

## DISTRICT PLAN REVIEW

# Proposed Waimakariri District Plan - Submission

Clause 6 of Schedule 1, Resource Management Act 1991

### Submitter details

(Our preferred methods of corresponding with you are by **email** and **phone**).

Full name: \_\_\_\_\_

Email address: \_\_\_\_\_

Phone (Mobile): \_\_\_\_\_ Phone (Landline): \_\_\_\_\_

Postal Address: \_\_\_\_\_ Post Code: \_\_\_\_\_

Physical address: \_\_\_\_\_ Post Code: \_\_\_\_\_  
(if different from above)

Please select one of the two options below:

I **could not** gain an advantage in trade competition through this submission (go to Submission details, you do not need to complete the rest of this section)

I **could** gain an advantage in trade competition through this submission (please complete the rest of this section before continuing to Submission details)

Please select one of the two options below:

I **am** directly affected by an effect of the subject matter of the submission that:

- A) Adversely affects the environment; and
- B) Does not relate to trade competition or the effect of trade competition.

I **am not** directly affected by an effect of the subject matter of the submission that:

- A) Adversely affects the environment; and
- B) Does not relate to trade competition or the effect of trade competition.

## Submission details

The specific provisions of the proposal that my submission relates to are as follows: *(please give details)*

My submission is that: *(state in summary the Proposed Plan chapter subject and provision of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made, giving reasons) (please include additional pages as necessary)*

I/we have included: \_\_\_\_\_ additional pages

I/we seek the following decision from the Waimakariri District Council: *(give precise details, use additional pages if required)*

## Submission at the Hearing

I/we wish to speak in support of my/our submission

I/we do not wish to speak in support of my/our submission

If others make a similar further submission, I/we will consider presenting a joint case with them at the hearing

## Signature

*Of submitters or person authorised to sign on behalf of submitter(s)*

Signature \_\_\_\_\_ Date \_\_\_\_\_

*(If you are making your submission electronically, a signature is not required)*

## Important Information

1. The Council must receive this submission before the closing date and time for submissions.
2. Please note that submissions are public. Your name and submission will be included in papers that are available to the media and public. Your submission will only be used for the purpose of the District Plan review process.
3. Only those submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

**Send your submission to:** Proposed District Plan Submission  
Waimakariri District Council  
Private Bag 1005, Rangiora 7440

**Email to:** [developmentplanning@wmk.govt.nz](mailto:developmentplanning@wmk.govt.nz)

**Phone:** 0800 965 468 (0800WMKGOV)

**You can also deliver this submission form to one our service centres:**

**Rangiora Service Centre:** 215 High Street, Rangiora

**Kaiapoi Service Centre:** Ruataniwha Kaiapoi Civic Centre, 176 Williams Street, Kaiapoi

**Oxford Service Centre:** 34 Main Street, Oxford

**Submissions close 5pm, Friday 26 November 2021**

**Please refer to the Council website [waimakariri.govt.nz](http://waimakariri.govt.nz) for further updates**

# NOTICE OF SUBMISSION ON PROPOSED WAIMAKARIRI DISTRICT PLAN

## Resource Management Act 1991 – Form 5

**To:** Waimakariri District Council

**Name of Submitter:** Canterbury Regional Council (Environment Canterbury)

**Physical Address:** 200 Tuam Street, Christchurch

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## This is a submission on the Proposed Waimakariri District Plan

### Introduction

Environment Canterbury thanks Waimakariri District Council (the Council) for the opportunity to provide a formal submission on the proposed Waimakariri District Plan (pDP). We wish to acknowledge the extensive work that has been undertaken by the Council in preparing the pDP, including the early engagement with Environment Canterbury at each stage of the Plan's development.

### Submission

This submission is separated into general submission points (below, and grouped by topic) and specific submission points in Appendix A.

Environment Canterbury is very supportive of the District Plan review process that the Council has undertaken and the proposed provisions are generally consistent with the regional planning framework. In acknowledgement of this, the Environment Canterbury submission contains many points in support of the proposed provisions particularly in relation to the regionally significant topics of indigenous biodiversity, natural character and natural features and landscapes.

Our submission also contains a number of submission points that seek amendments to the proposed provisions. The submission points generally support the intent of the proposed provisions but are seeking amendments to better align with the Canterbury Regional Policy Statement, Canterbury regional plan framework and give effect to national policy statements. Additionally, some suggestions are made to improve consistency across the pDP. Where provisions are not identified, there is general support for those provisions.

Appendix A sets out specific comments on individual provisions, the relief sought, and our reasons for seeking amendments. The order of the table follows the same structure as the

pDP. This submission is also included as a word version, if this format is more useful to the Hearing Officers, or to the Hearing Panel.

Where specific amendments have been sought, we have used underlined text to indicate recommended additions to the provisions and ~~striketrough~~ to indicate recommendations for the removal of the proposed text. In addition, other amendments, in line with the more general submission points, amendments consequential to these submission points or amendments that achieve the same outcome as these submission points, are also sought.

### ***General submission points***

The pDP generally gives effect to the intent of the Canterbury Regional Policy Statement (CRPS) and is consistent with the regional planning framework, including the Land and Water Regional Plan (LWRP), Regional Coastal Environment Plan (RCEP) and the Canterbury Air Regional Plan (CARP). In particular, the pDP gives effect to the provisions of Chapter 9 (Ecosystems and Indigenous Biodiversity) and Chapter 12 (Landscape) by identifying significant areas for protection and addressing activities that may impact on these sites through the provisions.

Environment Canterbury has concerns about the approach to future urban development in the proposed provisions, particularly regarding development outside of areas identified on Map A of the CRPS and the certification process for releasing land in the Kaiapoi development area. The pDP provides for urban growth identified in the Future Development Strategy (FDS) required under the National Policy Statement for Urban Development and the Council “shall have regard to” it in accordance with section 74 of the Resource Management Act 1991 (RMA) when developing a District Plan. However, section 75 of the RMA requires a Regional Policy Statement to be “given effect to” and Environment Canterbury considers the current pDP do not give full effect to the CRPS. This is primarily due to references to FDS rather than the CRPS and Map A development areas and by providing a pathway for urban growth outside of areas identified by the CRPS. Environment Canterbury therefore seek relief to ensure the pDP gives effect to the CRPS.

In relation to the Kaiapoi Future Development Area, Environment Canterbury are concerned about the high hazard risk faced by this area and the location of the airport noise contour. The pDP provisions allow for the release of this land for development through a certification process by the Chief Executive Officer. Environment Canterbury is not opposed to development in the area identified as this is consistent with Map A of the CRPS. However, concerns are held about the certification process to be undertaken. Environment Canterbury wish to ensure that the certification process ensures development occurs in accordance with an Outline Development Plan, fully assesses and addresses natural hazard risks, identifies and protected indigenous biodiversity and requires the integration of land use and transport infrastructure.

Finally, Environment Canterbury consider that the proposed provisions do not give effect to Chapter 11 Natural Hazards of the CRPS, particularly in relation to high hazard areas in the coastal environment. This especially relates to the permitted and restricted discretionary activity status for development in areas subject to coastal hazards, which is not consistent with the policy direction for a high hazard area under the CRPS.

Thank you again for this opportunity to provide a submission. For any clarification on the submission points contained within Appendix A, please contact [Regional.Planning@ecan.govt.nz](mailto:Regional.Planning@ecan.govt.nz) . We will be happy to assist the Hearings Officers.

**Environment Canterbury could not gain an advantage in trade competition through this submission.**

**Environment Canterbury does wish to be heard in support of its submission.**

**Signed:**

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a horizontal line extending to the right.

Andrew Parrish

**Planning Section Manager**

(Authorised under delegated authority from the Canterbury Regional Council)

**Date:** 26 November 2021

## Appendix A – Table of Submission Points

### Part 2 – District-wide matters

#### Strategic Directions

The CRPS sets out provisions related to land use, development, and urban form in Chapter 5 Land Use and Infrastructure and Chapter 6 Recovering and Rebuilding of Greater Christchurch. Chapters 5 and 6 both provide strategic direction regarding land use and development in the Waimakariri District, as well as setting out requirements to be addressed by the pDP.

Chapter 5 aims to consolidate existing township and to integrate growth with the provision of infrastructure, including transport infrastructure. It also directs rural-residential development to concentrate around urban areas, encourages rural production in rural areas, and references use of good urban design and form.

Chapter 6 aims to consolidate and intensify development in, and around existing urban areas and to avoid unplanned expansion of urban areas. The policies provide for higher density and mixed use developments, sustainably growing identified townships, and managing rural-residential development around existing urban areas. Chapter 6 policy also requires local authorities to give effect to urban form as per Map A of the CRPS. It also encourages the integration of transport planning and land use planning.

It is therefore sought that the pDP gives effect to the direction set out in the CRPS and as summarised above.

#### SD – Rautaki ahunga – Strategic Directions

Provision	Support or Oppose	Decision requested	Comments
SD-O1 Natural environment	Support	Retain as proposed or retain the original intent.	This high level objective is consistent with the CRPS.
SD-O2 Urban development	Support	Retain as proposed or retain the original intent.	This high level objective is consistent with Chapter 5 and 6 of the CRPS.
SD-O4 Rural land	Support in part	Support the intent of this objective. However, it should be more explicitly provide for the need to	CRPS Policies 5.3.2 and 5.3.12 set direction for the wider region (outside of Greater Christchurch) to safeguard the use of productive soils for primary production. It is also important to note that the development of a proposed NPS

		make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land.	on Highly Productive Land, may explicitly require the protection of high productive land.
SD-O5 Ngāi Tahu mana whenua/Te Ngāi Tūāhuriri Rūnanga	Support in part	Support the intent of this objective but consider whether to give particular mention to papakāinga housing and marae, as per the CRPS.	There is no specific mention of papakāinga housing or marae, which are addressed by CRPS Policy 5.3.4 and may warrant inclusion.
SD-O6 Natural hazards and resilience	Support	Retain as proposed or retain the original intent.	The hierarchy is consistent with CRPS Policy 11.3.1.

