

Appendix 1 - Recommended Amendments

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

- Text recommended to be added to the PDP is underlined.
 - Text recommended to be deleted from the PDP is ~~struck through~~.
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NATURAL HAZARDS

Introduction

The Timaru District is framed by hills and mountains to the west and a coastline to the east, connected by expansive plains that are bounded by the Rangitata River to the north and the Pareora/Pureora River to the south. The plains themselves are crossed by other smaller but significant rivers.

Due to its location and geology the District is subject to a range of natural hazards including river flooding, coastal erosion and flooding, overland flows, slope instability, earthquakes, liquefaction and tsunamis. Flooding is a particular issue for the district with frequent flood events impacting large areas. Due to climate change, the risk profile associated with wild fires is expected to increase generally across many parts of the district.¹ Climate change is also likely to have significant implications for the District in terms of water shortages and ongoing water security issues and effects on food security.²

The purpose of this chapter is to protect people, Regionally Significant Infrastructure and property within the District from the worst effects of natural hazards and minimise the need for emergency services in hazard events, recognising that there may be occasions when some damage and loss of property cannot be avoided. It also intends to reduce the adverse effects of existing risks by controlling the re-establishment of buildings and structures in areas subject to flood hazards.

The Natural Hazards chapter contains policy direction to address the management of risk from non-coastal natural hazards throughout the District. Natural hazards that are solely coastal hazards are addressed within the Coastal Environment. This chapter and associated planning map overlays identify a range of natural hazards and the level of risk they pose and applies rules to avoid risk to development and activities within areas that have been identified as high risk (both scale and probability) from natural hazards. A precautionary approach has been taken to areas where it is difficult to map different levels of flood risk and accordingly large areas, particularly of the General Rural Zone, are identified as Flood Assessment Areas. Therefore, some types of natural hazards may be mapped within the plan (e.g. high flood risk areas), and others may be identified through either mapping or a certification approach within the Flood Assessment Area (e.g. overland flow paths).

Being located on the coast, the Port of Timaru is subject to sea water inundation and tsunami risk. In recognition of its particular locational requirements interfacing with the sea, separate specific provisions are provided for the PORTZ. No other natural hazard provisions apply unless otherwise specified in the provisions.³

Some hazards are only addressed at a policy level with related rules either included in a different chapter (for example, in relation to land stability and subsidence) or outside the District Plan (tsunami). Regulation 57 of the National Environmental Standard for Telecommunication Facilities specifically disapplies District Plan natural hazard provisions from telecommunication structures which are regulated under that standard. Therefore, the natural hazards provisions in this chapter do not apply to telecommunications infrastructure regulated under this standard.⁴

Intergovernmental Panel on Climate Change projections have been included in the modelling that underlies this chapter and therefore is provided for in the rules and standards applied.

Objectives

NH-O1	Areas subject to natural hazards
Risk to human life and significant risk to property, from natural hazards is:	

¹ TDC [42.30]

² Hort NZ [254.51]

³ PrimePort [175 - various] and Timaru District Holdings [186 - various]

⁴ Connexa [176.60], Spark [208.60], Chorus [209.60] and Vodafone [210.60]

1. avoided in high hazard areas that are outside of urban zoned areas;⁵ and
2. avoided or mitigated in high hazard areas that are within urban zoned areas;⁶ and
3. avoided or mitigated elsewhere in all other areas⁷ to an acceptable level.

NH-O2 Regionally Significant Infrastructure

Risk from natural hazards to Regionally Significant Infrastructure is managed by locating ~~located~~⁸ outside of high hazard areas where practicable.

NH-O3 Natural hazard mitigation works

Natural hazard mitigation works reduce risks to people and property, with a preference for the use of natural features and buffers where practicable.⁹

NH-O4 Adaptive management at the Port ¹⁰

Recognise that the Port of Timaru is subject to natural hazards and provide for its ongoing use, while managing natural hazards risk appropriately.

Policies

NH-P1 Identification of natural hazards and approach to management within ~~N~~natural ~~H~~azard ~~A~~reas¹¹

Identify and map areas subject to natural hazards, taking into consideration the effects of climate change, and apply through rules a risk-based approach to the management of subdivision, use and development based on the following:

1. the type of natural hazard that applies; and
2. the level and severity of risk to people and property from the natural hazard; and
3. the sensitivity of activities to loss of life or damage to property from a natural hazard; and
4. the ability for communities to recover after a natural hazard event; and
5. for the Māori Purpose Zone, the extent to which managing the risk compromises the purpose for which the MPZ was created and the anticipated activities within the zone, and the outcome of any consultation with mana whenua.¹²

NH-P2 Consideration of tsunami risk

Encourage the consideration of the potential effects of inundation by tsunami when considering the location of activities where evacuation may be difficult, such as new education, health care, or aged care activities in areas at risk from tsunami events.

NH-P3 Role of natural features and vegetation in hazard mitigation

⁵ Silver Fern Farms [177.22], Alliance Group [173.19] and Tosh Prodanov [117.1].

⁶ Silver Fern Farms [177.22], Alliance Group [173.19] and Tosh Prodanov [117.1].

⁷ Clause 16(2)

⁸ Transpower [159.60]

⁹ PrimePort [175.28] and Timaru District Holdings [186.14]

¹⁰ PrimePort [175.28] and Timaru District Holdings [186.14]

¹¹ Clause 16(2)

¹² Te Rūnanga o Ngāi Tahu [185.19], Waipopo Huts [189.48], Te Kotare Trust [115.1]

Protect, maintain and restore, where appropriate, natural topographic features and vegetation, including native habitat¹³ that assists with avoiding or mitigating the risk to people and significant risk to property from natural hazards.

NH-P4 **Subdivision, use and development in Flood Assessment Areas, excluding high hazard areas and overland flow paths**¹⁴

Enable subdivision, use and development (excluding Regionally Significant Infrastructure) in areas subject to inundation by a 0.5% AEP flood event provided that:

1. it is not likely to suffer significant damage in a flood event; and
2. it will not significantly affect the functioning of the flood plain; and
3. it will not generate the need for new or upgraded public natural hazard mitigation works to mitigate or avoid the natural hazard; and
4. for natural hazard sensitive buildings,¹⁵ a minimum floor level above the 0.5% AEP design flood level can be achieved; and
5. for major hazard facilities will not be inundated, there is no risk of hazardous substances entering the environment;¹⁶ significant adverse effects on people and property are avoided; and
6. increased risk on other sites, including through floodwater displacement and diversion¹⁷, is avoided as a priority and where this is not practicable, will be appropriately mitigated.

NH-P5 **Subdivision and Regionally significant Infrastructure**¹⁸ **in Liquefaction Awareness Areas**

~~Require subdivision and Regionally Significant Infrastructure in Liquefaction Awareness Areas to apply appropriate measures to avoid or, where avoidance is not reasonably practicable due to the functional needs of the activity, mitigate risks to people and property. Require the liquefaction risk in the Liquefaction Awareness Area Overlay to be identified and appropriately remedied or mitigated.~~¹⁹

NH-P6 **Subdivision and Regionally Significant Infrastructure**²⁰ **in Earthquake Fault Awareness Areas**

~~Require subdivision and Regionally Significant Infrastructure~~²¹ in the Earthquake Fault (Subdivision)²² Awareness Areas overlay to be designed or located in a way that enables activities to avoid or, where avoidance is not reasonably practicable due to the functional need or operational needs²³ of the activity, mitigates risks to people and property.

NH-P7 **Slope stability and subsidence risk**

Require subdivision, use and development in areas subject to risks of slope instability and subsidence to demonstrate the appropriateness of the site for subdivision, use or development in a way that can avoid significant hazard risks to people and property and appropriately mitigate other risks.

NH-P8 **Overland Flow Paths**²⁴

~~Require subdivision, use and development in Overland Flow Paths to:~~

¹³ Forest and Bird [156.87]

¹⁴ ECan [183.38]

¹⁵ ECan [183.33]

¹⁶ BP Oil et al [196.50], PrimePort [175.29] and Timaru District Holdings [186.15]

¹⁷ Clause 16(2)

¹⁸ Transpower [159.61]

¹⁹ ECan [183.34]

²⁰ Transpower [159.62]

²¹ Transpower [159.62]

²² Clause 16(2)

²³ Waka Kotahi [143.68]

²⁴ ECan [183.38]

1. maintain the function of the Overland Flow Path; and
2. minimise any increased or new risk from flooding on surrounding properties.

NH-P98 Natural hazard mitigation works

Natural hazard mitigation works:

1. undertaken by or on behalf of²⁵ the Crown, Canterbury Regional Council or the Council are enabled, where community scale hazard mitigation is necessary to protect existing communities from natural hazard risk which cannot reasonably be avoided, and any adverse effects on the identified values and qualities of Outstanding Landscapes and Features, the Coastal Environment, Visual Amenity Landscapes, Significant Natural Areas, High Naturalness Waterbodies Areas, Sites of Significance to Māori, Historic Heritage, cultural, and archaeological ~~areas~~ sites,²⁶ riparian margins and Notable Trees are mitigated; or
2. not undertaken by or on behalf of²⁷ the Crown, Canterbury Regional Council or the Council, will only be acceptable where:
 - a. the natural hazard risk cannot otherwise be reasonably avoided; and
 - b. consideration has been given to alternative solutions such as the relocation, removal or abandonment of existing uses, buildings and structures and all alternatives are not economically viable; and
 - c. any adverse effects arising from the construction or operation of the works on the identified values and qualities of Outstanding Landscapes and Features, the Coastal Environment, Visual Amenity Landscapes, Significant Natural Areas, High Naturalness Waterbodies Areas, Sites of Significance to Māori, historic heritage, cultural, and archaeological ~~areas~~ sites,²⁸ riparian margins and Notable Trees are avoided, remedied, or mitigated in accordance with the provisions in those Chapters; and
 - d. the construction or operation of the works will avoid or acceptably mitigate ~~not lead to~~²⁹ any increased or new risk from flooding ~~to~~ a human life and property.

