	See body of report	No
225.74	Forest and Bird	Soft engineering measures	<p>Amend the definition as follows:</p> <p>means a form of hazard mitigation that uses natural elements to provide protection to private properties, public space and infrastructure. It includes <u>the use of like to like substrates as sacrificial fill, vegetation planting, beach nourishment and dune restoration.</u></p>	3.10	Reject	See body of report	No
Introduction							
81.403	Kāinga Ora	Introduction	<p>Amend introduction:</p> <p>Natural hazards are addressed in two chapters; the Natural Hazards chapter covers non-coastal hazards and the Coastal Environment chapter covers coastal hazards. Both chapters take the same risk-based approach to natural hazards. To avoid duplication, this chapter provides an overview of all hazards within Porirua City and the risk-based approach to managing those hazards (both coastal and non-coastal). However, the objectives, policies and rules in the Natural Hazards chapter only deal with non-coastal hazards. The objectives, policies and rules in the Coastal Environment chapter address coastal hazards.</p> <p>Porirua is susceptible to a wide range of natural hazards. When natural hazards occur, they can result in damage to property and infrastructure, and may lead to a loss of human life. It is therefore important to identify areas susceptible to natural hazards and to restrict or manage subdivision, use and development, including infrastructure, relative to the natural hazard risk posed in order to reduce the damage to property and infrastructure and the potential for loss of human life.</p> <p>The District Plan focuses on the following natural hazards as they are the hazards that present the greatest risk to people and property, and whose future effects can be addressed through appropriate land use planning measures:</p> <ol style="list-style-type: none"> 1. Flooding; 2. Fault rupture; 3. Tsunami; 4. Coastal erosion; and 5. Coastal inundation. 	3.11	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>Flooding, coastal erosion and sea level rise are influenced by climate change. It is predicted that rainfall events will become more intense, storm events will become more common and sea levels will rise over the next 100 years. The flooding, sea level inundation and coastal erosion hazard layers in the Plan incorporate current climate change predictions.</p> <p>Slope stability is addressed through the Earthworks provisions which require appropriate measures to be incorporated into Earthworks design to maintain the stability of sloping sites.</p> <p>The City is also susceptible to natural hazards such as severe winds, wildfires, liquefaction and ground shaking from earthquakes. These hazards are managed by other statutory instruments or processes, e.g. the Building Act 2004, Civil Defence Emergency Management Act 2002, the Local Government Acts 1974 and 2002 and the Fire and Emergency Act 2017.</p> <p><u>The Natural Hazards chapter takes a risk-based approach to managing hazards. the objectives, policies and rules in the Natural Hazards chapter only deal with non-coastal hazards. The objectives, policies and rules in the Coastal Environment chapter address coastal hazards.</u> For the purposes of clarity, the proposed natural hazard rules apply to buildings, and activities within <u>Natural Hazard Areas identified within the Natural Hazard Overlay and the Council's flooding hazard maps.</u> If the building or the activity is not partially or fully located within a <u>Natural Hazard Area</u> the Natural Hazard Overlay then the natural hazard rules will not be triggered.