### UFD – Āhuatanga auaha ā tāone – Urban form and development

Provision	Support or Oppose	Decision requested	Comments
UFD-O1 Feasible development capacity for residential activities	Support	Retain as proposed or retain the original intent.	This objective is consistent with the development capacity to be enabled as outlined in Objective 6.2.1a of the CRPS.
UFD-P1 Density of residential development	Support in part	Amend policy to cross-reference the minimum net densities contained in the Subdivision chapter.	This policy is consistent with the CRPS direction for location of medium density housing, specifically policy 6.3.2 and policy 6.3.12. It is noted that net densities are provided for in the subdivision chapter but would provide more clarity if cross referenced within this policy. We also note that required density is at times not provided for in the identified new Residential Development Areas in the pDP as per submission point on the New Development Area provisions.
UFD-P2 Identification/location of	Oppose in part	Amend policy to give effect to Chapter 6 in the CRPS.	This policy is not consistent with Chapter 6 of the CRPS. Clause 1 should refer to Map A in the CRPS rather than the Future Development Strategy (FDS). This is due to the

<p>new Residential Development Areas</p>			<p>need for the District Plan to give effect to the CRPS and only have regard to the FDS.</p> <p>We are concerned that clause 2 appears to provide for new Residential Development Areas within Greater Christchurch that are outside of the future development areas identified in Map A of the CRPS. This would not give effect to the objective and policy framework in Chapter 6 of the CRPS, which provides clear and strong direction as to where new urban activities should be located, based on strategic growth planning undertaken by the Greater Christchurch Partnership.</p> <p>To give effect to Policy 5.3.12 of the CRPS, the need to protect highly productive soils should also be considered when assessing any new development areas.</p>
<p>UFD-P3 Identification/location and extension of Large Lot Residential Zone areas</p>	<p>Oppose in part</p>	<p>Amend policy to provide for rural residential development in the part of Waimakariri District that is within the Greater Christchurch area only where it has been identified in an adopted Rural Residential Development Strategy and is in accordance with Policy 6.3.9.</p>	<p>We are concerned that clause 2 appears to provide for new Large Lot Residential development where it may not have been identified in an adopted rural residential strategy. This would be inconsistent with Policy 6.3.9 of the CRPS, which provides for rural residential development in Waimakariri District where it accords with a rural residential strategy.</p>
<p>UFD-P5 Identification/location and extension of Industrial Zones</p>	<p>Oppose in part</p>	<p>Amend this policy to give effect to Chapter 6 of the CRPS.</p>	<p>This policy, as drafted, provides for the extension of existing industrial zones and the establishment of new industrial activities within Greater Christchurch without referring to the direction in Chapter 6 of the CRPS, which must be given effect to.</p>

UFD-P6 Mechanism to release Residential Development Areas	Oppose in part	No specific change to the policy is sought, although separate comments are made on the criteria for certification for new development areas.	The certification process to release new development areas is included in the new development areas section in Part 3. Environment Canterbury has made comments on the detail of this process in the assessment for New Development Areas later in this table. In general, Environment Canterbury is seeking strengthening of criteria for certification of land to ensure appropriate consideration is given to the transport system and natural hazards in particular.
UFD-P7 Mechanism to provide additional Commercial and Mixed Use Zones	Oppose	Amend policies to recognise the direction contained in Chapter 6 of the CRPS regarding the location of commercial and industrial development within Greater Christchurch.	These policies provide direction in relation to additional Commercial and Mixed Use Zones and Industrial Zones with reference to the FDS. The policy has not considered the direction within the CRPS regarding additional development areas or the development provided for in Map A.  Policy 6.3.11 of the CRPS sets out the monitoring and review process of development capacity. If there is a need for additional land for development, the matters in this policy must be addressed. The CRPS also notes that any amended growth pattern arising from a review will be given effect to through changes to the CRPS and district plans as appropriate. It is therefore considered the proposed District Plan policies are not consistent with this direction.
UFD-P8 Mechanism to provide additional Industrial Zones	Oppose		
UFD-P9 Unique purpose and character of the Special Purpose Zone (Kainga Nohoanga)	Support	Retain as notified or retain the original intent.	Consistent with CRPS.
UFD-P10 Managing reverse sensitivity effects from new development	Oppose in part	Provide clarity regarding what is meant by “new development areas”.  Provide recognition for the irreversible loss of	It is unclear whether the exception for Clause 1 is intended to apply to the Kaiapoi Future Development Area.  Clause 2 is unclear whether this only applies to the new development areas already identified in the Proposed District Plan, or if it would apply to any additional

		<p>productive soils to new development areas which should be avoided unless necessary.</p>	<p>development areas subsequently identified through private plan changes.</p> <p>To give effect to Policy 5.3.12 of the CRPS, it is considered that urban development outside of the identified new development areas should be avoided where highly productive soils are present.</p> <p>As noted in relation to SD-O4 CRPS Policies 5.3.2 and 5.3.12 set direction for the wider region (outside of Greater Christchurch) to safeguard the use of productive soils for primary production. Whilst these policies do not apply to Rangiora and Kaiapoi, this appears to be the direction of travel indicated in the draft NPS on Highly Productive Land.</p> <p>Alternatively, a new policy could be inserted to address the loss of productive soils, or it could be provided for under P2, P3, P4 and P5.</p>
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## Energy, infrastructure and transport

The CRPS sets out strategic directions for the Canterbury Region in relation to energy, infrastructure and transport in Chapter 5 Land use and Infrastructure, Chapter 6 Recovery and Rebuilding of Greater Christchurch and Chapter 16 Energy. Chapters 5 and 6 both provide strategic direction regarding land use and infrastructure for the Waimakariri District.

Chapter 5 recognises that there can be a lack of integration in the provision of infrastructure with land use development, including the transport system which can impact the ability of people and communities to meet their social and economic wellbeing and their health and safety. The CRPS seeks to achieve a safe, efficient and effective transport system and integrated infrastructure to support development and community wellbeing. The CRPS policies provide for the development of regionally significant infrastructure and the transport system where adverse effects are appropriately controlled and the protection of these assets and their development potential from land use activities.

Chapter 6 provides specific guidance for the Greater Christchurch area to enable recovery following the Canterbury Earthquake sequence. In relation to infrastructure, the CRPS seeks to maximise the integration of transport infrastructure to facilitate the movement of people and goods while also promoting active and public transport to reduce reliance on private vehicles and manage congestion and safety. Infrastructure provision is to be co-ordinated with new development and the efficient and effective function of infrastructure and ability to maintain and upgrade that infrastructure is to be maintained.

Chapter 16 sets out policy guidance in relation to energy supply, affordability and emissions. The CPRS seeks that development supports energy efficiency and there is a reliable and resilient supply of energy for the region with a focus on renewable energy sources.

It is therefore sought that the pDP gives effect to the direction set out in the CRPS and as summarised above.

## EI – Pūngao me te hangaanga hāpori – Energy and infrastructure

Provision	Support or Oppose	Decision requested	Comments
EI-O1 Provision of energy and infrastructure	Support	Retain as proposed or retain the original intent.	This is consistent with the CRPS objectives and policies, in particular 16.3.2.
EI-O2 Adverse effects of energy and infrastructure	Support in part	Consider whether to introduce a hierarchy to provide guidance as to when effects should be avoided in the first instance.	CRPS Objective 5.2.1 specifies that effects on significant resources should be avoided first, and if they cannot be avoided, then remedied or mitigated. Objective EI-O2 is not specific to significant natural and physical resources or regionally significant infrastructure, but a general hierarchy of effects may still be useful for providing guidance for resource consent applications.

<p>EI-O3 Effects of other activities and development on energy and infrastructure</p>	<p>Support in part</p>	<p>Consider whether this should apply to all energy and infrastructure, as it currently does, or only energy and infrastructure that is for the good of the community or has a certain level of significance.</p>	<p>The CRPS supports the maintenance and upgrading of regionally significant and critical infrastructure but does not necessarily support the establishment of all infrastructure in any location where constraints might be applied, so some narrowing of the scope of this objective may give better effect to the CRPS.</p>
<p>EI-P2 Availability, provision and adequacy of, and connection to, energy and infrastructure</p>	<p>Support</p>	<p>Retain as proposed or retain the original intent.</p>	<p>Support the connection of sites to reticulated infrastructure where available, as per the CRPS, and discourage clusters of small onsite wastewater systems as per clause (2) of ES-P2.</p>
<p>EI-P4 Environmentally sustainable outcomes</p>	<p>Support in part</p>	<p>Consider whether it is necessary to specify that 'sequestration trees' do not include wilding or pest species.</p>	<p>CRC support the intent of this policy. However, sequestration trees may be considered to include wilding species and in accordance with CRPS policy 5.3.13, we require the avoidance or minimisation of wilding spread.</p>
<p>EI-P5 Manage adverse effects of energy and infrastructure</p>	<p>Support in part</p>	<p>Support the intent of this policy. However, amend to clarify in clause (5) that biodiversity offsets should only be considered where there is a strong likelihood they can be achieved in perpetuity.</p>	<p>Policy 9.3.6 of the CRPS specifies that biodiversity offsets should only be used where there is a strong likelihood that the offsets will be achieved in perpetuity.</p>
<p>EI-P6 Effects of other activities and development on energy and infrastructure</p>	<p>Support in part</p>	<p>As with EI-O3, consider whether clause (a) should apply to all infrastructure or only that which has a certain level of significance or already exists.</p>	<p>The CRPS supports the maintenance and upgrading of regionally significant and critical infrastructure but does not necessarily support the establishment of all infrastructure in any location regardless of what activities are located nearby.</p>
<p>EI-R39 to EI-R42 Renewable Energy</p>	<p>Support</p>	<p>Retain as proposed or retain the original intent.</p>	<p>The CRPS supports the enabling of the establishment of new renewable energy infrastructure.</p>