NH-P109 High Hazard Areas

Avoid subdivision, use and development (excluding Regionally Significant Infrastructure) in, ~~mapped or~~ identified high hazard areas, unless:

1. it is a building or structure³⁰ that is not a natural hazard sensitive building activity³¹ or is unlikely to suffer damage; or
2. it can be demonstrated that the risks of the natural hazard can be mitigated so that:
 - a. in the event of a natural hazard, there is likely to be no loss of life or serious injury or and any built development is not likely to suffer significant property³² damage or loss; and
 - b. it will not require new or upgraded public natural hazard mitigation works to mitigate the natural hazard; and
 - c. it is not likely to exacerbate the potential effects of the natural hazard on adjoining or surrounding land; and
 - d. it does not increase reliance on emergency services in a hazard event; or
3. it is located within an existing urban zoned area and the risks of the natural hazard are avoided or mitigated.³³

²⁵ Clause 16(2)

²⁶ Clause 10(2)(b) of Heritage NZ [114.3]

²⁷ Clause 16(2)

²⁸ Clause 10(2)(b) of Heritage NZ [114.3]

²⁹ Silver Fern Farms [172.27] and Alliance Group [173.24]

³⁰ Silver Fern Farms [172.28] and Alliance Group [173.25]

³¹ Clause 16(2)

³² Silver Fern Farms [172.28] and Alliance Group [173.25]

³³ Rangitata Dairies [44.2], Silver Fern Farms [177.22], Alliance Group [173.19] and Tosh Prodanov [117.1] and various submissions from Waipopo Huts Trust and Te Kotare Trust

NH-P140 **Regionally Significant Infrastructure in Natural Hazard Areas³⁴**

Only allow Regionally Significant Infrastructure in Natural Hazard Areas where:

1. can only locate within high hazard areas where it has an operational need or functional need for the location and there are no feasible alternative locations; and
2. for other hazard areas:
 2. a. it is designed to maintain its integrity and function during and after a natural hazard event, or it is able to be readily re-instated after a natural hazard event; and
 3. b. it is designed and located to ensure that it will not exacerbate the risks or potential adverse effects of the natural hazard on surrounding land.³⁵

NH-P11 **PORTZ³⁶**

Provide for the continued operation and development of the Port of Timaru and activities in the PORTZ which have an operational need or functional need for their co-location with the Port by:

1. ensuring buildings, structures and earthworks do not exacerbate the risks or potential adverse effects of the natural hazard on surrounding land; and
2. requiring natural hazard sensitive buildings to be flood resilient or relocatable; and
3. providing for natural hazard mitigation works to protect existing activities, property and infrastructure from natural hazard risk which cannot reasonably be avoided, and any adverse effects from the works are mitigated to the extent practicable.

Rules

Note: Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

For the purposes of this chapter, activities in the PORTZ are only subject to the PORTZ-specific rules and NH-R9. These PORTZ specific rules do not cover Major Hazardous Facilities and Hazardous Facilities in the PORTZ, which are covered by the Hazardous Substances Chapter.³⁷

For the purposes of NH-R3 Natural hazard mitigation works, the rules in the ECO, NATC, NFL and SASM chapters do not apply.³⁸

NH-R1 **Buildings, structures and Earthworks, excluding land disturbance and for natural hazard mitigation works and its associated land disturbance³⁹**

³⁴ Clause 16(2)

³⁵ Transpower [159.63] for all these changes.

³⁶ PrimePort [175 - various] and Timaru District Holdings [186 - various]

³⁷ PrimePort [175 - various] and Timaru District Holdings [186 - various]

³⁸ ECan [183.5], [183.77], [183.76], [183.85], [183.86], [183.90], [183.91]

³⁹ ECan [183.38]

<p>Flood Assessment Area Overlay</p> <p>High Hazard Area Overlay⁴⁰</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 If the area is subject to flooding in a 0.5% AEP rainfall, NH-S2 is complied with; and⁴¹</p> <p>PER-2 If a Flood Risk Certificate for the site has been issued in accordance with NH-S1, and the certificate states that the activity is not located on land that is within an overland flow path.</p> <p><u>Buildings, structures and earthworks will not worsen flooding on another property that is not held in the same ownership through the diversion or displacement of flood water in all events up to and including a 0.5% AEP event.</u>⁴²</p> <p>Notes:</p> <p><u>1. A Flood Risk Assessment Certificate issued in accordance with NH-S1 will identify if the site is subject to flooding in events up to and including a 0.5% AEP flood event.</u></p> <p><u>2. When considering flooding effects, the cumulative effects of climate change over the next 100 years (based on latest national guidance) and all sources of flooding (including fluvial, pluvial, and coastal) must be accounted for.</u></p> <p><u>3. This rule applies in addition to all the remaining chapter rules.</u>⁴³</p>	<p>Activity status where compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. The relevant matters of discretion of any infringed standard.</p> <p>Activity status where compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> any adverse effects on the rate of flow and direction of overland flow path(s); and any adverse effects on property from blockage of or disturbance to the overland flow path(s) <u>or displacement of floodwater;</u>⁴⁴ and <u>any increased flood risk for people, property, or public spaces; and</u> 3. <u>4.</u> the effectiveness and potential adverse effects of any proposed mitigation measures.⁴⁵
<p>NH-R2</p>	<p>Fences⁴⁶</p>	

⁴⁰ Kāinga Ora [229.39]

⁴¹ Dairy Holdings [89.6], Rangitata Dairies [44.3], Silver Fern Farms [172.29], Alliance Group [173.26], ECan [183.38]

⁴² ECan [183.38]

⁴³ Clause 16(2)

⁴⁴ ECan [183.38]

⁴⁵ ECan [183.38]

⁴⁶ Dairy Holdings [89.6], Rangitata Dairies [44.3], Silver Fern Farms [172.29], Alliance Group [173.26], ECan [183.38] and Joseph Rooney [177.15], Peter Bonifacio [36.15], Hort NZ [245.55] and ECan [183.39]

<p>Flood Assessment Area Overlay</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 At least 70% of the surface area of the fence is permeable above ground; or</p> <p>PER-2 A Flood Risk <u>Assessment</u>⁴⁷ Certificate for the site has been issued in accordance with NH-S1, and the certificate states that the activity is not located on land that is within an overland flow path.</p>	<p>Activity status where compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the type of fencing and materials proposed and the potential to obstruct water flow; and 2. any potential adverse effects of diverting or blocking overland flow path(s), including upstream and downstream flood risks; and 3. any increased flood risk for people, property, or public spaces; and 4. the effectiveness and potential adverse effects of any proposed mitigation measures.
<p>NH-R3 Natural hazard mitigation works – maintenance, replacement and upgrading including associated earthworks and incidental vegetation removal⁴⁸ <i>Note: This rule does not apply to natural hazard mitigation works only involving the planting of vegetation</i></p>		

<p>Flood Assessment Area Overlay</p> <p>High Hazard Area Overlay⁴⁹</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 <u>The activity is limited to maintenance, replacement or upgrading of existing natural hazard mitigation works; and</u>⁵⁰</p> <p>PER-1 2 The natural hazard mitigation works is within 25m of the <u>existing alignment or location vertically and horizontally of existing natural hazard mitigation works;</u>⁵¹ and</p> <p>PER-2 3 The footprint of the <u>existing</u>⁵² natural hazard mitigation works is not increased by more than 25%; and</p> <p>PER-3 4</p>	<p>Activity status where compliance not achieved with PER-1, PER-2 or PER-3 or PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the likely effectiveness of the natural hazard mitigation works and the need for them; and 2. the extent of any adverse social, cultural and environmental effects, including <u>from indigenous vegetation clearance, vegetation planting, and earthworks on any sensitive environments, including significant natural areas, natural character areas, riparian margins, sites and areas of significance to Māori and within any ONF or ONL overlay;</u>⁵⁴ and 3. any potential adverse effects of <u>from</u>⁵⁵ diverting or blocking overland
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⁴⁷ ECan [183.26]

⁴⁸ ECan [183.40]

⁴⁹ Kāinga Ora [229.39]

⁵⁰ ECan [183.40]

⁵¹ Clause 16(2)

⁵² Clause 16(2)

⁵⁴ ECan [183.5], [183.77], [183.76], [183.85], [183.86], [183.90], [183.91]

⁵⁵ ECan [183.40]

	<p>The activity is undertaken by or on behalf of the Crown, Canterbury Regional Council or the Council, and</p> <p>PER-4 If the site is subject to flooding in a 0.5% AEP rainfall event, NH-S2 is complied with.⁵³</p>	<p>flow path(s), including upstream and downstream flood risks; and</p> <ol style="list-style-type: none"> 4. any increased flood risk for people, property, <u>infrastructure</u>⁵⁶ or public spaces; and 5. the extent to which alternative locations and options for the natural hazard mitigation works have been considered and the merits of those; and 6. any positive effects of the proposal on the community. <p>Activity status where compliance not achieved with PER-4 PER-1: Restricted Discretionary</p> <p><u>Where</u></p> <p><u>RDIS-1</u> <u>Any new natural hazard mitigation works:</u> <ol style="list-style-type: none"> a. <u>are undertaken by or on behalf of the Crown, Regional Council, or the Council;</u> <u>or</u>⁵⁷ b. <u>are undertaken by or on behalf of the Port of Timaru and are located within 310m of PREC7.</u>⁵⁸ </p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>those matters set out for non-compliance with PER-2, PER-3 or PER-4.</u> <p><u>Activity status where compliance not achieved with RDIS-1: Discretionary</u>⁵⁹</p> <p>-</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>the relevant matters of discretion of any infringed standard.</u>⁶⁰
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⁵³ Dairy Holdings [89.6], Rangitata Dairies [44.3], Silver Fern Farms [172.29], Alliance Group [173.26]

⁵⁶ Waka Kotahi [143.71]

⁵⁷ ECan [183.128]

⁵⁸ PrimePort [175 - various] and Timaru District Holdings [186 - various]

⁵⁹ ECan [183.40]

⁶⁰ ECan [183.40]