</p> <p>There are other natural hazard provisions relating to subdivisions, earthworks, renewable energy generation activities and infrastructure within the District Plan. These provisions are located within their respective chapter. For Subdivision, they take a similar approach as outlined in the Natural Hazard or Coastal Environment chapters. In instances where a combination of activities are proposed (for example earthworks, subdivision and a new building) within the Natural Hazard <u>Area Overlay</u>, the relevant rules from each chapter will apply to the development.</p> <p>Risk:</p> <p>Risk is a product of both the consequences and likelihood from a natural hazard. A risk-based approach to natural hazards balances allowing for people and communities to use their property and undertake activities, while also ensuring that their lives or significant assets are not harmed or lost as a result of a natural hazard event. When addressing the consequences from natural hazards, priority has been given as follows:</p> <ol style="list-style-type: none"> 1. Protection of people including loss of life, and injury; 2. Maintaining key infrastructure to ensure the health and safety of communities (such as wastewater treatment systems); and 3. Maintaining functionality of buildings after a natural hazard event and the ability for communities to recover. <p>While in most instances development is unable to change the likelihood side of the risk equation, incorporating mitigation measures or avoiding any further development in certain hazard areas can reduce the consequences from natural hazards, thereby over time reducing the associated risks. Potential mitigation measures that can be incorporated into developments to reduce the consequences of natural hazards include:</p> <ol style="list-style-type: none"> 1. Building design (for example minimum floor levels or the ability for buildings to be relocated over time); 				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>2. The introduction, retention or improvement of existing natural systems;</p> <p>3. Use or size of materials in infrastructure design and building construction;</p> <p>4. The type of activities within buildings and structures; and</p> <p>5. The use of soft engineering options (for example sacrificial fill).</p> <p>Within the High Hazard Areas of the Natural Hazard Overlay, it is unlikely the challenging to appropriately mitigate the consequences from natural hazards can be appropriately mitigated, and therefore the only option available is to avoid new development will be discouraged in these areas where it will increase the risk to people's safety, well-being and property.</p> <p>APP10 - Natural Hazard Risk Assessment sets out the approach the Council has taken to identifying and managing risk, including ranking the likelihood of a natural hazard event, hazard sensitivity and the use of Natural Hazard Overlay. This Appendix also addresses the identification and management of risk in Coastal Hazard Overlay.</p>				
Objectives							
82.108 ¹⁰³	Waka Kotahi	NH-O1	<p>Amend provision:</p> <p>NH-O1</p> <p>"Subdivision, use and development in the Natural Hazard Overlay do not significantly increase the risk to life, <u>infrastructure</u>, or property and do not reduce the ability for communities to recover from a natural hazard event."</p>	N/A	Accept	Agree with submitter	Yes
123.16 ¹⁰⁴	Z Energy, BP Oil NZ Ltd and Mobil Oil NZ Limited	NH-O1	Retain intent of NH-O1 as currently worded.	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
82.293 ¹⁰⁵	Waka Kotahi	NH-O2	<p>Amend provision:</p> <p>NH-O2</p> <p>"There is a reduced risk to life, <u>infrastructure</u> and property from flood hazards through planned mitigation works."</p>	N/A	Accept	Agree with submitter	Yes
123.17 ¹⁰⁶	Z Energy, BP Oil NZ Ltd and Mobil Oil NZ Limited	NH-O2	Retain intent of NH-O2 as currently worded.	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
Policies							
123.18	Z Energy, BP Oil NZ Ltd and Mobil Oil NZ Limited	NH-P1	Retain intent of NH-P1 as currently worded.	N/A	Accept	Agree with submitter	No