EI-R45 Water, wastewater, stormwater	Support	Retain as proposed or retain the original intent.	The rule gives effect to the CRPS by encouraging connection to reticulated systems where they are available and is consistent with the definition of available reticulated system within the LWRP.
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### TRAN – Ranga waka – Transport

Provision	Support or Oppose	Decision requested	Comments
TRAN-O1 A safe, resilient, efficient, integrated and sustainable transport system	Support	Retain as proposed or retain the original intent.	Gives effect to the CRPS.
TRAN-O2 Parking, loading area and associated access and manoeuvring area	Support	Retain as proposed or retain the original intent.	Gives effect to the CRPS, particularly in terms of encouraging use of public transportation as per Policies 5.3.7, 6.3.4, and the wider Chapter 6.
TRAN-O3 Adverse effects from the transport system	Support in part	Consider whether to introduce a hierarchy where effects are avoided or mitigated in the first instance, as per CRPS Policy 5.8.5.	The current phrasing allows equal consideration of whether to avoid, remedy or mitigate adverse effects, but it may be more appropriate to avoid or mitigate first where possible, and remedy where effects cannot be avoided or mitigated.
TRAN-P2 Environmentally sustainable outcomes	Support in part	Amend to specify that offsets may be used only where they are strongly likely to be achieved in perpetuity. Furthermore, consider amending to specify that carbon sequestration will not be via wilding tree species or pest plant species.	CRPS Policy 9.3.6 requires biodiversity offsets to be used only where there is a strong likelihood that benefits will be achieved in perpetuity. CRPS Policy 5.3.13 requires the spread of wilding trees to be avoided or minimised.

TRAN-P5 High traffic generating activities	Support	Retain as proposed or retain the original intent.	CRC supports the encouragement of use of public transportation and active transportation modes, which is consistent with the CRPS.
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## Hazards and risks

CRPS Chapter 11 Natural Hazards provides a framework for managing natural hazard risk in Canterbury. It also sets out the responsibilities of the local authorities in the region for the control of land use to avoid or mitigate natural hazards. It emphasises avoidance of significant risk where possible, with mitigation of effects where avoidance is not possible. This chapter also requires the consideration of climate change.

CRPS Chapter 17 Contaminated Land identifies the issues associated with contamination of land and sets out a management approach for land that is already contaminated. The focus is to identify contaminated land, avoid new contamination of land, and leave contaminants undisturbed where they will not result in any risk to human health or the environment.

CRPS Chapter 18 Hazardous Substances establishes a policy framework for the management of hazardous substances in Canterbury, recognising that hazardous substances are vital to the social and economic wellbeing of people and communities despite the potential for effects to arise from their use. The chapter notes that several other statutes and agencies are also involved in the management of hazardous substances. Priority is given to the avoidance of new contamination and the protection of sensitive activities from hazardous substances.

It is therefore sought that the pDP gives effect to the direction set out in the CRPS and as summarised above.

### HS – Matu mōrearea – Hazardous substances

Provision	Support or Oppose	Decision requested	Comments
Introduction	Support in part	Amend to refer broadly to natural hazards rather than specifically flood hazards.	Other hazards may be relevant in addition to flood hazards.
HS-O1 Hazardous substance use, storage and disposal	Support in part	Amend to reference all natural hazards.	The objective currently references only flood hazards whereas the CRPS references high hazard areas in general (policy 18.3.1).
HS-O2 Sensitive activities	Support	Retain as proposed or retain the original intent.	Support the strategic locating of sensitive activities to avoid reverse sensitivity effects on Major Hazard Facilities.

HS-P1 New major hazard facility	Support	Retain as proposed or retain the original intent.	Support the location of new major hazardous facilities outside any high hazard area unless the risk can be appropriately mitigated. It is noted that the CRPS defines high hazard areas which includes land subject to coastal erosion and sea water inundation in addition to flood hazard areas.
HS-P2 Sensitive activity location	Support	Retain as proposed or retain the original intent.	Support the strategic locating of sensitive activities to avoid reverse sensitivity effects on Major Hazard Facilities.
HS-P3 Hazardous substance storage and flood hazards	Support in part	Amend to reference natural hazards rather than specifically flood hazards.	Flood hazards are not necessarily the only ones that could introduce a degree of risk from contamination when hazardous substances are stored on site. The CRPS references high hazard areas in general (which includes areas subject to coastal erosion and inundation) rather than specifically areas at risk of flooding.
HS-R1 Hazardous substance storage and use	Support in part	Amend the rule to refer to high hazard areas rather than specifically addressing flood hazards and control the storage of hazardous substances in high flood hazard areas.	See comment above.  In addition, the condition in the rule does not prevent the storage of hazardous substances in high flood hazard areas.
HS-R2 Any new major hazard facility or addition to a major hazard facility	Support	Retain as proposed or retain the original intent.	This is consistent with the CRPS.
HS-R3 Sensitive activity located within a Major Hazard Facility	Support	Retain as proposed or retain the original intent.	It is appropriate for sensitive activities to be avoided within Major Hazard Facilities except perhaps in exceptional circumstances.
HS-MD1 Hazardous substances	Support in part	Amend to refer to other natural hazards.	See comments above.

### CL – Wehuna paitini – Contaminated Land

Provision	Support or Oppose	Decision requested	Comments
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CL-O1 Contaminated land	Support	Retain as proposed or retain the intent.	This objective gives effect to CRPS objective 17.2.1.
CL-P1 Identify contaminated land	Support in part	Broaden scope so consideration can also be given to sites not listed on the Listed Land Use Register (LLUR) but which are known to be contaminated or have had activities onsite that would warrant investigation.	As written, the policy relies completely on identification via the LLUR. The CRPS does state that Council's should use the LLUR to determine whether sites are contaminated. However, additional information may be known from Council's records that are not present on the LLUR and it would be helpful to have the ability to consider that information.
CL-P2 Best practice management of contaminated land	Support	Retain as proposed or retain the intent.	This policy gives effect to CRPS policy 17.3.2.
CL-P3 Earthworks on contaminated land	Support in part	Clarify what is meant by "natural values".	This policy refers specifically to "natural values", and this is not defined. There may be other values that it would also be helpful to consider and clarifying what is meant by "natural values" would be useful.
CL-P4 Disposal of contaminated soil	Support	Retain as proposed or retain the intent.	Support the intent of this policy.
New policy	Oppose in part	Add a policy to discourage the creation of new contaminated land.	Environment Canterbury's technical experts are continuing to find new potentially contaminated sites via aerial imagery. Contaminated land should ideally be a legacy issue with the creation of new contaminated land being avoided.

### NH – Mātepe māhorahora – Natural Hazards

Provision	Support or Oppose	Decision requested	Comments
General	Oppose in part	Alignment between the policies and rules that manage offsite flood effects, including the conveyance of	Policies NH-P2, P3 and P4 all refer to the risk from flooding to surrounding properties and the conveyance of flood waters in an inconsistent? fashion. I.e., not significantly increasing the risk compared to not reducing storage capacity or impeding flood flow at all.

		<p>floodwaters or reduction in flood storage capacity.</p>	<p>NH-P7 does not refer to the conveyance of floodwater which appears to be another inconsistency.</p> <p>EW-R5 only manages earthworks within an overland flow path as opposed to managing all earthworks that could reduce storage capacity and increase risk to neighbouring properties.</p> <p>Refer to submission point on EW-R5.</p>
Introduction	Oppose in part	<p>It would be more accurate to state:  <i><u>The RPS recognises that development of land for most residential, industrial or commercial purposes is not sustainable in high hazard areas. Therefore, further development within areas of high hazard shall be limited to low-intensity land uses that will not result in loss of life or serious injuries or significant damage.</u></i> The RPS recognises that for existing urban areas the community has already accepted some natural hazards risk in order to support the ongoing development of the District's existing towns. The RPS accordingly requires development in</p>	<p>Overall, this section of the pDP does not fully implement the CRPS, as it generally requires development in high hazard areas to be either "avoided or mitigated", which is an inappropriate oversimplification of the CRPS policies.</p>

		<del>high hazard areas in these locations to be either avoided or mitigated.</del>	
Urban Flood Assessment Overlay and Non-Urban Flood Assessment Overlays	Oppose in part	That the overlays are amended to address any gaps or limitations.	<p>The overlays do not capture all of the areas that have been identified as susceptible to flooding in the most recent flood modelling.</p> <p>The overlays do not capture all areas of the district that are potentially susceptible to flooding.</p> <p>If the flood assessment overlays covered the entire plains areas or the entire district this would resolve the current limitations of the proposed overlays. This approach would also create opportunities for a simplified and more robust rule framework.</p>
Kaiapoi Fixed Minimum Finished Floor Level Overlay	Oppose in part	Amend so that floor levels in this overlay are determined in accordance with the proposed approach for the remainder of the district.	<p>The benefits associated with the floor level certification approach outside the Kaiapoi Fixed Minimum Finished Floor Level Overlay, such as the incorporation of most recent and up to date flood modelling without the need for a RMA Schedule 1 process for a plan change. Including a fixed floor level map for Kaiapoi is a different approach and may lead to inflexibility should modelling change. Having a consistent approach and keeping the fixed floor level map outside the plan, may be a better approach.</p> <p>We also note that it is unclear what vertical datum has been used to set the referenced floor levels.</p>
Liquefaction Hazard Overlay	Support in part	Reduce the overlay so that it only captures the gold coloured “liquefaction damage possible” area and is limited to areas within the Waimakariri district.	Currently the liquefaction hazard overlay identifies both the liquefaction damage possible and liquification damage unlikely areas. It also includes areas outside of the Waimakariri district.