<p>NH-R4</p>	<p>NH-R4 Natural hazard sensitive <u>buildings activities</u>⁶¹ <u>other than Regionally Significant Infrastructure</u>⁶² <u>or structures</u>⁶³ <u>and additions to such activities or structures with a ground floor area of 30m² or more</u>^{64 65}</p>	
<p>1 Flood Assessment Area Overlay within Urban Zoned Areas⁶⁶</p>	<p><i>Note: if the new building, structure or extension on the ground floor is less than 30m², see NH-R7.</i>⁶⁷</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 the <u>natural hazard sensitive</u> building <u>complies with</u>⁶⁸ is built to the minimum finished floor level specified in an existing consent notice that is less than five years old; or</p> <p>PER-2 A Flood Risk <u>Assessment</u>⁶⁹ Certificate for the <u>natural hazard sensitive</u>⁷⁰ activity has been issued in accordance with NH-S1 <u>and the building complies with the minimum floor level specified in the Flood Assessment Certificate.</u>⁷¹; and</p> <p>PER-3 The Flood Risk Certificate issued under PER-2 states that the activity is not located on land that is within an overland flow path; and⁷²</p> <p>PER-4 The Flood Risk Certificate issued under PER-2 states that the activity is not located</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2 or PER-4: Non-Complying Restricted Discretionary⁷⁵</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any potential adverse effects of diverting or blocking overland flow path(s), including upstream and downstream flood risks; and 2. any increased flood risk for people, property, or public spaces; and 3. the effectiveness and potential adverse effects of any proposed mitigation measures; and 4. any operational need or functional need for the activity to be established in this location; and 5. the extent to which it will require new or upgraded public natural hazard mitigation works; and 6. the extent of any additional reliance on emergency services; and 7. any positive effects of the proposal; and 8. <u>for development within the Māori Purpose Zone, the extent to which meeting the requirements of the rule compromises the purpose for which the MPZ was created and the anticipated activities within the zone, and the views of mana whenua, if provided.</u>⁷⁶

⁶¹ Clause 16(2)

⁶² OWL [181.55] and TDC [42.31]

⁶³ Road Metals [169.15] and Fulton Hogan [170.16] Dairy Holdings [89.6]

⁶⁴ Clause 10(2)(b) amendment as the 30m² threshold is proposed to be included in the definition of “natural hazard sensitive buildings”.

⁶⁵ ECan [183.38] for all changes, except where separately identified

⁶⁶ Silver Fern Farms [177.22], Alliance Group [173.19] and Tosh Prodanov [117.1].

⁶⁷ ECan [183.38], [183.42]

⁶⁸ Clause 16(2)

⁶⁹ ECan [183.26]

⁷⁰ Clause 16(2)

⁷¹ ECan [183.42]

⁷² ECan [183.42]

⁷⁵ Peter Bonifacio [36.16], Waipopo Huts, ECan [183.24]

⁷⁶ Te Rūnanga o Ngāi Tahu [185.19], Waipopo Huts [189.48], Te Kotare Trust [115.1]

	<p>on-land that is identified as a High Hazard Area; and⁷³</p> <p>PER-5 The Flood Risk Certificate issued under PER-2 states either:</p> <ol style="list-style-type: none"> 1. the activity is located on land that is not subject to flooding in a 0.5% AEP rainfall event; or 2. the activity is located on land that is subject to flooding in a 0.5% AEP rainfall event and complies with the minimum finished floor level requirement for the site.⁷⁴ 	<p>Activity status where compliance not achieved with PER-5: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the nature, design and intended use of the proposed building or structure; and 2. any increased flood risk for people, property, or public spaces; and 3. proposals to mitigate any risk created by non-compliance with the minimum floor levels, including risk to the health and safety of occupants; and 4. the potential for the activity to exacerbate natural hazard risk, including to any other sites; and 5. any increased reliance on emergency services;⁷⁷
<p><u>2</u> <u>Flood Assessment Area Overlay outside of Urban Zoned Areas</u>⁷⁸</p>	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u> <u>the natural hazard sensitive building complies with the minimum finished floor level specified in an existing consent notice that is less than five years old; or</u></p> <p><u>PER-2</u> <u>A Flood Assessment Certificate for the natural hazard sensitive building has been issued in accordance with NH-S1 and the building complies with the minimum floor level specified in the Flood Assessment Certificate; and</u></p> <p><u>PER-3</u> <u>The Flood Risk Certificate issued under PER-2 states that the building is not located on land that is identified as a high hazard area.</u></p>	<p><u>Activity status where compliance not achieved with PER-1 or PER-2: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>any potential adverse effects of diverting or blocking overland flow path(s), including upstream and downstream flood risks; and</u> 2. <u>any increased flood risk for people, property, or public spaces; and</u> 3. <u>the effectiveness and potential adverse effects of any proposed mitigation measures; and</u> 4. <u>any operational need or functional need for the activity to be established in this location; and</u> 5. <u>the extent to which it will require new or upgraded public natural hazard mitigation works; and</u> 6. <u>the extent of any additional reliance on emergency services;</u> 7. <u>any positive effects of the proposal; and</u> 8. <u>for development within the Māori Purpose Zone, the extent to which meeting the requirements of the rule</u>

⁷³ Silver Fern Farms [177.22], Alliance Group [173.19] and Tosh Prodanov [117.1].

⁷⁴ ECan [183.38]

⁷⁷ ECan [183.38]

⁷⁸ Peter Bonifacio [36.16], Waipopo Huts, ECan [183.24]

		<p><u>compromises the purpose for which the MPZ was created and the anticipated activities within the zone, and the views of mana whenua, if provided.</u>⁷⁹</p> <p><u>Activity status where compliance not achieved with PER-3: Non-complying</u></p>
<p>2 High Hazard Area Overlay</p>	<p>Activity status: Non-complying⁸⁰ - Note: <i>if the new building or extension on the ground floor is less than 30m², see NH-R7.</i></p>	<p>Activity status where compliance not achieved: Not applicable</p>
<p>NH-R5</p>	<p>Regionally Significant Infrastructure - maintenance, <u>repair</u>,⁸¹ replacement and upgrading</p>	
<p>Flood Assessment Area Overlay</p> <p>High Hazard Area Overlay⁸²</p> <p>Earthquake Fault (infrastructure or facilities) Awareness Area Overlay</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The infrastructure: 1. <u>is underground infrastructure only;</u>⁸³ or 2. <u>is within 520m</u>⁸⁴ of the existing alignment or location; and</p> <p>PER-2 The above ground footprint of <u>any building or structure the infrastructure</u>⁸⁵ is not increased by more than 10%.</p>	<p>Activity status where compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any adverse effects arising from locating the regionally significant infrastructure in this location; and 2. any potential adverse effects of diverting or blocking overland flow path(s), including upstream and downstream flood risks <u>or displacement of floodwater;</u>⁸⁶ and 3. the effectiveness and potential adverse effects of any proposed mitigation measures; and 4. alternative locations for the regionally significant infrastructure; and 5. any positive effects of locating the regionally significant infrastructure at this location; and 6. the ability for the regionally significant infrastructure to be efficiently recovered after a hazard event; and

⁷⁹ Te Rūnanga o Ngāi Tahu [185.19], Waipopo Huts [189.48], Te Kotare Trust [115.1]

⁸⁰ Kāinga Ora [229.39]

⁸¹ Transpower [159.64]

⁸² Kāinga Ora [229.39]

⁸³ BP et al [196.54]

⁸⁴ PrimePort [175.30]

⁸⁵ Transpower [159.64]

⁸⁶ ECan [183.43]

		<p>7. the operational need or functional need for the activity to be established in this location.</p>
<p>NH-R6</p>	<p>Regionally Significant Infrastructure — New</p> <p><i>NH-R6.1 does not apply if:</i></p> <ol style="list-style-type: none"> <i>1. the infrastructure is below ground; or</i> <i>2. above ground infrastructure, <u>where any structure</u>⁸⁷ is less than 10m² and is not located within a high hazard area as determined under NH-S1; or</i> <i>3. the structure is located within a road corridor.</i> <p><i>NH-R6.42 shall not apply to buildings and infrastructure, <u>where any structure is</u>⁸⁸ less than 10m² in area.</i></p>	
<p>1 Flood Assessment Areas Overlay</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 A Flood Risk Assessment⁸⁹ Certificate for the activity has been issued in accordance with NH-S1; and</p> <p>PER-2 The Flood Risk Certificate issued under PER-1 states that the activity is not located on land that is within an overland flow path; and⁹⁰</p> <p>PER-3 The Flood Risk Assessment⁹¹ Certificate issued under PER-1 states that:</p> <ol style="list-style-type: none"> a. the activity is located on land that is not subject to flooding in a 0.5% AEP rainfall flood⁹² event; <u>or</u> b. <u>any building located on land that is subject to flooding in a 0.5% AEP event complies with the minimum finished floor level requirement for the site;</u>⁹³ <u>and</u> <p>PER-3 <u>The activity is not located within a high hazard area identified by a Flood Assessment</u></p>	<p>Activity status where compliance not achieved with PER-2, or PER-3: See NH-R6.2 Restricted Discretionary</p> <p>Activity status where compliance not achieved with PER-3: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The activity is located on land that is not within a High Hazard Area as stated in a Flood Risk Certificate issued under PER-1.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the operational need or functional need for the activity to be established in this location; and 2. any adverse effects arising from locating the Regionally Significant Infrastructure in this location; and 3. the effectiveness and potential adverse effects of any proposed mitigation measures; and 4. any increased flood risk for people, property, or public spaces; and 5. the ability for the Regionally Significant Infrastructure to be efficiently recovered after a hazard event <u>or maintain its integrity and</u>

⁸⁷ Transpower [159.65]

⁸⁸ Transpower [159.65]

⁸⁹ ECan [183.26]

⁹⁰ ECan [183.42], OWL [181.56]

⁹¹ ECan [183.26]

⁹² ECan [183.25]

⁹³ OWL [181.56] and TDC [42.32]