¹⁰³ Oppose in part - Kāinga Ora [FS65.199], Support – GWRC [FS40.96]

¹⁰⁴ Oppose in part - Kāinga Ora [FS65.200]

¹⁰⁵ Oppose in part - Kāinga Ora [FS65.202], Support – GWRC [FS40.97]

¹⁰⁶ Oppose in part - Kāinga Ora [FS65.203]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
83.84	Powerco Limited	NH-P2	Retain as notified.	N/A	Accept	Agree with submitter	No
86.46	KiwiRail Holdings Limited (KiwiRail)	NH-P2	Retain as proposed	N/A	Accept	Agree with submitter	No
119.30	FENZ	NH-P2	[Not specified, refer to original submission] While no specific decision sought, the submitter raised the following matter(s): The Plimmerton Fire Station is currently located within a High Hazard area, being subject to a Coastal Hazard - Current Inundation, Future Inundation and Tsunami Hazards overlays. Fire stations have a functional need to be located within densely populated areas, to improve emergency response times and availability of staff resourcing. Stations may need to be located within medium hazard areas. Neutral towards NH-P2. Considers that the policy adequately recognizes that there may be cases where it may be necessary to locate activities such as fire stations in High Hazard Areas.	N/A	Accept	Agree with submitter	No
119.31	FENZ	NH-P3	[Not specified, refer to original submission] While no specific decision sought, the submitter raised the following matter(s): Fire stations have a functional need to be located within densely populated areas, to improve emergency response times and availability of staff resourcing. Fire stations may need to be located within medium hazard areas. Considers that the reference to mitigation measures is appropriate in this policy.	N/A	Accept	Agree with submitter	No
119.32	FENZ	NH-P4	[Not specified, refer to original submission] While no specific decision sought, the submitter raised the following matter(s): Fire stations have a functional need to be located within densely populated areas, to improve emergency response times and availability of staff resourcing. Fire stations may need to be located within medium hazard areas. Considers that the reference to mitigation measures is appropriate in this policy.	N/A	Accept	Agree with submitter	No
119.33	FENZ	NH-P7	[Not specified, refer to original submission] While no specific decision sought, the submitter raised the following matter(s): Porirua Fire Station is located within a Flood Hazard – Ponding Overlay area. Understands the need to protect people and activities from flooding.	N/A	Accept	Agree with submitter	No
119.34	FENZ	NH-P8	[Not specified, see original submission]	N/A	Accept	Agree with submitter	No
81.413	Kāinga Ora	NH-P8	Retain as notified	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
82.109	Waka Kotahi	NH-P8	Amend provision: “Enable natural hazard mitigation or stream or river management works undertaken by a statutory agency or their nominated contractors or agents within an identified Natural Hazard Overlay where these decrease the risk to people, <u>infrastructure</u> and property.”	N/A	Accept	Agree with submitter	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
82.110	Waka Kotahi	NH-P10	Amend provision: "Encourage soft engineering measures <u>where practicable</u> , when undertaking planned natural hazard mitigation works within the Natural Hazard Overlay that reduce the risk from natural hazards".	3.12	Reject	See body of report	No
Rules							
82.111	Waka Kotahi	NH-R2	Retain as notified.	N/A	Accept	Agree with submitter	No
82.112	Waka Kotahi	NH-R3	Retain as notified.	N/A	Accept	Agree with submitter	No
81.418	Kāinga Ora	NH-R3	Retain as notified	N/A	Accept	Agree with submitter	No
119.35	FENZ	NH-R4	[Not specified, see original submission] While no specific decision sought, the submitter raised the following matter(s): Agrees with the activity status flow for additions to existing buildings in Hazard Areas contained in a Natural Hazard Overlay, from permitted to restricted discretionary with the matters of consideration being those matters in NH-P8.	N/A	Accept	Agree with submitter	No
82.113 ¹⁰⁷	Waka Kotahi	NH-R5	Retain as notified.	N/A	Accept	Agree with submitter	No
11.36 ¹⁰⁸	Porirua City Council	NH-R6	Amend the rule as follows: a. Any buildings within a Flood Hazard - Ponding Overlay are located above the 1:100 year flood level, where this level is the bottom of the floor joists or the base of the concrete floor slab; or b. Any buildings and activities are located within the Pukerua Fault Rupture Zone or the Ohariu Fault Rupture Zone are located no closer than 20m from either fault the Pukerua Fault Rupture Zone or the Ohariu Fault Rupture Zone; <u>or</u> c. Any buildings and activities are located within the Moonshine Fault Rupture Zone are located within 20m of either side of the Moonshine Fault. <i>Note: To avoid doubt, once the Moonshine Fault is located through site-specific investigation, there are areas within the mapped Moonshine Fault Rupture Zone that will be outside of 20m of either side of the Fault Line. These areas are not a Low Hazard Area, and are therefore not subject to the Natural Hazard chapter rules (unless affected by another hazard such as a Flood Hazard).</i>	N/A	Accept	See body of report	Yes
81.421 ¹⁰⁹	Kāinga Ora	NH-R6	Amend:	3.13	Accept in part	See body of report	Yes

¹⁰⁷ Oppose - Kāinga Ora [FS65.204]

¹⁰⁸ Support – GWRC [FS40.6]; Support in part [FS49.4]