Definition – High Coastal Flood Hazard Area	Oppose in part	Amend definition to ensure it is consistent with CRPS.	The proposed definition is inconsistent with the High Hazard definition in the CRPS.
Definition – Natural hazard sensitive activities	Support in part	Amend to ensure that all high value buildings are captured.	<p>The proposed definition potentially does not capture all buildings that should be afforded an adequate level of mitigation and therefore does not include them in the provisions. For example, some high value commercial or farm buildings (i.e., milking sheds) that could be critical for business continuity may not be captured by the proposed definition.</p> <p>The use of a full time employee count to determine whether a building meets the definition is not easily established and could change over the life of the building. It would be more appropriate to link the definition with the characterises of the building itself rather than its intended use which may also change over the lifetime of the building.</p>
Definition - Community scale natural hazards mitigation works	Support in part	<p>Amend definition as follows:</p> <p>“means <u>the scheme of</u> natural hazard mitigation works that serve multiple properties and are constructed and administered by the District Council, the Crown, the Regional Council or their nominated contractor or agent.”</p>	Amendment needed to clarify that these works are maintained at a scheme level. ‘Upgrades’ and ‘new’ community scale natural hazards mitigation works should address those activities above and beyond what may occur to maintain the delivery of existing schemes.
NH-O1 Risk from natural hazards	Oppose in part	The Objective lacks clarity and certainty – it would be improved by setting direction for:	Objective 11.2.1 seeks to avoid subdivision, use and development which increase risks, or other minimises such risk. This should be re-worded to better give effect to Objective 11.2.1 and Policy 11.3.1 of the CRPS.

		<ul style="list-style-type: none"> <li>• High hazard areas outside of the urban area (avoid)</li> <li>• High hazards areas inside the urban area (avoid or mitigate)</li> <li>• Other hazards</li> </ul>	<p>Subpart 1 relates to managing risk to ensure increased risk is 'low'. It is not clear what would determine whether a risk is low or not.</p> <p>Sub-part 3 relates to non-urban areas and requires coastal hazards risk is avoided or mitigated. That does not give effect to Policy 11.3.1 where the coastal hazard is a high hazard.</p>
NH-O2 Infrastructure in natural hazard overlays	Support	Retain as proposed or retain the intent.	This objective is consistent with policy 11.3.4 of the CRPS.
NH-O3 Natural hazard mitigation	Support	Retain as proposed or retain the intent.	This objective is consistent with Objective 11.2.2 of the CRPS.
NH-O4 Natural defences	Support in part	Retain, but consider clarifying what "natural defences" are.	It is unclear what a natural defence of system is in this Objective. Areas where flood water is naturally detained retention is likely to be a "natural defence". However, the pDP implies filling is an appropriate mitigation mechanism for flood risk, which could be considered counter to this Objective.
Additional objective	Oppose in part	Amend the current objectives or include new objectives to give effect to CRPS objectives 11.2.3.	The Proposed Selwyn District Plan recently submitted on by Environment Canterbury includes additional objectives recognising and providing for the effects of climate change (CRPS Objective 11.2.3). Similar provisions in this section of the Waimakariri Plan would give better effect to Chapter 11 of the CRPS.
NH-P1 identification of natural hazards and a risk-based approach	Support	Retain as proposed or retain the intent.	The requirement to identify natural hazards and assess natural hazard risk based on sensitivity of building occupation to loss of life or damage and level of hazard presented to people and property is consistent with CRPS.
NH-P2 Activities in high hazard areas for flooding within urban areas	Oppose in part	Ament to require avoidance of risk in the first instance.	<p>This policy requires management of activities within high flood hazard areas – development that increases risk should be avoided in the first instance in order to align with the hierarchy established in the CRPS.</p> <p>Also refer to general submission point above.</p>

NH-P3 Activities in high hazard areas for flooding outside of urban areas	Support in part	Retain, except for reference to “significant” flood displacement effects.	Inappropriate to anticipate flood displacement up to a ‘significant’ level may be acceptable. “Less than minor” or “insignificant” may be more appropriate. NH-O4 and Policy NH-P15 suggests that “significant’ is too much.  Refer to general submission point above.
NH-P4 Activities outside of high hazard areas for flooding	Support in part	Align consistency between policies and earthworks rules.	Refer to general submission point above.
NH-P5 Activities within the Fault Awareness Overlay and Ashley Fault Avoidance Overlay	Support	Retain as proposed or retain the intent	Consistent with the CRPS.
NH-P6 Subdivision within the Liquefaction Hazard Overlay	Support	Retain as proposed or retain the intent	Consistent with the CRPS.
NH-P7 Additions to existing natural hazard sensitive activities	Support in part	Review clause 3 of the Policy, consider a change in the language such that where assessing any increase in the risks of a natural hazard to adjacent properties activities and people, the threshold is less than minor rather than not significantly increased.	The third limb of the policy requires demonstration that additions to buildings do not <i>significantly increase</i> the risk from the natural hazard to adjacent properties, activities and people. For better alignment with Objective 11.3.5, a lower threshold of less than minor changes in risk to other land etc may be more appropriate to ensure the risk from the natural hazard is acceptable in regard to other land, activities, people.
NH-P9 Community scale natural hazard mitigation works	Support	Retain as proposed or retain the intent.	Consistent with the CRPS.
NH-P10 Maintenance and operation of existing infrastructure	Support	Retain as proposed or retain the intent.	The activities are reasonably benign therefore the assumption is that providing for these activities will not exacerbate risk.
NH-P13 New above ground critical	Support	Retain as proposed or retain the intent.	Consistent with the CRPS.

infrastructure and upgrading of critical infrastructure within high flood hazard areas			
NH-P14 New infrastructure and upgrading of infrastructure within fault overlays	Support in part	Amend sub-clause 1 to refer to “non critical infrastructure”.	There is a spelling mistake in sub-clause 1.
NH-P15 Natural features providing natural hazard resilience	Support	Include additional reference to terraces as an example of natural features providing natural hazard resilience.	This provision is consistent with the CRPS.
NH-P16 Redevelopment and relocation in coastal hazard and natural hazard overlay	Support in part	Retain, but clarify limits on ‘redevelopment’.	“Redevelopment” is a broad term, which may not be sufficiently directive, especially in coastal hazard areas.
NH-P17 Hard engineering natural hazard mitigation within the coastal environment	Oppose in part	<p>Clarify that other considerations, such as on natural character of coastal environments and NZCPS and CRPS policy direction are critically important. Clarify interaction between clauses 4 and 5.</p> <p>Remove clause 3 as follows: <del>where managed retreat has not been adopted and there is an immediate risk to life or property from the natural hazard;</del></p>	<p>The list of considerations are too narrow, and imply that these are the only considerations, when higher-level policy direction for hard engineering structures in a coastal environment are broader. It is also unclear how sub-clauses 4 and 5 work together. What is a significant adverse effect on a natural defence or system if it doesn’t modify or alter its function?</p> <p>Environment Canterbury supports restricting the use of hard engineering as a last resort, however where clause 3 refers to managed retreat and immediate risk, this is something that should be addressed holistically through a adaptation planning framework. There are many different adaptation options as opposed to just managed retreat or hard engineering in the face of natural hazard risk.</p>

NH-P19 Other natural hazards	Oppose in part	Amend policy to better reflect a risk based approach.	Amend to be consistent with the CRPS Policy 11.3.5. CRPS directs that risk based approach should be taken to avoiding unacceptable risk and managing development to an acceptable level.
NH-R1 Natural Hazard Sensitive Activities	Oppose in part	<p>Remove condition 1 in its entirety.</p> <p>See comments re Kaiapoi Fixed Minimum Finished Floor Level Overlay above.</p> <p>The rules for new hazard sensitive activities should also include conversions in to hazard sensitive activities.</p>	<p>Proposed condition 1 could enable inadequate standards of flood mitigation if floor levels have been based on lower magnitude flood events, e.g. a 50 year ARI, or on information that is now outdated.</p> <p>See comments re Kaiapoi fixed floor levels above.</p> <p>See comments re definition of hazard sensitive activity above.</p> <p>We note that if the scope of EW-R5 was expanded as per our submission point on that rule then R1.2.b would not be necessary.</p>
NH-R2 Natural Hazard Sensitive Activities in non-urban environment	Support in part	<p>Remove condition 1 in its entirety.</p> <p>Remove condition 3 in its entirety and expand the flood assessment overlay to include all areas that have the potential for flooding.</p>	<p>Proposed condition 1 could enable inadequate standards of flood mitigation if floor levels have been based on lower magnitude flood events, e.g. a 50 year ARI, or on information that is now outdated.</p> <p>Despite the option to obtain a flood assessment certificate and build to a level that is potentially lower than 400mm, we anticipate that many people will unnecessarily build to 400mm above natural ground level at a higher cost rather than obtaining an assessment and building to the required level.</p> <p>In some areas building to 400mm above natural ground level outside of the proposed overlay will not provide adequate mitigation against flooding, despite being permitted under the proposed rule.</p>

NH-R4 Below ground infrastructure and critical infrastructure	Support in part	Add a proviso that any filling above ground level is not in an overland flow path.	Refer to comments on EW-R5 and general comments on NH-P2 – P4.  Question whether filling of up to 0.25m is appropriate in overland flow paths, in order to avoid increasing risks. RDIS status where permitted standards are not met in the overlays subject to this rule is considered appropriate for below ground infrastructure and critical infrastructure that may be required in hazard areas for functional and operational reasons.
NH-R5 Above ground infrastructure that is not critical infrastructure	Support in part	Add a proviso that any filling above ground level is not in an overland flow path.	As above. Filling of up to 0.25m may be inappropriate in overland flow paths, in order to avoid increasing risks.
NH-R8,9 &10	Support in part	Include provision for all works to maintain the effective operation of established river and drainage schemes that are administered by local authorities within all zones.  Provide an exclusion from the earthworks requirements in any other chapter.	Whilst these provisions are supported in terms of enabling community scale natural hazard mitigation works, these activities may require resource consent under other chapters of the proposed plan.
NH-R15 (coastal hazards) Natural hazard sensitive activities within the urban environment	Oppose in part	Remove condition 1 in its entirety.	Proposed condition 1 could enable inadequate standards of flood mitigation if floor levels have been based on lower magnitude flood events, e.g. a 50 year ARI, or on information that is now outdated.
NH-R16 (coastal hazards) Natural hazard sensitive	Oppose	Remove permitted pathway for new natural hazard sensitive activities	Does not give effect to Objective 11.2.1 and Policy 11.3.1 of the CRPS.