	<p><u>Certificate issued in accordance with NH-S1.</u></p>	<p><u>function during and after a natural hazard event;</u>⁹⁴ and</p> <ol style="list-style-type: none"> 6. the extent to which it will require new or upgraded public natural hazard mitigation works; and 7. the extent of any additional reliance on emergency services; and 8. <u>the extent to which there are</u>⁹⁵ alternative locations for the Regionally Significant Infrastructure; and 9. <u>any positive effects of locating the Regionally Significant Infrastructure at this location.</u> <p>Activity status where compliance not achieved with RDIS-1: See NH-R6.3</p> <p>Activity status where compliance not achieved with PER-1: Non-complying</p>
<p>2 Overland flow paths identified in a Flood Risk Certificate issued in accordance with NH-S4⁹⁶</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The infrastructure is below ground; or</p> <p>PER-2 Above ground infrastructure is less than 10m²; or</p> <p>PER-3 The infrastructure is located within a road corridor.</p>	<p>Activity status where compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any adverse effects arising from locating the Regionally Significant Infrastructure in this location; and 2. any potential adverse effects of diverting or blocking overland flow path(s), including upstream and downstream flood risks; and 3. the effectiveness and potential adverse effects of any proposed mitigation measures; and 4. alternative locations for the Regionally Significant Infrastructure; and 5. any positive effects of locating the Regionally Significant Infrastructure at this location; and 6. the ability for the Regionally Significant Infrastructure to be efficiently recovered after a hazard event; and 7. the extent to which it will require new or upgraded public natural hazard mitigation works; and 8. the extent of any additional reliance on emergency services; and

⁹⁴ OWL [181.56]

⁹⁵ Clause 16(2)

⁹⁶ Dairy Holdings [89.6], Rangitata Dairies [44.3], Silver Fern Farms [172.29], Alliance Group [173.26] and ECan [183.38]

		<p>9. the operational need or functional need for the activity to be established in this location.</p>
<p>3 High Hazard Area Overlay⁹⁷ - High Hazard Area identified in a Flood Risk Certificate issued in accordance with NH-S1</p>	<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the operational or functional need for the activity to be established in this location; and 2. any effects arising from locating the regionally significant infrastructure in this location; and 3. the effectiveness and potential adverse effects of any proposed mitigation measures; and 4. any increased flood risk for people, property, or public spaces; and 5. the ability for the Regionally Significant Infrastructure to be efficiently recovered after a hazard event; and 6. alternative locations for the Regionally Significant Infrastructure; and 7. the extent to which it will require new or upgraded public natural hazard mitigation works; and 8. the extent of any additional reliance on emergency services; and 9. any positive effects of locating the Regionally Significant Infrastructure at this location. 	<p>Activity status where compliance not achieved: Not applicable</p>
<p>4.2 Earthquake Fault (infrastructure or facilities) Awareness Areas</p>	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The activity is sited at least 20 metres away from the zone of deformation.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. whether the surface fault rupture hazard has been adequately assessed by a suitably qualified and experienced professional; and 2. the adequacy of any engineered solution proposed to mitigate the surface fault rupture hazard. 	<p>Activity status where compliance not achieved: Discretionary</p>

⁹⁷ ECan [183.44]

	Note: Any supporting technical report is also to be supplied to the Canterbury Regional Council.	
NH-R7	Natural Hazard Sensitive Activities and additions, new buildings, and structures with a ground floor area of less than 30m² (excluding Regionally Significant Infrastructure)⁹⁸	
Flood Assessment Area Overlay High Hazard Overlay	<p>Activity status: Permitted</p> <p>Where</p> <p>PER-1 The building or structure or addition is below ground; or</p> <p>PER-2 The new building or structure or addition has a ground floor area of less than 10m²; or</p> <p>PER-3 The new building or structure or addition is located within a road corridor; or</p> <p>PER-4 A Flood Risk Certificate for the site has been issued in accordance with NH-S1 and the certificate states that the activity is not located on land that is within an overland flow path.</p>	<p>Activity status where compliance is achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any potential adverse effects of diverting or blocking overland flow path(s), including upstream and downstream flood risks; and 2. any increased flood risk for people, property, or public spaces; and 3. the effectiveness and potential adverse effects of any proposed mitigation measures; and 4. any operational need or functional need for the activity to be established in this location; and 5. any increased reliance on emergency services; and 6. any positive effects of the proposal.

NH-R8 SUB-RX	Subdivision <u>within natural hazard overlays</u>⁹⁹	
1 Flood Assessment Area Overlay	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 A Flood Risk Certificate for the subdivision is issued in accordance with NH-S1; and</p> <p>RDIS-2 The site is not subject to high hazard flooding as stated in a Flood Risk Certificate issued under RDIS-1. <u>A building platform is identified on the subdivision plan and it is not located within a high hazard area as stated in a Flood</u></p>	<p>Activity status where compliance not achieved <u>with RDIS-1: Non-complying</u></p> <p><u>Activity status where compliance not achieved with RDIS-2: Not applicable if located within an urban zoned area;</u></p> <p><u>non-complying if located outside of an urban zoned area</u>¹⁰²</p>

⁹⁸ ECan [183.38], ECan [183.38]

⁹⁹ Speirs, B [66.45].

¹⁰² ECan [183.47]

	<p><u>Assessment Certificate issued in accordance with NH-S1.</u>¹⁰⁰</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the design and layout of the subdivision, including effects on public spaces and development sites, and on overland flow path(s); and 2. the provision for any overland flow paths to remain or the provision of secondary flow paths; and 3. any potential effects of diverting or blocking overland flow path(s) on future development within the subdivision; and 4. any increased flood risk for people, property, or public spaces; and 5. the effectiveness and potential adverse effects of any proposed mitigation measures; and 6. the extent to which it will require new or upgraded public natural hazard mitigation works and 7. <u>for development within the Māori Purpose Zone, the extent to which meeting the requirements of the rule compromises the purpose for which the MPZ was created and the anticipated activities within the zone, and the views of mana whenua, if provided.</u>¹⁰¹ 	
<p>2 Liquefaction Awareness Areas Overlay</p>	<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the appropriateness of the site for development; and 2. the liquefaction category that applies to the site and the level of risk to property and regionally significant infrastructure; and 3. whether the appropriate geotechnical data has been uploaded to the New Zealand Geotechnical Database; and 4. the appropriateness of the techniques proposed for remediation and mitigation of the effects of any liquefaction hazard identified i.e. ground strengthening and if these are 	<p>Activity status where compliance not achieved: Not applicable</p>

¹⁰⁰ ECan [183.47]

¹⁰¹ Te Rūnanga o Ngāi Tahu [185.19], Waipopo Huts [189.48], Te Kotare Trust [115.1]

	<p>supported by a suitably qualified and experienced professional; and</p> <p>5. the extent to which the siting and layout of the proposal is appropriate.</p>	
<p>3 Earthquake Fault (subdivision) Awareness Areas Overlay</p>	<p>Activity status: Restricted Discretionary</p> <p>Where</p> <p>RDIS-1 The subdivision design ensures that any future building or structure will be located at least 20 metres away from any detailed area of fault or fold deformation.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. whether the surface fault rupture hazard has been adequately assessed by a suitably qualified and experienced professional; 2. the adequacy of any engineered solution proposed to mitigate the surface fault rupture hazard. <p><i>Note: The investigation report is also to be supplied to Canterbury Regional Council.</i></p>	<p>Activity status where compliance not achieved: Discretionary</p>
<p>4 Coastal Erosion Overlay</p>	<p>RDIS-1 <u>A building platform is identified on the subdivision plan and it is not located within the Coastal Erosion Overlay.</u></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <u>1.the extent to which the proposal results in an increased risk of economic, social or environmental harm;</u> <u>2.whether the proposal includes hazard mitigation;</u> <u>3. the extent to which future building or structure has a functional need or operational need for its location; and</u> <u>4. the extent of any positive benefits that will result from the proposal; and</u> <u>5. the extent to which the proposal creates natural hazard risks on adjacent properties; and</u> <u>6. the location of any proposed building that will accommodate a natural hazard sensitive building, including the level of certainty of the projected future shoreline, including whether the erosion is very likely</u> 	<p><u>Activity status when compliance not achieved: Non-complying</u></p>

	<u>within a medium term as opposed to more uncertain over a longer-term period.</u> ¹⁰³	
4 High Hazard Area Overlay ¹⁰⁴	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
NH-R9	Natural hazard mitigation works, including associated earthworks — New ¹⁰⁵	
Flood Assessment Area Overlay	<i>Note: this rule applies to new natural hazard mitigation works, as opposed to maintenance, replacement and upgrading covered under NH-R3.</i>	Activity status where compliance not achieved: Discretionary
High Hazard Area Overlay	Activity status: Restricted Discretionary Where: RDIS-1 The works are undertaken by or on behalf of the Crown, Regional Council or the Council. RDIS-2 <u>The works are undertaken by or on behalf of the Port of Timaru and are located within 250m of PREG7.</u> ¹⁰⁶ Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. The need for the natural hazard mitigation works and likely effectiveness of those works; 2. The extent of any adverse social, cultural and environmental effects, including on any sensitive environments; 3. The extent to which alternative locations and options for the natural hazard mitigation works have been considered and the merits of those; 4. Any positive effects of the proposal on the community; 5. Any increased flood risk for people, property, or public spaces. 	