¹⁰⁹ Oppose – GWRC [FS40.76]; Support - Z Energy Ltd, BP Oil NZ Ltd and Mobil Oil NZ Ltd [FS49.2]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>NH-R6 Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings in Low Hazard Areas in a Natural Hazard Overlay</p> <p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Any buildings within a Flood Hazard - Ponding Overlay are located above the 1:100 year flood level, where this level is the bottom of below the floor joists or the base of the concrete floor slab; or</p> <p>b. Any buildings and activities are located no closer than 20m from either side of either the Pukerua Fault Rupture Zone or the Ohariu Fault Rupture Zone.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in NH-P4.</p> <p>Notification:</p> <p>An application under this rule is precluded from being publicly <u>or limited</u> notified in accordance with sections <u>95BA</u> and <u>95B</u> of the RMA.</p> <p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with NH-R6-1.a <u>or NH-R6-1.b.</u></p> <p>Notification:</p> <p>An application under this rule is precluded from being publicly <u>or limited</u> notified in accordance with sections <u>95BA</u> and <u>95B</u> of the RMA.</p> <p>3. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with NH-R6-1.b.</p>				
134.15	Ministry of Education	NH-R6	Retain as proposed.	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
134.16	Ministry of Education	NH-R7	Retain as proposed.	N/A	Accept	Agree with submitter	No
119.36	FENZ	NH-R7	<p>Amend the rule as follows:</p> <p>NH-R7 Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings within the Medium Hazard Area in a Natural Hazard Overlay –</p> <p>1. Activity status: Discretionary <u>Restricted Discretionary</u></p> <p><u>With matters of discretion linked to those set out in NH-P3.</u></p>	3.13	Reject	Titahi Bay Fire Station is located within a Medium Hazard Area. Understands the risk associated with development within hazard-prone areas. Considers that an activity status of restricted discretionary, with matters of discretion linked to those within NH-P3, would be more appropriate.	
50.7	Kimberley Vermey	NH-R7	If there is a need for a restricted discretionary activity, then the matters are appropriately addressed in the policies.	N/A	Accept	Agree with submitter	No
134.17	Ministry of Education	NH-R8	Retain as proposed.	N/A	Accept	Agree with submitter	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?				
APP10											
119.76	FENZ	APP10-Table 2 Hazard sensitivity	<p>Amend table as follows:</p> <table border="1"> <thead> <tr> <th>Hazard provisions sensitivity classification</th> <th>Land use activities</th> </tr> </thead> <tbody> <tr> <td>Hazard-Sensitive Activities</td> <td> <ul style="list-style-type: none"> • Childcare services • Community facility • Educational facility • Emergency service facilities • Healthcare activity • Hospital • Marae • Multi-unit housing • Places of worship • Residential units and minor residential units (including those associated with PakaKāinga) • Retirement village • Visitor accommodation </td> </tr> </tbody> </table>	Hazard provisions sensitivity classification	Land use activities	Hazard-Sensitive Activities	<ul style="list-style-type: none"> • Childcare services • Community facility • Educational facility • Emergency service facilities • Healthcare activity • Hospital • Marae • Multi-unit housing • Places of worship • Residential units and minor residential units (including those associated with PakaKāinga) • Retirement village • Visitor accommodation 	3.10	Reject	See body of report	No
Hazard provisions sensitivity classification	Land use activities										
Hazard-Sensitive Activities	<ul style="list-style-type: none"> • Childcare services • Community facility • Educational facility • Emergency service facilities • Healthcare activity • Hospital • Marae • Multi-unit housing • Places of worship • Residential units and minor residential units (including those associated with PakaKāinga) • Retirement village • Visitor accommodation 										
134.37	Ministry of Education	APP10-Table 2 Hazard sensitivity	Retain as proposed.	N/A	Accept	Agree with submitter	No				
247.17	Linda Dale	APP10-Table 2 Hazard sensitivity	<p>Remove:</p> <p>Residential units and minor residential units (including those associated with Papakāinga), from the list of activities classified as "Hazard-Sensitive Activities" and place it in the list of activities classified as "Potentially-Hazard-Sensitive Activities" in all sections of this document where such classification occurs.</p>	3.14	Reject	See body of report	No				
50.8	Kimberley Vermey	Potentially-Hazard-Sensitive Activities	Make retirement villages a hazard sensitive activity. Include service stations as a potentially hazard sensitive activity.	3.10	Accept	Agree with submitter	Yes				

Appendix C. Report Author's Qualifications and Experience

Torrey James McDonnell – Principal Policy Planner, Porirua City Council

I hold the following qualifications:

- Bachelor of Science (Majoring in Geography), Otago University
- Master of Planning, Otago University
- New Zealand Certificate in Te Reo Māori (Level 4), Te Wānanga o Aotearoa

I have 12 years' experience working as a planner for local and central government organisations.

My work experience includes working as a planner for the Transit New Zealand Otago/Southland regional office (consent processing and plan advocacy), and as a Senior Analyst for the Ministry for the Environment (developing national direction under the RMA).

I have been employed by the Porirua City Council since May 2017 as a Principal Policy Planner within the Environment and City Planning Team.

I am a full member of the New Zealand Planning Institute.