activities outside the urban environment		in the coastal flood assessment overlay.	The CRPS requires that risk from flooding and inundation in high hazard areas is avoided. Outside of existing urban areas CRPS Policy 11.3.1 does not provide for the mitigation of effects like it does for existing urban areas.
NH-R17 - Above ground critical infrastructure	Oppose	Remove permitted pathway for new infrastructure in the coastal flood assessment overlay.	Does not give effect to CRPS Policy 11.3.4 which requires that new critical infrastructure will be located outside high hazard areas unless there is no reasonable alternative.
NH-R18 - Below ground infrastructure and critical infrastructure	Oppose	Refer to relief sought in relation to EW-R5 and general comments on NH-P2 – P4.	
NH-S1 Flood Assessment Certificate	Support in part	<p>Clarify how the freeboard height will be determined.</p> <p>Amend 1.e.iii to refer to a 0.5% AEP (1 in 200 year) storm surge event as follows:</p> <p>...</p> <p>flooding predicted to occur in a <u>0.5%</u> AEP (1 in <del>200</del>-year) Storm Surge Event concurrent with a 5% AEP (1 in 20-year) River Flow Event with sea level rise based on an RCP8.5 climate change scenario, plus up to 500mm freeboard.</p> <p>...</p>	<p>It would provide greater clarity for plan users if the criteria for setting appropriate freeboard levels was specified in the standard. Alternatively, a set freeboard could be applied above the flood model.</p> <p>We note that 1.b could become superfluous if our submission points related to EW-R5 are accepted.</p> <p>The AEP event needs to refer to a 0.5% AEP in order to give effect to CRPS Policy 11.3.2.</p>
NH-S2 Coastal Flood Assessment Certificate	Oppose	Remove permitted pathway for new natural hazard sensitive activities	As per submission points on NH-R16 and 17, this does not give effect to the CRPS.

		in the coastal flood assessment overlay.	
NH-MD1	Oppose in part	Delete clause 7	Not appropriate to reduce this risk as a part of a non-notified RDIS process.
NH-MD4	Oppose in part	Delete clauses 6 and 7	Not appropriate to reduce this risk as a part of a non-notified RDIS process.

## Historic and cultural values

CRPS Chapter 13 Historic Heritage sets out the protection and management of historic and/or heritage items and landscapes within the region. The objectives aim to identify and protect heritage items and sites from inappropriate activities, development, or subdivision. They also provide for the repair, reconstruction, seismic strengthening, and maintenance of items or sites. In addition to specific buildings or sites, the chapter also allows consideration of wider heritage landscapes and also issues of concern to Ngāi Tahu.

It is therefore sought that the pDP gives effect to the direction set out in the CRPS and as summarised above.

### HH – Taonga o onamata – Historic heritage

Provision	Support or Oppose	Decision requested	Comments
HH-P6 Relocation of significant and highly significant historic heritage	Support in part	Clarify the relationship of sub-clauses 1 and 3 with regards to Category A and B heritage items.	Sub-clause 1 provides for the relocation of highly significant historic heritage in the specified circumstances. Sub-clause 3 however then seeks to avoid the relocation of significant historic heritage to protect the category A values. It is not clear if sub-clause 1 therefore only relates to category B sites in HH-SCHED2. If that is the case, this clarification should be provided.

## Natural environment values

CRPS Chapter 7 Fresh Water sets out the management approach for fresh water within Canterbury. It requires the identification and protection of the natural character values of lakes and braided rivers, and outlines what contributes to these values.

CRPS Chapter 9 Ecosystems and Indigenous Biodiversity addresses issues relating to exotic and indigenous biodiversity, including the impact of plant and animal pests. This chapter requires the identification and protection of significant natural areas, which includes significant habitats of natural flora and fauna. The policies set out priorities for protection and promotes restoration and enhancement of ecosystems.

CRPS Chapter 12 Landscape recognises landscape patterns in a regional context and signals when particular landscapes may contain values of importance to the region. It provides guidance for identifying the values of a particular landscape and whether or not it is outstanding. The policy framework of the chapter requires the identification of outstanding natural landscapes and features and is primarily concerned with their protection or maintenance. Identification and protection of 'other' landscapes of value is also provided for but not specifically required.

It is therefore sought that the pDP gives effect to the direction set out in the CRPS and as summarised above.

### **ECO – Pūnaha hauropi me te rerenga rauropi taketake – Ecosystems and indigenous biodiversity**

<b>Provision</b>	<b>Support or Oppose</b>	<b>Decision requested</b>	<b>Comments</b>
ECO-O1 Ecosystems and indigenous biodiversity	Support	Retain as proposed or retain the intent.	The objective is consistent with objectives of the CRPS.
ECO-P1 Identification of mapped SNAs	Support	Retain as proposed or retain the intent.	This policy is consistent with the CRPS
ECO-P2 Protection and restoration of SNAs	Support in part	Request re-wording sub-clause 3 as follows:  <del>3. limiting irrigation near mapped SNAs in order to provide a buffer from edge effects;</del>  <u>3. <u>controlling land use activities near SNAs in order to provide a buffer from edge effects.</u></u>	Largely consistent with the CRPS.  Environment Canterbury supports the concept of protecting SNAs from edge effects. However, irrigation is not the only activity that can result in cross-boundary or edge effects on adjoining or nearby SNAs. Other land use activities such as cultivation, sowing pasture species, exotic forestry, fertiliser application, stock grazing, use of agrichemicals, can all impact on SNAs and their constituent biodiversity.  Additionally, land use should be controlled near all SNA's not just those that are mapped.  It is considered these changes are required to better give effect to CRPS Policy 9.3.1(3).

ECO-P3 - Bonus allotments and bonus residential units	Support in part	Consider the provision of transferable development rights in addition to the bonus allotment.	Transferable development rights might provide more of a monetary incentive to protect SNAs where a subdivision right can be sold for use in a different zone. This would also have the benefit of the resulting development being located away from the SNA.
ECO-P4 Maintenance and enhancement of other indigenous vegetation and habitats	Support in part	Reconsider the relevance of the policy.	Environment Canterbury supports the concept but it is unknown if there are many examples of the sorts of indigenous vegetation and habitats of indigenous fauna described in this section that would <i>not</i> meet one or more of the significance criteria in ECO-APP1. Perhaps the only example would be where non-indigenous vegetation provides habitat for common/widespread (i.e., not threatened, at risk or locally uncommon) indigenous fauna.
ECO-P5 - Offsetting residual effects	Support	Retain as proposed or retain the intent.	Consistent with CRPS Policy 9.3.6.
ECO-P7 Indigenous biodiversity in the coastal environment	Support	Retain as proposed or retain the intent.	This policy gives effect to NZCPS Policy 11.
ECO-P8 Waterbodies	Support	Retain as proposed or retain the intent.	This policy aids in giving effect to the NPS-FM and is consistent with the regional planning framework.
ECO-R1 - Indigenous vegetation clearance within any mapped SNA or unmapped SNA	Support in part	Retain as proposed or retain the intent but consider an approval mechanism for rūnanga to confirm that clearance is undertaken in accordance with tikanga protocols. I.e.,  ... e. for the purpose of customary harvesting, <u>where it has been certified by Te Ngāi Tūāhuriri Rūnanga that the activity</u>	Gives effect to the CRPS, particularly the applicability of the rules to both mapped and unmapped SNAs. Environment Canterbury recognises the commitment of the Waimakariri District Council to achieving the objectives of the Canterbury Biodiversity Strategy and the work of the Mayoral Forum Biodiversity Champions Group.  The intent of ECO-R1.e is supported but Environment Canterbury have some concerns that the current wording makes it unclear how this condition will be implemented, potentially opening it up to misuse. We recommend that a process is established whereby rūnanga are involved in authorising any clearance that takes place through this rule. The suggested amendments have been taken from the draft Timaru District Plan which seeks to enable the

		<p><u>will meet tikanga protocol (Note: Te Ngāi Tūāhuriri Rūnanga will notify the Waimakariri District Council prior to such activities occurring)</u></p> <p>...</p>	<p>same activity but with more clarity about how the rule will be implemented and ensure that tikanga protocol will be observed.</p>
<p>ECO-R2 - Indigenous vegetation clearance outside any mapped SNA or unmapped SNA</p>	<p>Support in part</p>	<p>Retain as proposed or retain the intent but consider an approval mechanism for rūnanga to confirm that clearance is undertaken in accordance with tikanga protocols.</p> <p>I.e.,</p> <p>...</p> <p>c. for the purpose of customary harvesting, <u>where it has been certified by Te Ngāi Tūāhuriri Rūnanga that the activity will meet tikanga protocol (Note: Te Taumutu Rūnanga or Te Ngāi Tūāhuriri Rūnanga will notify the Waimakariri District Council prior to such activities occurring)</u></p> <p>...</p>	<p>The same reasons apply as above regarding ECO-R1.</p>
<p>ECO-R4 Irrigation infrastructure near any mapped SNA</p>	<p>Support in part</p>	<p>Amend the rule to control irrigation, cultivation and stock grazing in close proximity to any SNA.</p>	<p>As above, irrigation is not the only activity that can result in cross-boundary or edge effects on adjoining or nearby SNAs. Amendments made to ECO-P2 should be reflected in amendments to ECO-R4 by expanding the activities controlled to cultivation and stock grazing.</p>