¹⁰³ ECan [183.109]

¹⁰⁴ Kāinga Ora [229.39]

¹⁰⁵ ECan [183.40]

¹⁰⁶ PrimePort [175 - various] and Timaru District Holdings [186 - various]

NH-RX Buildings within the PORTZ ¹⁰⁷		
<u>Flood Assessment Area Overlay</u>	<u>Activity status: Permitted</u>	<u>Activity status where compliance is achieved: Restricted Discretionary</u>
<u>High Hazard Overlay</u>	<u>Where</u> <u>PER-1</u> <u>The building is built to the minimum finished floor level specified in an existing consent notice that is less than five years old; or</u>	<u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> 1. <u>any increased flood risk for people, property, or public spaces; and</u> 2. <u>the effectiveness and potential adverse effects of any proposed mitigation measures; and</u> 3. <u>any operational need or functional need for the activity to be established in this location; and</u> 4. <u>any increased reliance on emergency services; and</u> 5. <u>any positive effects of the proposal.</u>
<u>Sea Water Inundation Overlay</u>	<u>PER-2</u> <u>The building activity:</u> <ol style="list-style-type: none"> 1. <u>complies with the minimum finished floor level requirement for the site as specified in a Flood Assessment Certificate; or</u> 2. <u>will be designed and constructed to be flood resilient below the minimum finished floor level requirement specified in a Flood Assessment Certificate; or</u> 3. <u>the building has a footprint smaller than 100m²; or</u> 4. <u>is relocatable.</u> 	
NH-RX New buildings, structures and earthworks in the PORTZ ¹⁰⁸		
<u>Flood Assessment Area Overlay</u>	<u>Activity status: Permitted</u>	<u>Activity status where compliance is achieved: Restricted Discretionary</u>
<u>High Hazard Overlay</u>	<u>Where</u> <u>PER-1</u> <u>Buildings, structures and earthworks will not worsen flooding on another property that is not held in the same ownership through the diversion or displacement of flood water in all events up to and including a 0.5% AEP event.¹⁰⁹</u> <u>Note: when considering flooding effects, the cumulative effects of climate change over the next 100 years (based on latest national guidance) and all sources of flooding (including fluvial, pluvial, and coastal) must be accounted for.</u>	<u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> 1. <u>any adverse effects on the rate of flow and direction of overland flow path(s); and</u> 2. <u>any adverse effects on property from blockage of or disturbance to the overland flow path(s) or displacement of floodwater; and</u> 3. <u>any increased flood risk for people, property, or public spaces; and</u> 4. <u>the effectiveness and potential adverse effects of any proposed mitigation measures and</u> 5. <u>the benefits of or necessity for the proposed building, structure or earthworks.</u>

¹⁰⁷ PrimePort [175 - various] and Timaru District Holdings [186 - various]

¹⁰⁸ PrimePort [175 - various] and Timaru District Holdings [186 - various]

¹⁰⁹ ECan [183.38]

Standards

<p>NH-S1</p>	<p>Flood Risk Assessment¹¹⁰ Certificate</p>	<p>Matters of discretion are restricted to: Not applicable</p>
<p>Flood Assessment Areas Overlay</p> <p><u>Or Sea Water inundation overlay if directed via the CE Chapter¹¹¹</u></p>	<p>1. A Flood Risk Assessment¹¹² Certificate is issued by <u>the</u> Council (that is valid for 3 years from the date of issue) which specifies:</p> <ul style="list-style-type: none"> a. the flood event risk level for specific land, being: <ul style="list-style-type: none"> i. land not subject to flooding in a 0.5% AEP flood event, or ii. land subject to flooding in a 0.5% AEP flood event, or iii. land within a high hazard area; iv. or for sea water inundation, land subject to flooding in a 1% AEP storm surge event, coupled with sea level rise based on an Representative Concentration Pathway 8.5 climate change scenario; and b. where 1(a)(ii) above identifies that the specific land is subject to flooding in a 0.5% AEP rainfall <u>flood</u>¹¹³ event, the minimum finished floor level for any new building or structure (or part thereof) on the specific land to provide at least 250<u>300</u>mm¹¹⁴ freeboard above the flood level in a 0.5% AEP flood event; and c. whether the specific land is located within an overland flow path. <p>2. The AEP flood event risk level, minimum floor levels, stopbank risk¹¹⁵ and overland flow path locations are to be determined by reference to:</p> <ul style="list-style-type: none"> a. The most up to date models, maps and data held by Timaru District Council and Canterbury Regional Council; and 	<p>Matters of discretion are restricted to: Not applicable</p>

¹¹⁰ ECan [183.26]

¹¹¹ Clause 16(2)

¹¹² ECan [183.26]

¹¹³ ECan [183.25]

¹¹⁴ ECan [183.50]

¹¹⁵ ECan [183.50]

	<p>b. Any information held by, or provided to, Timaru District Council or Canterbury Regional Council that relates to flood risk for the specific land.</p> <p>Note: <i>A minimum finished floor level will not be provided <u>in the certificate</u>¹¹⁶ for sites located within a High Hazard Area outside of urban zoned areas.¹¹⁷ Rather, these will need to be determined through a resource consent process.¹¹⁸</i></p> <p><i>An application form and guidance on how to obtain a Flood Hazard Assessment Certificate are available on the District Council's website.¹¹⁹</i></p>	
NH-S2	Volume of earthworks¹²⁰	
<p>1 Flood Assessment Areas Overlay</p>	<p>The earthworks do not exceed:</p> <ol style="list-style-type: none"> 1. 2,000m² in area in any calendar year in a Rural zone; and 2. 250m² in area in any calendar year in any other zone. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any adverse effects on the functioning of the flood plain; and 2. any increased flood risk for people, property, or public spaces; and 3. the extent to which it could result in surface water ponding in the event of flooding.
<p>2 High Hazard Area Overlay</p> <p>High Hazard Area identified in a Flood Risk Assessment Certificate issued in accordance with NH-S1¹²⁴</p>	<p>The earthworks do not exceed 250m² in area in any calendar year.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any adverse effects on the functioning of the flood plain; and 2. any increased flood risk for people, property, or public spaces; and 3. the extent to which it could result in surface water ponding in the event of flooding.

¹¹⁶ Clause 16(2)

¹¹⁷ Waipopo Huts [189.48], Te Kotare Trust [115.1], Silver Fern Farms [177.22] and Alliance Group [173.19]

¹¹⁸ Clause 16(2)

¹¹⁹ Harvey Norman [192.12]

¹²⁰ Dairy Holdings [89.6], Rangitata Dairies [44.3], Silver Fern Farms [172.29], Alliance Group [173.26], ECan [183.38] and Joseph Rooney [177.15]

¹²¹ ECan [183.26]

COASTAL ENVIRONMENT

Introduction

Timaru District's coastal environment is generally a narrow margin of land that lies between the coastal marine area and the farmed hinterlands and is identified by the Coastal Environment Area Overlay on the planning map.¹²² It is a dynamic environment that has been modified by human activity, such as the building of the railway line, but continues to be subject to active natural processes.

The Coastal Environment contains several waterbodies and wetlands including the Rangitata, Ōpihi and Ōrāri River mouths, and Waitarakao /Washdyke Lagoon that are important breeding, feeding and resting places for braided river birds, wading birds and seabirds as well as areas of indigenous vegetation. The Waitarakao/Washdyke Lagoon was a renowned culturally significant kaika mahika kai (food-gathering area) for local mana whenua.

In general, outside of Timaru township and the small settlements, the absence of buildings and structures means that remoteness and wildness can be experienced across much of the coastal environment.

Public access to the coast is limited, with a coastal walkway and Caroline Bay being the main ways in which people connect with the coastal environment. Even within Timaru township itself, there is limited development within the coastal environment with the main township being located on rolling hills above the coast. This elevated position means that extensive views of the Coastal Environment are available from the township and this contributes to the township's character, amenity and sense of place. The holiday huts at Milford and South Rangitata partly lie within the Coastal Environment.

The intent of the Coastal Environment chapter is to preserve the existing natural character of the Coastal Environment and protect it from inappropriate subdivision, use and development. This intent is achieved through the application of an overlay, which applies more directive rules to development and activities within the coastal environment, than would otherwise be applied in the underlying zones. The reason for this approach is that buildings, structures, infrastructure and earthworks have the potential to adversely affect the qualities that contribute to natural character, especially within those areas identified as having high natural character. Historic and passive activities such as non-intensive primary production, recreational walking and biking are able to continue as are existing urban zoned activities such as industrial activities, infrastructure and the Port of Timaru. The policy framework also recognises the importance of the coastal environment to Kāti Huirapa and provides for activities such as customary harvesting.

This chapter also sets the policy direction, and includes rules, for the management of risks arising from coastal hazards, as prescribed by the National Planning Standards. The intent is to minimise the risks to people and development from coastal hazards through appropriately locating new buildings or structures. The rules also acknowledge the Port of Timaru and its need to continue to develop and operate in an area of the coastal environment that is subject to significant coastal hazards. The Plan does not address managed retreat as it is unlikely to be achieved through it, but other actions are included so they can be considered through a consent process.

Being located on the coast, the Port of Timaru is subject to sea water inundation and tsunamis. In recognition of its particular locational requirements interfacing with the sea, separate specific

¹²² Clause 16(2)

provisions are provided for the Port. No other natural hazard provisions apply unless otherwise specified in the provisions.¹²³

The provisions of other chapters in this plan also apply to the coastal environment. For example, identified significant natural areas and indigenous biodiversity clearance in the coastal environment are addressed in the EIB Chapter. ONLs and ONFs in the coastal environment are addressed in the NFL Chapter. SASMs located in the coastal environment are addressed in the SASM Chapter.¹²⁴

Regulation 57 of the National Environmental Standard for Telecommunication Facilities specifically disappplies District Plan natural hazard provisions from telecommunication structures which are regulated under that standard. Therefore, the natural hazards provisions in this chapter do not apply to telecommunications infrastructure regulated under this standard.¹²⁵

Activities within the coastal marine area, i.e. below mean high water springs, are within the jurisdiction of the Canterbury Regional Council, while activities within the beds of lakes and rivers are within the jurisdiction of both the Canterbury Regional Council and the Council and may require resource consent from the Canterbury Regional Council.¹²⁶

Objectives	
CE-O1	Coastal natural character
The natural character of Timaru's Coastal Environment is preserved and protected from inappropriate subdivision, use and development, while enabling people and communities to provide for their social, economic and cultural wellbeing and their health and safety.	
CE-O2	Quality of the Coastal Environment
The quality of the Coastal Environment is maintained and/or enhanced, while providing for safe access in appropriate locations to ensure that the public can enjoy the coastal environment.	
CE-O3	Kāti Huirapa values
The relationship of mana whenua / Kāti Huirapa with, and their cultural values, traditions and ancestral lands and waters in, the coastal environment are recognised and provided for <u>and Kāti Huirapa are able to exercise kaitiakitaka and rakatirataka in accordance with MW2.2.5.</u> ¹²⁷	
CE-O4	Coastal hazards
People, buildings and structures are protected from unacceptable risks arising from coastal hazards, <u>including those exacerbated by climate change.</u> ¹²⁸	
CE-O5	Natural defences features and buffers ¹²⁹
<u>Natural features Natural defences and buffers are protected, restored or enhanced retained and used for coastal hazard management, in preference to natural hazard mitigation works hard engineering natural hazard mitigation works,</u> ¹³⁰ wherever appropriate. ¹³¹	

¹²³ PrimePort [175 - various] and Timaru District Holdings [186 - various]

¹²⁴ ECan [183.107] and ECan [183.110]

¹²⁵ Connexa [176.60], Spark [208.60], Chorus [209.60] and Vodafone [210.60]

¹²⁶ ECan [183.130], [183.131]

¹²⁷ Te Rūnanga o Ngāi Tahu [185.42]

¹²⁸ Forest and Bird [156.145], Dir. General Conservation [166.101] and ECan [183.114].