			The rule should also restrict these activities occurring near unmapped SNAs.
ECO-AN1	Support in part	Also clarify jurisdiction in the beds of lakes and rivers and within the coastal marine area to avoid duplication with regional plans.	The CRPS states that the Regional Council will be solely responsible for specifying the objectives, policies and methods for the control of the use of land for the maintenance of indigenous biological diversity in the coastal marine area, in beds of rivers and lakes, and in wetlands, except where district plan has applicable provisions.
ECO-MD1	Support in part	Clarify the use and relevancy of Biodiversity Management Plans.	There doesn't appear to be any reference to Biodiversity Management Plans elsewhere in the provisions, including what they need to contain and what they will be used for.
ECO-MD3	Support in part	Consider the application of this matter of discretion to transferable development rights.	As per submission point on ECO-P3 above.
ECO-SCHED1 - Schedule of mapped SNAs	Support	Retain as proposed or retain the intent.	Gives effect to the CRPS.
ECO-SCHED2 - Schedule of significant indigenous vegetation or significant habitat of indigenous fauna types comprising unmapped SNAs	Support in part	In Vegetation/Habitat types that refer to Threatened – National Critical or Threatened – Nationally Endangered, also include areas of vegetation or habitat that support indigenous species that are at risk, or uncommon, nationally or within the relevant ecological district.  Reconsider the use of minimum contiguous areas to determine unmapped SNA status.	Environment Canterbury supports the identification of unmapped SNAs. This is necessary to give effect to the CRPS and using ECO-SCHED2 to do so may be easier to implement rather than a direct reference to the CRPS significance criteria. ECO-SCHED2 does not give full effect to the CRPS, however, because it could provide for clearance of SNAs that are below the minimum contiguous areas contained in SCHED2. It also limits the identification of habitats for indigenous fauna to Nationally Critical or Nationally Endangered. The significance criteria in the CRPS Appendix 3 includes indigenous vegetation or habitat of indigenous fauna that supports an indigenous species that is threatened, at risk, or uncommon, nationally or within the relevant ecological district.

ECO-SCHED3 – Table ECO-2 Threatened and at risk species recorded or likely to be present in the District (naturally occurring species only)	Oppose in part	Amend Table ECO-2 to include threatened / at risk non-vascular plants.	This table lists only threatened / at risk vascular plant species. It is recommended this also included lists for threatened / at risk non-vascular plants.
APP2 - Standards for creation of any bonus allotment and establishment of any bonus residential unit	Support in part	Consider the application of this appendix to transferable development rights.	As per submission point on ECO-P3 above.

### NATC – Āhutatanga o te awa – Natural character of freshwater bodies

Provision	Support or Oppose	Decision requested	Comments
NATC-R2 Planting of non-indigenous vegetation	Support in part	Clarify that Condition 3 and NATC-S1 do not apply to plantings for erosion or flood control purposes where undertaken by the regional council or district council.	Plantings for erosion and flood control will need to be undertaken within the setbacks specified in NATC-S1.
NATC-R8 New structures within and over freshwater bodies	Support in part	Amend rule by providing a more focussed group of buildings and structures that may be considered as RDIS within and over freshwater bodies	RDIS status applies to new structures in, and over freshwater bodies and in riparian margins. There may be some activities where location in or over freshwater bodies or in riparian margins is inappropriate given the higher order policy framework in regard to protecting natural character values (see NPS-Freshwater Management).
NATC-R9 New building or structure	Support in part	Amend rule by providing a more focussed group of buildings and structures that may be considered as RDIS within overlay	While some activities such as Infrastructure with a functional or operational need, ancillary structures to recreational use etc may be appropriate, other activities may not be appropriate in order to preserve natural character values around freshwater bodies.

			These changes would better align with the policy direction set in NATC-P5 and NATC-P6.
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### NFL – Āhuetanga o te whenua – Natural features and landscapes

Provision	Support or Oppose	Decision requested	Comments
Introduction	Support in part	Consider moving the clarification that activities in, on, under or over the beds of lakes and rivers are managed by the Regional Council and as such the rules in this chapter do not apply to these areas to an advice note.	Advice notes have been used to similar effect in other chapters so this would provide a more consistent approach.
NATC-O1 Outstanding Natural Features	Support	Retain as proposed or retain the original intent.	The objective gives effect to Objective 12.2.1 and Policy 12.3.2 of the CRPS.
NATC-O2 Outstanding Natural Landscapes	Support	Retain as proposed or retain the original intent.	The objective gives effect to Objective 12.2.1 and Policy 12.3.2 of the CRPS.
NFL-P3 Protecting Outstanding Natural Landscapes	Support	Retain as proposed or retain the original intent.	This policy gives effect to Chapter 12 of the CRPS by requiring the protection of the values of natural characters and landscapes.
NFL-R11 Planting restricted tree species	Support in part	Amend (i) so that only crack ( <i>Salix fragilis</i> ) and grey ( <i>Salix cinerea</i> ) willow are listed.	Willow are essential to provide flood and erosion protection. It is more appropriate to only restrict the use of the two known invasive species.
NFL-R12 Mining activity and quarrying activities	Support in part	Refer to submission point on introduction.	Provide clarity that consent is only required from the Regional Council for this activity within the riverbed.

## PA – Tomonga mārea – Public access

Provision	Support or Oppose	Decision requested	Comments
PA-O1 Provision of public access	Support	Retain as proposed or retain the original intent.	This objective gives effect to the public access requirements of the CRPS.
PA-P2 Providing for public access	Support	Retain as proposed or retain the original intent.	This policy gives effect to the public access requirements of the CRPS.
PA-AN1	Support	Retain as proposed or retain the original intent.	Support the inclusion of an advice note that plan users should also refer to regional planning documents.

## Subdivision

### SUB – Wāwāhia whenua – Subdivision

Provision	Support or Oppose	Decision requested	Comments
New policy	Oppose in part	Insert a new policy which requires the design, location and layout of subdivision to avoid or mitigate the adverse effects of natural hazards.	Whilst Sub-O1 requires a pattern of development and urban form that ensures communities are resilient to climate change and natural hazards, this matter is not specifically addressed in the policies.
SUB-O1 Subdivision design	Support in part	Amend to include environmental values as follows: ... 3. supports protection of cultural and heritage values, conservation <u>and</u> <u>environmental</u> values; and ...	The proposal is consistent with CRPS Objective 5.2.1 and Policy 5.3.1 but the requested amendment will enable the objective and policy framework to recognise subdivision that may necessary to respond to environmental or climate change pressures. This should enable land, particularly in the rural environment, to be continued to be used for the most appropriate land uses into the future.

SUB-O3 Esplanade reserves and esplanade strips	Support	Retain as proposed or retain the original intent.	The proposed objective is consistent with CRPS Policy 10.3.5 (maintenance and enhancement of public and Ngai Tahu access).
SUB-P1	Support in part	Add in an additional clause as follows:  <u>6. Recognises and provides the ability to adapt and respond to the effects of climate change and environmental pressures.</u>	This would be consistent with SUB-O1 and give effect to CRPS 11.3.8.
SUB-P3 Sustainable design	Support	Retain as proposed or retain the original intent.	CRC supports the promotion of water sensitive design, and the collection and reuse of water.
SUB-P4 Integration and connectivity	Support	Retain as proposed or retain the original intent.	Support the integration of subdivision patterns and multi-model transport corridors.
SUB-P6 Criteria for Outline Development Plans	Support in part	Retain and add a criterion demonstrating that any high hazard areas are avoided and other natural hazards are addressed in accordance with Chapter 11 of the CRPS	The ODP criteria doesn't require indication of natural hazards and how natural hazard risks have been addressed.
SUB-R4 Subdivision within flood hazard areas	Support in part	Support for this rule is subject to our submission points on the flood assessment overlays and the definition for high coastal flood hazard area.  Sub-clause 1 and 2 should state "within" rather than "with"	Spelling error in sub-clause 1 and 2.
SUB-R10 General Rural Zone	Support	Retain as proposed or retain the original intent.	Support the direction for minimum lot sizes in the rural zone and note that the inclusion of the relief sought under

			SUB-O1 and SUB-P1 would help provide a pathway through RMA s104D for potential subdivision below the minimum lot size where it is either necessary or appropriate in response to climate change or environmental pressures.
SUB-S12 Reticulated wastewater disposal in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones	Support	Retain as proposed or retain the original intent.	The CRPS supports the requirement to connect to a reticulated wastewater system where one is available.
SUB-MCD5 Natural Hazards	Oppose in part	Amend clause 3 to ensure that these effects cannot be used to justify not putting appropriate mitigation in place.	If floor levels are the predominant mechanism, then effects on adjoining properties could occur. That may mean that the development may not be appropriate, rather than that the mitigation could be reduced.
SUB-MCD6 Infrastructure	Support in part	Consider incorporating an advice note that highlights any onsite wastewater treatment system must be permitted under the regional plan or consent is required from Environment Canterbury.	Support the requirement to consider if a site can be adequately serviced by a wastewater system if there is no reticulated wastewater system available. However, any onsite wastewater system will either need to be permitted under the CLWRP or resource consent would be required. To ensure plan users are aware of this requirement a new advice note could be included to address this.
SUB-MCD10 Reverse sensitivity	Support	Retain as proposed or retain the original intent.	The CRPS supports the avoidance of situations in which reverse sensitivity effects might arise, such as in Policy 6.3.9.
Additional note	Support in part	Consider aligning terminology for consistency.	The rules reference 'building platforms' while the matters for control and discretion reference 'identified building platforms'. It is uncertain whether this is intentional or an oversight.

## General District-wide matters

CRPS Chapter 8 The Coastal Environment addresses issues related to activities in the coastal environment, including the occupation and use of the coastal marine area. It outlines what activities or areas are to be managed by which local authority. This chapter requires the preservation, protection and enhancement of the natural character of the coastal environment and also addresses coastal hazards, public and Ngāi Tahu access to the coast, regionally significant infrastructure, and which activities may be appropriately located in the coastal environment.

It is therefore sought that the pDP gives effect to the direction set out in the CRPS and as summarised above.