¹²⁹ Forest and Bird [156.146], Dir. General Conservation [166.102]

¹³⁰ Clause 16(2)

¹³¹ Forest and Bird [156.146], Dir. General Conservation [166.102]

CE-O6	Existing urban activities
Recognise that parts of the coastal environment are highly modified, <u>including</u> by existing urban activities <u>in urban zoned areas, including the Port of Timaru</u> , and provide for these ongoing activities. ¹³²	
CE-O7	Adaptive management at the Port ¹³³
<u>Recognise that the Port of Timaru is subject to natural hazards and provide for its ongoing use, while managing natural hazards risk appropriately.</u>	
CE-O8	Regionally Significant Infrastructure and Lifeline Utilities ¹³⁴
<u>The adverse effects of Regionally Significant Infrastructure and Lifeline Utilities are managed in accordance with EI-O2.</u>	

Policies

CE-P1	Identifying the Coastal Environment
Identify and map the inland extent of the Coastal Environment, and the different areas, elements and characteristics within it, in accordance with Policy 1 of the New Zealand Coastal Policy Statement.	
CE-P2	Identifying areas of high coastal natural character
Identify <u>and map</u> ¹³⁵ the natural character of the areas within the terrestrial part of Timaru's coastal environment that have high natural character in accordance with the matters set out in CE-P5 below and describe these in SCHED14 - Schedule of attributes/qualities of coastal high natural character areas.	
CE-P3	Identifying coastal hazards
Identify Coastal Hazard Areas on the planning maps, and take a risk-based approach <u>taking account of climate change</u> , ¹³⁶ to the management of subdivision, use and development based on the following: <ol style="list-style-type: none"> 1. the sensitivity of the activity or use to loss of life, potential damage from a coastal natural hazard, the need for reliance on emergency services, and the ability for the activity or use to recover after a coastal natural hazard; and 2. the likelihood of adverse effects on people and property from a coastal natural hazard; and 3. the impact on the wider community from the loss of, or damage to, the activity or use. 	
CE-P4	Role of natural features and vegetation
Protect, and maintain <u>restore or enhance natural defences where appropriate, including</u> natural topographic features and vegetation, that assist in avoiding or mitigating the risk to human life and property from coastal hazards, and where practicable restore such features and vegetation. ¹³⁷	
CE-P5	Coastal natural character matters
Recognise that the following matters contribute to the coastal natural character of the terrestrial part of Timaru's coastal environment <u>include matters such as:</u> ¹³⁸	

¹³² Silver Fern Farms [172.80]

¹³³ PrimePort [175 - various] and Timaru District Holdings [186 - various]

¹³⁴ KiwiRail [187.68]

¹³⁵ Forest and Bird [156.150]

¹³⁶ Dir. General Conservation [166.108] and Forest and Bird [156.151]

¹³⁷ Forest and Bird [156.152], Dir. General Conservation [166.109] and ECan [183.118]

¹³⁸ Forest and Bird [156.153]

1. natural elements, processes and patterns; and
2. biophysical, ecological, geological and geomorphological aspects; and
3. natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands; and
4. the natural movement of water and sediment; and
5. the natural darkness of the night sky; and
6. places or areas that are wild or scenic; and
7. places or areas with no or a low level of modification; and
8. experiential attributes, including the sounds and smell of the sea; and their context or setting.

CE-P6 Kāti Huirapa values

Recognise and provide for Kāti Huirapa's relationship with the coastal environment by:

1. enabling Kāti Huirapa to undertake customary harvest and cultural use of natural resources in the coastal environment; and
2. protecting Kāti Huirapa values associated with the coastal environment.

CE-P7 Restoration or rehabilitation of natural character

~~Enable~~ Promote and encourage the restoration or rehabilitation of the coastal natural character of the coastal environment and require consideration of opportunities for restoration or rehabilitation enhancement where a proposal has an adverse effect on coastal natural character qualities.¹³⁹

CE-P8 Maintain and/or enhance the quality of the coastal environment

Outside of urban zoned areas, ~~enable-ensure~~¹⁴⁰ subdivision, use and development ~~where it~~ maintains and/or enhances the following qualities that contribute to the quality, and the public's enjoyment of the coastal environment:

1. expansive views of the coastal marine area and skyline; and
2. generally low levels of noise that is dominated by the sound of the sea; and
3. the ability to undertake recreational activities such as walking, cycling and fishing; and
4. opportunities to connect with the natural environment i.e. bird watching; and
5. opportunities to provide access to the coastal marine area; and
6. clean, fresh air that smells of the sea; and
7. areas of indigenous vegetation, particularly around the coastal lagoons; and
8. a dark night sky; and
9. the attributes/ values that are identified in any overlay relating to the site.¹⁴¹

CE-P9 Anticipated activities

~~Enable~~ Provide for¹⁴² activities that are of a scale and type that:

1. will maintain the coastal natural character qualities identified in CE-P8 or
2. if located within urban zoned¹⁴³ areas, are consistent with the anticipated qualities of the applicable zone.

CE-P10 Preserving the natural character of the Coastal Environment

~~Enable-Manage~~¹⁴⁴ subdivision, use and development outside of areas of coastal high natural character so that:

1. it avoids significant adverse effects; and

¹³⁹ Forest and Bird [156.155]

¹⁴⁰ ECan [183.122]

¹⁴¹ Te Rūnanga o Ngāi Tahu [185.45]

¹⁴² ECan [183.123]

¹⁴³ Silver Fern Farms [172.85]

¹⁴⁴ ECan [183.124]

2. it avoids, remedies or mitigates any other adverse effects on the qualities that contribute to the natural character of the Coastal Environment; while recognising that:
 - a. in rural zoned areas, rural industry,¹⁴⁵ buildings and structures for non-intensive¹⁴⁶ primary production¹⁴⁷ and residential activities may be appropriate depending on their size, scale and nature and proximity to areas of High Natural Character;¹⁴⁸
 - b. for existing urban zoned¹⁴⁹ areas, development will likely be appropriate where it is consistent with the anticipated character and qualities of the zone; and
 - c. for infrastructure, the development is in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure.
3. regionally significant infrastructure that can demonstrate that adverse effects are managed in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure and EI-PX Managing the effects of the National Grid.¹⁵⁰

CE-P11 Preserve the natural character qualities of areas with Coastal High Natural Character

Only allow subdivision, use and development in areas of Coastal High Natural Character where:

1. for infrastructure, the development is in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure and EI-PX Managing the effects of the National Grid;¹⁵¹ and
2. for other activities:
 - a. the activity avoids significant adverse effects on the identified natural character qualities of the Coastal High Natural Character area;¹⁵² and
 - b. avoids, remedies or mitigates all other adverse effects on the identified natural character qualities; and
 - c. demonstrates that it is appropriate by ensuring that the area of Coastal High Natural Character continues to:
 - i. recognise and provide for the on-going natural physical processes that have created the Coastal Environment; and
 - ii. retain the integrity of landforms and geological features; and
 - iii. retain a sense of remoteness and wildness; and
 - iv. retain areas of indigenous vegetation, and enhance these where possible; and
 - v. recognise river mouths and lagoons as important breeding, feeding and resting places for wetland and coastal birds, including waders.

CE-P12 Coastal Hazard Areas (excluding Regional Significant Infrastructure)

1. In non-urban zoned¹⁵⁴ areas, avoid subdivision, use and development within the Coastal Erosion Overlay and Sea Water Inundation Overlay where there is a new or increased risk of loss of life, or significant damage to structures or property;
2. Within existing urban zoned¹⁵⁵ areas, avoid increasing the risk of social, economic, or environmental harm from coastal natural hazards.

¹⁴⁵ Fonterra [165.90]

¹⁴⁶ Fernlea Farms [171.21]

¹⁴⁷ Hort NZ [245.74]

¹⁴⁸ Fonterra [165.90] and HortNZ [245.74]

¹⁴⁹ Waipopo Huts [189.48], Te Kotare Trust [115.1], Silver Fern Farms [177.22] and Alliance Group [173.19]

¹⁵⁰ Transpower [159.84]

¹⁵¹ Change arising from recommendations in the EI, TRAN and DWP S42A Report (paragraph 6.26.14) in response to Transpower [159.36]

¹⁵² Silver Fern Farms [172.86] and Alliance Group [173.97]

¹⁵³ Clause 16(2)

¹⁵⁴ Waipopo Huts [189.48], Te Kotare Trust [115.1], Silver Fern Farms [177.22] and Alliance Group [173.19]

¹⁵⁵ Waipopo Huts [189.48], Te Kotare Trust [115.1], Silver Fern Farms [177.22] and Alliance Group [173.19]

CE-P13 Regionally Significant Infrastructure in Coastal Hazard Areas

Only allow Regionally Significant Infrastructure, including the Port of Timaru,¹⁵⁶ in areas subject to coastal hazards where:

1. there is a functional or operational need for it to locate there; and
2. It will not create more than minor adverse coastal hazard effects on adjoining or surrounding land.

CE-P14 Hard engineering natural hazard mitigation works¹⁵⁷ within the Coastal Environment

Only allow hard engineering natural hazard mitigation works within the coastal environment that reduces the risk of natural hazards when:

1. soft engineering measures would not provide an appropriate level of protection and it can be demonstrated that there are no other reasonable alternatives;
2. the construction of hard engineering measures will not increase the risk from coastal hazards on adjacent properties that are not protected by the hard engineering measures;
3. where managed retreat has not been adopted and there is an immediate-a demonstrated clear¹⁵⁸ risk to life or property from the natural hazard;
4. it minimises avoids¹⁵⁹ the modification or alteration of natural defences and systems in a way that would compromise their function as natural defences; and
5. other significant adverse effects on natural defences and systems from those measures are avoided, and any other non-significant¹⁶⁰ adverse effects are avoided, remedied or mitigated.

CE-P15 PORTZ¹⁶¹

Provide for the continued operation and development of the Port of Timaru and activities in the PORTZ which have an operational need or functional need for their co-location with the Port by:

1. ensuring buildings, structures and earthworks do not exacerbate the risks or potential adverse effects of the natural hazard on surrounding land;
2. requiring natural hazard sensitive buildings to be flood resilient or relocatable; and
3. providing for natural hazard mitigation works to protect existing activities, property and infrastructure from natural hazard risk which cannot reasonably be avoided, and any adverse effects from the works are mitigated to the extent practicable.

Rules

Note: *The underlying zone rules also apply to activities within the Coastal Environment. In the instance of any conflict between the two chapters, the provisions of this chapter takes precedence.*

Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

¹⁵⁶ PrimePort [175 - various] and Timaru District Holdings [186 - various]

¹⁵⁷ Clause 16(2)

¹⁵⁸ Tosh Prodanov [117.3],

¹⁵⁹ Silver Fern Farms [172.88]

¹⁶⁰ Silver Fern Farms [172.88]

¹⁶¹ PrimePort [175 - various] and Timaru District Holdings [186 - various]

*For the purposes of this chapter, activities in the PORTZ are only subject to the PORTZ-specific rules and CE-R12. These PORTZ specific rules do not cover Major Hazardous Facilities and Hazardous Facilities in the PORTZ, which are covered by the Hazardous Substances Chapter.*¹⁶²

*For the purposes of CE-R9 Natural hazard mitigation works, the rules in the ECO, NATC, NFL and SASM chapters do not apply.*¹⁶³

CE-R1	Amenity planting and horticultural planting	
1 Coastal Environment Area Overlay	Activity status: Permitted	Activity status when compliance not achieved: Not applicable
2 Coastal High Natural Character Area Overlay	Activity status: Restricted Discretionary Matters of discretion are restricted to: 1. any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, CE-P10 and CE-P11.	Activity status when compliance not achieved: Not applicable
CE-R2	Plantation forestry	
1 Coastal Environment Area Overlay	Activity status: Permitted <u>Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> 1. any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, CE-P10 and CE-P11. ¹⁶⁴	Activity status when compliance not achieved: Not applicable
2 Coastal High Natural Character Area Overlay	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
CE-R3	Planting of trees and/or vegetation for conservation, restoration, natural hazard mitigation works or enhancement purposes	
Coastal Environment Area Overlay	Activity status: Permitted Where: PER-1	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to:

¹⁶² PrimePort [175 - various] and Timaru District Holdings [186 - various]

¹⁶³ ECan [183.128]

¹⁶⁴ Forest and Bird [156.163]

	With the exception of natural hazard mitigation works, the planting is limited to indigenous species.	1. any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, CE-P10 and CE-P11.
CE-R4	Buildings and structures and extensions (excluding Regionally Significant Infrastructure and fences)	
1 Coastal Environment area overlay in Urban Zoned ¹⁶⁵ Areas	Activity status: Permitted	Activity status when compliance not achieved with: Not applicable
2 Coastal Environment Area Overlay outside of Urban Zoned ¹⁶⁶ Areas	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The building or structure does not exceed 150m² in area; and</p> <p>PER-2 CE-S1, CE-S2, CE-S3 are complied with.</p>	<p>Activity status when compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, and CE-P10; and the extent to which the building or structure will result in adverse cumulative effects; and the extent to which the building or structure has a functional need or operational need for its location. <p>Activity status when compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the matters of discretion of any infringed standard.
3 Coastal High Natural Character Overlay	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any extension to an existing building or structure <u>or a new building or structure</u> does not exceed 10m² in area; and</p> <p>PER-2</p>	<p>Activity status when compliance not achieved: <u>Non-complying Restricted Discretionary</u></p> <p>Where:</p> <p><u>RDIS-1</u> <u>Any extension to an existing building or structure or a new building or structure does not exceed 150m² in area.</u>¹⁶⁸</p> <p><u>Matters of discretion are restricted to:</u></p>

¹⁶⁵ Waipopo Huts [189.48], Te Kotare Trust [115.1], Silver Fern Farms [177.22] and Alliance Group [173.19]

¹⁶⁶ Waipopo Huts [189.48], Te Kotare Trust [115.1], Silver Fern Farms [177.22] and Alliance Group [173.19]

¹⁶⁸ Fenlea Farms [171.23]

	<p>A new building or structure does not exceed 10m² in area.¹⁶⁷</p>	<p><u>1.any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, and CE-P10; and</u> <u>2.the extent to which the building or structure will result in adverse cumulative effects; and</u> <u>3.the extent to which the building or structure has a functional need or operational need for its location.</u>¹⁶⁹</p> <p><u>Activity status when compliance not achieved with RDIS-1: Non-complying</u></p>
<p>4 Sea Water Inundation Overlay within urban areas</p>	<p>Activity status: Permitted¹⁷⁰ Where:</p> <p>PER-1 The new building or extension has a maximum ground floor area per site of 25m² in any continuous 10-year period from 22 September 2022; or</p> <p>PER-2 The ground floor of the new building or extension is not to accommodate a natural hazard sensitive activity; or</p> <p>PER-3 The building or extension has a finished floor level equal to or higher than the minimum floor level as stated in a Flood Risk Certificate issued in accordance with NH-S1; or</p> <p>PER-4 That part of the building below the minimum finished floor level as stated in a Flood Risk Certificate issued in accordance with NH-S1 is constructed of materials that will be water tight and any openings below this level must be capable of being sealed mechanically.</p>	
<p>5 Sea Water Inundation Overlay outside of urban areas</p>	<p>Activity status: Permitted¹⁷¹</p> <p>PER-1 The new building or extension has a maximum ground floor area per site of</p>	

¹⁶⁷ Clause 16(2)

¹⁶⁹ Fenlea Farms [171.23]

¹⁷⁰ Simo Enterprises [148.30] and Fenlea Farms [171.23] ECan [183.125]

¹⁷¹ Simo Enterprises [148.30] and Fenlea Farms [171.23] ECan [183.125]

	<p>25m² in any continuous 10-year period from 22 September 2022; or</p> <p>PER-2 The ground floor of the new building or extension is not to accommodate a natural hazard sensitive activity; or</p> <p>PER-3 The building or extension has a finished floor level equal to or higher than the minimum floor level as stated in a Flood Risk Certificate issued in accordance with NH S1.</p>
<p>6 Coastal Erosion Overlay</p>	<p>Activity status: Restricted Discretionary¹⁷²</p> <p>Where</p> <p>RDIS-1 The activity includes an addition to an existing building or structure only; and</p> <p>RDIS-2 The extension has a maximum floor area of 25m² established in any continuous 10-year period from 22 September 2022; or</p> <p>RDIS-3 The extension is not to accommodate a natural hazard sensitive activity.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the extent to which the proposal results in an increased risk to people and property; 2. whether the building includes hazard mitigation; 3. the extent to which the building has a functional need or operational need for its location; and 4. the extent of any positive benefits that will result from the proposal; and 5. the extent to which the proposal creates natural hazard risks on adjacent properties; and 6. the extent of any adverse effects on the amenity values of the coastal environment; and

¹⁷² Simo Enterprises [148.30] and Fenlea Farms [171.23] ECan [183.125]

	7. the extent to which the proposal will rely on or require additional community scale natural hazard mitigation works.	
CE-RX	Natural Hazard Sensitive Buildings ¹⁷³	
4.1 Sea Water Inundation Overlay within urban zoned ¹⁷⁴ areas	<p>Activity status: Permitted Where:</p> <p>PER-1 The new building or extension has a maximum ground floor area per site of 25m² in any continuous 10-year period from 22 September 2022; or¹⁷⁵</p> <p>PER-2 The ground floor of the new building or extension is not to accommodate a natural hazard sensitive activity; or¹⁷⁶</p> <p>PER-3 1 The building or extension <u>natural hazard sensitive building</u>¹⁷⁷ has a finished floor level equal to or higher than the minimum floor level as stated in a Flood Risk Assessment¹⁷⁸ Certificate issued in accordance with NH-S1; or</p> <p>PER-4 That part of the building below the minimum finished floor level as stated in a Flood Risk Certificate issued in accordance with NH-S1 is constructed of materials that will be water tight and any openings below this level must be capable of being sealed mechanically.¹⁷⁹</p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the extent to which the proposal results in an increased risk to people and property; 2. whether the extent to which¹⁸⁰ the building includes natural hazard mitigation such as raised floor levels above the predicted inundation level, hazard tolerant materials, or is relocatable; 3. the extent to which the building or structure has a functional need or operational need for its location; and 4. the extent of any positive benefits that will result from the proposal; and 5. the extent to which the proposal creates natural hazard risks on adjacent properties; and 6. the extent to which the proposal will rely on or require additional community scale natural hazard mitigation works; and 7. the extent to which the proposal requires any increased reliance on emergency services; and 8. <u>for development within the Māori Purpose Zone, the extent to which meeting the requirements of the rule compromises the purpose for which the MPZ was created and the anticipated activities within the zone, and the views of mana whenua, if provided.</u>¹⁸¹

¹⁷³ Simo Enterprises [148.30] and Fenlea Farms [171.23] ECan [183.125]