### ASW – Ngā momo tākaro ki runga i te wai – Activities on the surface of water

Provision	Support or Oppose	Decision requested	Comments
ASW-O1 Surface water values	Support	Retain as proposed or retain the original intent.	The CRPS is largely silent on the specific matter of activities on the surface of water, but this objective and policy is consistent with the general intent of the CRPS.
ASW-P1 Surface water activities	Support	Retain as proposed or retain the original intent.	
ASW-P2 Houseboats on the Kaiapoi River	Support	Retain as proposed or retain the original intent.	The Environment Canterbury Harbourmaster's office supports the specific consideration of houseboats.
ASW-R1 Use of watercraft	Oppose	Reconsider whether it is appropriate to require resource consent for recreational use of watercraft that are not motor-powered in high natural character water bodies.	The proposed rule would make any watercraft, which include all vessels regardless of whether they are motorised, other than houseboats, a non-complying activity within high, very high, and outstanding natural character areas. The protection of these areas is required by the CRPS; however, it is recommended that watercraft such as kayaks and paddle boards for individual recreational use should be able to be used in these areas without the need of a non-complying activity resource consent.

### CE – Te taiao o te takutai moana – Coastal environment

Provision	Support or Oppose	Decision requested	Comments
CE-O1 Natural character values	Support	Retain in full or retain the original intent	The proposed objective gives effect to Objective 8.2.4(1) of the CRPS.

CE-O2 Ngāi Tūāhuriri values	Support	Retain in full or retain the original intent	Support the recognition of Ngāi Tūāhuriri values.
CE-O3 Public access	Support	Retain in full or retain the original intent	The proposed objective gives effect to Objective 8.2.5 of the CRPS (provision of access).
CE-O4 Activities in the Coastal Environment	Support in part	Amend CE-O4 to give effect to NZCPS Policy 15.	The objective is consistent with NZCPS Policies 6 and 11 to the extent that activities in the Coastal Environment are not precluded provided they do not compromise natural character, indigenous biodiversity, public access or public access values. However, there appears to be a policy gap addressing NZCPS Policy 15 natural features and natural landscapes where there is national policy direction to protect these matters from inappropriate subdivision, use and development. NZCPS Policy 13(2) clarifies that natural character is not the same as natural features and landscapes so these matters need separate consideration in the policy framework. Alternatively, this could be addressed by a new objective and/or policy.
CE-P1 Recognising natural character	Support	Retain in full or retain the original intent	This policy gives effect to the NZCPS.
CE-P2 Preservation of natural character	Support in part	Amend policy CE-P2 such that indigenous biodiversity is dealt with in its own policy, with CE-P2 limited to the natural character values of vegetation.	The policy generally reflects NZCPS Policy 13 except for references to indigenous biodiversity which requires separate consideration in the context of NZCPS Policy 11. Alternatively, this could be cross referenced with the ECO chapter.
CE-P4 Ngāi Tūāhuriri cultural values	Support	Retain as proposed or retain the original intent	Support the consideration of Ngāi Tūāhuriri values, which is consistent with the CRPS.
CE-P5 Public access to the Coastal Marine Area	Support	Retain as proposed or retain the original intent	The proposed policy gives effect to Policy 8.3.5 of the CRPS.
CE-P6 Activities in the coastal environment	Support in part	Amend Policy CE-P6 to give effect to NZCPS Policies 11 and 15.	The policy is consistent with NZCPS Policy 6 to the extent that activities in the Coastal Environment are not precluded provided they do not compromise natural character values. However, there appears to be a policy gap addressing NZCPS Policy 11 indigenous biodiversity

			and Policy 15 natural features and natural landscapes where there is national policy direction to protect these matters from inappropriate subdivision, use and development. Policy 13(2) clarifies that natural character is not the same as natural features and landscapes so these matters need separate consideration in the policy framework. Alternatively these provisions could cross reference the other relevant chapters in the proposed plan.
CE-P7 Infrastructure in the coastal environment	Support in part	Amend Policy CE-P7 to give effect to NZCPS Policies 11 and 15.	The policy is consistent with NZCPS Policy 6 to the extent that infrastructure in the Coastal Environment should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the Coastal Environment. However, Policy CE-P7 is natural character focused and does not address other important natural values including NZCPS Policy 11 indigenous biodiversity and Policy 15 natural features and natural landscapes where there is national policy direction to protect these matters from inappropriate subdivision, use and development.
CE-AN1	Support	Retain in full or retain the original intent	This clarifies the jurisdiction between local authorities under the RMA and CRPS and avoids duplication.
Mapping	Support in part	Amend the coastal environment overlay to more closely align with the coastal flood assessment overlay.	The Waimakariri District Council has undertaken assessments of coastal hazards (pursuant to Policy 24 of the NZCPS) that identify coastal hazards, including coastal inundation <sup>1</sup> . The Council may wish to consider whether these hazards are of a nature that would trigger an identification of a different coastal environment area under Policy 1(2)(d) of the NZCPS and in line with the Guidance Notes for the NZCPS.

<sup>1</sup> Waimakariri District Plan Review - Natural Hazards - Coastal Erosion and Sea Water Inundation Assessment Technical Report, Jacobs, 21 June 2018; and Waimakariri District Council web-page - Waimakariri District Natural Hazards Interactive Viewer

## EW – Ketuketu whenua – Earthworks

Provision	Support or Oppose	Decision requested	Comments
General	Oppose in part	That the earthworks provisions provide for earthworks associated with Community scale natural hazard mitigation works as a permitted activity.	Refer to comments on NH-R8,9 &10.
EW-O1 Earthworks	Support	Retain as proposed or retain the original intent	Management of earthworks in the District Plan is complimentary to the provisions in the Canterbury Land and Water Regional Plan and Canterbury Air Regional Plan. The provisions cover a range of effects appropriately dealt with in District Plans.
EW-P2 Earthworks within Flood Assessment Overlays	Support	Retain as proposed or retain the original intent	Support EW-P2 clause (3) to avoid impacting the ability to convey floodwaters as a result of earthworks.
EW-P6 Water resources	Support in part	Consider whether the policy is specific enough as to the values to be protected.	Support the avoidance of water contamination and adverse effects on mahinga kai. However, consider whether to make it clear exactly what values are being protected by avoiding water contamination because there are likely to be different thresholds of effects, some of which may be acceptable depending on the values to be protected, and some of which may not.
EW-R4 Earthworks for community scale natural hazards mitigation works	Oppose	Provide for earthworks associated with community scale natural hazard mitigation works through the natural hazards chapter.	The earthworks required for community scale natural hazards mitigation works should be provided through the natural hazards chapter. The limits provided in EW-S1 to EW-S7 are so restrictive this rule does not enable community scale natural hazards mitigation works (for instance a limit of 10m <sup>3</sup> in Waimakariri ONF or requiring setbacks to waterways when by their nature, these assets are near waterways.

<p>EW-R5 Earthworks within an overland flow path</p>	<p>Oppose in part</p>	<p>Change the applicability of this rule from the overland flow paths to the flood assessment overlays, amend the rule to capture all activities that have the potential to cause offsite effects and only permit activities where there will be no effects and only require resource consent in situations where there will be effects.</p>	<p>Applying this rule to the flood assessment overlays means that there is certainty where the rule applies and it captures all areas where the potential for diversionary effects exist. NB this would require the overlays to be amended to cover all areas that may be subject to flooding as per the submission points on the overlays in the NH chapter.</p> <p>This rule is not effects based. Currently it permits earthworks that could still cause offsite effects, i.e., fill of 0.25m or a building platform for a non-hazard sensitive building (e.g., the restrictions on buildings within overland flow paths in the NH chapter only relate to hazard sensitive buildings).</p> <p>It also requires resource consent for earthworks that may not cause offsite flood effects.</p> <p>A rule such as that one proposed in the Kaikoura natural hazards plan change should resolve these issues in place of EW-R5.</p> <p>For example:</p> <p>Above ground earthworks, buildings and new structures that:</p> <ul style="list-style-type: none"> <li>a. will not worsen flooding on another property through the diversion or displacement of floodwaters; or</li> <li>b. meet the definition of land disturbance</li> </ul> <p>Activity status when compliance is not achieved is Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The likely extent of flooding on the 105</li> </ol>
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			<p>site;  2. The potential for the activity to exacerbate flooding on any other site;  and  3. The extent to which the earthworks or new structure impedes the free passage of floodwaters.</p> <p>EW-P2 refers to the displacement of floodwaters whereas EW-R5 only manages diversion, meaning that ponding issues are not addressed by the rule and does not give effect to the policy.</p>
EW-AN1	Support in part	Include reference to earthworks undertaken in the coastal marine area being regulated under the Regional Coastal Environment Plan.	Support the clarification that earthworks in the beds of lakes and rivers is regulated under the regional planning framework but this should also extend to the coastal marine area.

### NOISE – Te orooro – Noise

Provision	Support or Oppose	Decision requested	Comments
NOISE-P4 Airport Noise Contour	Support	Retain as proposed or retain the original intent.	The proposed noise contour management for the airport is consistent with CRPS Policy 6.3.5.

## Part 3 – Area specific matters

### Zones

#### RESZ – Whaitua Nohonoho – Residential Zones

Provision	Support or Oppose	Decision requested	Comments
RESZ-O1 Residential growth, location and timing	Support	Retain as proposed or retain the original intent.	These objectives are consistent with the general direction in Chapter 6 of the CRPS.
RESZ-O3 Residential form, scale, design and amenity values	Support	Retain as proposed or retain the original intent.	
RESZ-O5 Housing choice	Support	Retain as proposed or retain the original intent.	
RESZ-P4 Sustainable design	Support	Retain as proposed or retain the original intent.	Support the encouragement of sustainable design, particularly optimising site layout, passive solar design and solar power which gives effect to Objective 16.2.1 of the CRPS.
RESZ-P12 Outline development plans	Support	Retain as proposed or retain the original intent.	This policy is consistent with the intent of Policy 6.3.3 of the CRPS.
LLRZ-BFS6 Building and structure setbacks	Support in part	Amend quarry setback from 300m to 500m as follows:  1.3.c 350m from any existing quarry where it is located on a site in different ownership.	This will align the setback requirement with the general rural zone setback.

## RURZ – Whaitua Taiwhenua – Rural Zones

Provision	Support or Oppose	Decision requested	Comments
Spread of wilding trees		Include a new policy advocating the minimisation of wilding tree spread to give effect to CRPS Policy 5.3.13.	CRPS Policy 5.3.13 seeks to avoid or minimise the risk of wilding tree spread to the extent practical. The methods for achieving this policy set out in the CRPS include territorial authorities setting out objectives and policies and may include methods in district plans which minimise the risk of wilding tree spread. There is no policy included in the rural provisions to address this resource management issue, which is particularly relevant if consent is triggered under the NES-Forestry provisions.
RURZ-O2 Activities in Rural Zones and subsequent policies	Support in part	Consider expanding the objective and subsequent policies to include recreation and other activities beyond primary production.	The Objective and subsequent policies are very much oriented towards “primary production”. However the zone covers a wide range of land use types, including riverbeds and conservation areas – other activities should also be contemplated.
RURZ–P1 Amenity values and character	Support	Retain as proposed or retain the original intent.	Gives effect to CRPS Policies 5.3.1, 5.3.12, 6.3.9.
RURZ–P2 Rural land	Support	Retain as proposed or retain the original intent.	
RURZ–P8 Reverse Sensitivity	Support	Retain as proposed or retain the original intent.	Gives effect to CRPS Policies 5.3.1, 5.3.12, 6.3.5, 6.3.9, 14.3.5.
GRUZ-R30 Quarrying activities	Support	Retain as proposed or retain the original intent.	Gives effect to CRPS Policies 5.3.1, 5.3.12, 6.3.5, 6.3.9, 14.3.5.
GRUZ-BFS5 Separation distances to and from intensive indoor primary production or intensive outdoor primary production activity or quarry	Support	Retain as proposed or retain the original intent.	Gives effect to CRPS Policies 5.3.1, 5.3.12, 6.3.5, 6.3.9, 14.3.5.

RLZ-R31 Quarrying activities	Support	Retain as proposed or retain the original intent.	Gives effect to CRPS Policies 5.3.1, 5.3.12, 6.3.5, 6.3.9, 14.3.5.
RLZ-BFS5 Separation distances to and from intensive indoor primary production or intensive outdoor primary production activity or quarry	Support	Retain as proposed or retain the original intent.	Gives effect to CRPS Policies 5.3.1, 5.3.12, 6.3.5, 6.3.9, 14.3.5.

### INZ – Whaitua Ahumahi – Industrial zones

Provision	Support or Oppose	Decision requested	Comments
INZ-MCD11 Waste disposal	Support	Retain as proposed or retain the original intent	Support the consideration of flood risk, natural character of waterways, and effects on wāhi taonga and mahinga kai, which gives effect to the CRPS.

### OSRZ – Whaitua Tākaro – Open Space and Recreation Zones

Provision	Support or Oppose	Decision requested	Comments
NOSZ-O1 Predominant character, amenity values, role and function of the Natural Open Space Zone	Support in part	Consider whether to add an additional clause for 'natural landscapes and features'.	In addition to the values mentioned in the proposed objective, natural landscapes and features may also be a characteristic of the natural open space and recreation zone.
NOSZ-R13 Planting of vegetation	Support in part	Amend to include planting for hazard mitigation purposes within clause (3).	Clause 3 allows the planting of vegetation for soil conservation purposes. It would seem to make sense to also permit planting of vegetation for hazard mitigation such as erosion control.
OSRZ-MCD7 Scale and nature of the activity or facility	Support in part	Amend clause 2(d) to include reference to the natural landscapes and features in the area.	The policy references many relevant values from the CRPS but currently excludes consideration of natural feature and landscape values, and also any indigenous vegetation that may be present.

		Consider whether to also allow consideration of any indigenous vegetation present.	
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### SPZ – Whaitua Motuhake -Special Purpose Zones

Provision	Support or Oppose	Decision requested	Comments
SPZ(KN)-O1 Use and development of Te Ngāi Tūāhuriri Māori land	Support	Retain as proposed or retain the original intent.	CRC supports the ability of Te Ngāi Tūāhuriri Rūnanga to exercise kaitiakitanga in relation to their ancestral land.
SPZ(KN)-P1 A range of activities within Māori land	Support	Retain as proposed or retain the original intent.	This policy appears to give effect to the CRPS.
SPZ(KN)-P2 Land use and development	Support	Retain as proposed or retain the original intent.	CRC supports the avoidance and mitigation of risks from natural hazards, as is consistent with chapter 11.
SPZ(PBKR)-O2 Natural hazard resilience	Support in part	Consider whether to use terminology that is more consistent with the CRPS.	The CRPS encourages resilience toward natural hazards. However, there is a hierarchy that makes it clear when to avoid effects and when mitigation may be acceptable. Consider whether to amend this policy to more closely reflect the CRPS.
SPZ(PBKR)-P4 Natural hazard resilience of buildings	Support	Retain as proposed or retain the original intent.	Support the requirement for buildings to be relocatable so managed retreat is possible if needed.
SPZ-PBKR-MD9 Natural hazards	Support in part	Ensure that there is scope to consider the natural hazard effects from present day flooding, including fresh water flooding.	The matters appear to be focussed on the risk presented by coastal inundation and sea level rise. This area will also be subject to freshwater flooding and these associated risks will also need to be mitigated.
SPZ(PR)-P2 Infrastructure services	Support in part	Consider whether to include a hierarchy of preference in terms of when effects from infrastructure on water	Water quality at Pegasus Lake has been of ongoing concern. As the policy is currently worded, there does not seem to be a preference as to effects on water quality from infrastructure are avoided, remedied, or mitigated. It may be appropriate to introduce a hierarchy of preference

		quality are avoided, remedied, or mitigated.	as to whether effects are first remedied, mitigated or avoided in order to prevent water quality from degrading further.
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## Wāhanga waihanga – Development Areas

Chapter 6 of the CRPS sets out how future development areas (FDAs) are to be implemented by district councils. These areas are intended to be used for higher density development and mixed use type developments. Future development areas are mapped on CRPS Chapter 6 Map A and development is to be enabled in these areas where criteria are met. These include demonstration of housing capacity, whether it can be demonstrated to be an efficient use of land, timing and sequencing of development with infrastructure provision, whether development will be in accordance with an outline development plan, and that the effects of natural hazards are appropriately mitigated. The CRPS also sets out what outline development plans shall include.

### New Development Areas

Provision	Support or Oppose	Decision requested	Comments
WR - West Rangiora  NER – North East Rangiora  SER – South East Rangiora	Support in part	Amend certification process to include: <ul style="list-style-type: none"> <li>all natural hazards in Future Development Areas are properly assessed and it is demonstrated that the risks can be avoided or appropriately mitigated before land is released for urban development. This includes not increasing risk to surrounding land through the mitigation techniques employed.</li> </ul>	In general, the certification mechanism to release land for urban development and subdivision is innovative and supported at a conceptual level.  However, ECan has some concerns over the detail of the certification process, particularly regarding the directive policies of the CRPS that enable the use of land for urban activities and considers that there needs to be proper consideration of effects beyond the development area.  ECan supports the explicit requirement that all criteria must be demonstrated to be met before the Chief Executive or delegate certifies that urban development can proceed on land within the development area.

		<p>Deferring effective consideration to the subdivision stage is inadequate.</p> <ul style="list-style-type: none"> <li>• Identification and protection of indigenous biodiversity, especially wetlands, given the policy positioning in the NPS-Freshwater Management and the rules in the NES-Freshwater.</li> </ul>	<p>We support provision for a minimum net density of at least 15 households per hectare (hh/ha) in the new Residential Development Areas, or 12hh/ha where there are constraints, as expressed in the Subdivision Chapter (SUB-PC-(2)(C)). It is unclear why the proposed South East Rangiora Outline Development Plan (DEV-SER-APP1) specifies a minimum of 12hh/ha for this Development Area.</p>
K - Kaiapoi	Oppose	<p>Given the range of issues to be addressed, including airport noise, high flood hazard areas, indigenous biodiversity and wetlands, and coastal inundation risk, use a regular plan change process to better address the particular issues with this development area.</p>	<p>The Kaiapoi Development Area is subject to several planning overlays and directive policies in the RPS, NPS-FW/CLWRP and potentially the NZCPS, such that the change to urban use of this Development Area through a regular plan change process is likely to result in better integrated planning outcomes than the certification process. In particular, the current certification process to change to an urban zoning will not necessarily enable development, if these other issues are unable to be resolved.</p> <p>The Kaiapoi Development Area is part located within the 50 dBA Ldn airport noise contour. Some parts of the development area are subject to directive policy in the CRPS to avoid noise sensitive development within the 50dBA noise contour.</p> <p>In addition, the Waimakariri District Council's hazard assessments identify coastal inundation risk in this area. While ECan accepts that there are a range of fresh and seawater sources of this coastal inundation, it still may</p>

			<p>meet the criteria of a coastal hazard under the NZCPS and therefore be subject to the directive policies on avoiding increased hazard risk (amongst others). Options such as filling may result in an increase in risk elsewhere from displaced floodwaters and it is not clear if the certification process would appropriately deal with those risks.</p> <p>We support provision for a minimum net density of at least 15 households per hectare (hh/ha) in the new Residential Development Areas, or 12hh/ha where there are constraints, as expressed in the Subdivision Chapter (SUB-PC-(2)(C)). It is unclear why the proposed Kaiapoi Outline Development Plan (DEV-K-APP1) specifies a minimum of 12hh/ha for this Development Area.</p>
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