¹⁷⁴ ECan [183.125], Silver Fern Farms [172.89], Lineage Logistics [107.9]

¹⁷⁵ Simo Enterprises [148.30] and Fenlea Farms [171.23]

¹⁷⁶ Fenlea Farms [171.23]

¹⁷⁷ Simo Enterprises [148.30] and Fenlea Farms [171.23] ECan [183.125]

¹⁷⁸ ECan [183.26]

¹⁷⁹ ECan [183.125]

¹⁸⁰ Clause 16(2)

¹⁸¹ Te Rūnanga o Ngāi Tahu [185.19], Waipopo Huts [189.48], Te Kotare Trust [115.1]

<p>5 2 Sea Water Inundation Overlay outside of urban zoned¹⁸² areas</p>	<p>Activity status: Permitted Where:</p> <p>PER-1 The new building or extension has a maximum ground floor area per site of 25m² in any continuous 10-year period from 22 September 2022; or¹⁸³</p> <p>PER-2 The ground floor of the new building or extension is not to accommodate a natural hazard sensitive activity; or¹⁸⁴</p> <p>PER-3 1 The building or extension has a finished floor level equal to or higher than the minimum floor level as stated in a Flood Risk Assessment¹⁸⁵ Certificate issued in accordance with NH-S1; and</p> <p>PER-2 <u>The Flood Assessment Certificate issued under PER-2 states that the natural hazard sensitive building is not located on land that is identified as a high hazard area.</u>¹⁸⁶</p>	<p>Activity status when compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>the extent to which the proposal results in an increased risk to people and property;</u> 2. <u>the extent to which the building includes natural hazard mitigation such raised floor levels above the predicted inundation level, hazard tolerant materials, or is relocatable;</u> 3. <u>the extent to which the building or structure has a functional need or operational need for its location; and</u> 4. <u>the extent of any positive benefits that will result from the proposal; and</u> 5. <u>the extent to which the proposal creates natural hazard risks on adjacent properties; and</u> 6. <u>the extent to which the proposal will rely on or require additional community scale natural hazard mitigation works; and</u> 7. <u>the extent to which the proposal requires any increased reliance on emergency services.</u> <p>Activity status when compliance not achieved with PER-2: Non-complying</p>
<p>6 3 Coastal Erosion Overlay</p>	<p>Activity status: Restricted Discretionary</p> <p><u>Except that this rule shall not apply to buildings associated with Temporary Military Training Activities that are in place for 31 consecutive days or less, excluding set-up and pack-out activities.</u>¹⁸⁷</p> <p>Where</p> <p>RDIS-1</p>	<p>Activity status where compliance not achieved: Non-complying</p>

¹⁸² ECan [183.125], Silver Fern Farms [172.89], Lineage Logistics [107.9]

¹⁸³ Simo Enterprises [148.30] and Fenlea Farms [171.23]

¹⁸⁴ Fenlea Farms [171.23]

¹⁸⁵ ECan [183.26]

¹⁸⁶ ECan [183.125]

¹⁸⁷ The New Zealand Defence Force [151.15]

The activity is an addition or extension¹⁸⁸ to an existing building or structure only; and

RDIS-2

The addition or extension has a maximum floor area of 30¹⁸⁹25m² established in any continuous 10-year period from 22 September 2022 [insert date Plan becomes operative];¹⁹⁰ or

RDIS-3

The extension is not to accommodate a natural hazard sensitive building activity¹⁹¹.

Matters of discretion are restricted to:

1. the extent to which the proposal results in an increased risk to people and property;
2. whether the building includes hazard mitigation;
3. the extent to which the building has a functional need or operational need for its location; and
4. the extent of any positive benefits that will result from the proposal; and
5. the extent to which the proposal creates natural hazard risks on adjacent properties; and
6. the extent of any adverse effects on the amenity values of the coastal environment; and
7. the extent to which the proposal will rely on or require additional community scale natural hazard mitigation works.
8. The risk to the building or structure taking into account:
 - a. The nature of the building, including its materials and ability to be relocated;
 - b. The anticipated lifespan of the building, structure or activity
 - c. The level of certainty of the projected future shoreline, including whether the erosion is very likely within a medium term as opposed to more uncertain over a longer-term period.¹⁹²

¹⁸⁸ Clause 16(2)

¹⁸⁹ ECan [183.125]

¹⁹⁰ ECan [183.125]

¹⁹¹ Clause 16(2)

¹⁹² ECan [183.109]

<p>CE-R5</p>	<p>Earthworks, excluding: 1. earthworks for natural hazard mitigation works; and 2. any land disturbance; and 3. earthworks for access tracks for network utilities under CE-RY.¹⁹³</p>	
<p>Coastal High Natural Character Area Overlay</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The earthworks are for the purpose of maintenance and repair of existing fence lines, roads or tracks, <u>underground network utilities and ancillary structures and are located within 2m of the fence line, road or track;</u>¹⁹⁴ or</p> <p>PER-2 The earthworks are for the purpose of installation of underground network utilities and ancillary structures;¹⁹⁵ or</p> <p>PER-3 Any other earthworks do not exceed the following quantum per calendar year:¹⁹⁶</p> <ol style="list-style-type: none"> 1. 100m³ within the area of the site located within the Coastal High Natural Character Area Overlay, or 2. 100m² within the area of the site located within the Coastal High Natural Character Area Overlay. 	<p>Activity status when compliance not achieved: Discretionary</p>
<p><u>CE-RY</u></p>	<p><u>Vehicle access tracks for network utilities, including ancillary access tracks, outside of urban zoned areas</u>¹⁹⁷</p>	
<p><u>1 Coastal Environment</u></p>	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u> <u>The vehicle access track is not wider than 4m.</u></p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p><u>Matters of Discretion for PER-1 are restricted to:</u></p> <p><u>1. any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, CE-P9 and CE-P10.</u></p>

¹⁹³ Forest and Bird [156.66]

¹⁹⁴ Forest and Bird [156.165]

¹⁹⁵ Forest and Bird [156.165]

¹⁹⁶ Silver Fern Farms [172.90]

¹⁹⁷ Forest and Bird [156.66]

<p>2 Coastal High Natural Character Area Overlay</p>	<p>Activity status: Restricted Discretionary</p>	<p>Activity status when compliance not achieved: Not applicable</p>
	<p>Where</p> <p>RDIS-1 <u>The vehicle access track is located within the Coastal High Natural Character Area Overlay.</u></p> <p><u>Matters of Discretion for RDIS-1 are restricted to:</u></p> <p><u>any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, and CE-P11.</u></p>	
<p>CE-R6</p>	<p>Land disturbance</p>	
<p>Coastal Environment Area Overlay</p> <p>Coastal Erosion Overlay</p> <p>Coastal High Natural Character Area Overlay</p> <p>Sea Water Inundation Overlay</p>	<p>Activity status: Permitted</p>	<p>Activity status when compliance not achieved with: Not applicable</p>
<p>CE-R7</p>	<p>Regionally Significant Infrastructure - maintenance and upgrade</p> <p><u>Except that this rule does not apply to solar and wind electricity generation activities covered by CE-RZ and CE-RA</u></p>	
<p>1 Coastal Erosion overlay</p> <p>Sea Water Inundation Overlay</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 <u>A new building or building extension is located outside of the Coastal Erosion Overlay and¹⁹⁸ has a collective maximum additional¹⁹⁹ ground floor area per site of 200m² in any continuous 10-year period</u></p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any impacts on natural elements, processes and patterns, and landforms; and 2. the extent to which the building or structure has a functional need or operational need for its location; and 3. the extent of any positive benefits that will result from the proposal; and

¹⁹⁸ ECan [183.126]

¹⁹⁹ Clause 16(2)

	<p>from <u>22 September 2022</u> [<u>insert plan operative date</u>];²⁰⁰ or</p> <p>PER-2 Any upgrading does not increase the building or structure coverage by more than 10% within a continuous 10-year period from <u>22 September 2022</u> [<u>insert plan operative date</u>];²⁰¹ or</p> <p>PER-3 The ground floor of the new building or extension is not to accommodate a natural hazard sensitive <u>building activity</u>²⁰²; or</p> <p>PER-4 The building or extension <u>is located outside of the Coastal Erosion Overlay and</u>²⁰³ has a finished floor level equal to or higher than the minimum floor level as stated in a Flood Risk <u>Assessment</u>²⁰⁴ Certificate issued in accordance with NH-S1.</p> <p>PER-5 That part of the building below the minimum finished floor level as stated in a Flood Risk Certificate issued in accordance with NH-S1 is constructed of materials that will be water tight and any openings below this level must be capable of being sealed mechanically.²⁰⁵</p>	<p>4. the extent to which the proposal creates natural hazard risks on adjacent properties and any risk to human life; and</p> <p>5. <u>The risk to the building or structure taking into account:</u></p> <ol style="list-style-type: none"> a. <u>The nature of the building, structure or activity, including its materials and ability to be relocated;</u> b. <u>The anticipated lifespan of the building, structure or activity</u> c. <u>The level of certainty of the projected future shoreline, including whether the erosion is very likely within a medium term as opposed to more uncertain over a longer-term period.</u>²⁰⁶
<p><u>2 Coastal Environment outside of urban zoned areas</u></p>	<p><u>Activity status: Permitted</u>²⁰⁷</p> <p><u>Where:</u></p> <p><u>PER-1</u> <u>Any upgrading does not increase the building or structure envelope by more than 25% within a continuous 10-year period, up to a maximum of 1000m².</u></p>	<p><u>Activity status when compliance not achieved: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, and CE-P10; and</u> 2. <u>the extent to which the building or structure has a functional need or operational need for its location; and</u> 3. <u>the extent of any positive benefits that will result from the proposal.</u>

²⁰⁰ ECan [183.126]

²⁰¹ ECan [183.126]

²⁰² Clause 16(2)

²⁰³ ECan [183.126]

²⁰⁴ ECan [183.26]

²⁰⁵ ECan [183.126], [183.125]

²⁰⁶ ECan [183.109], [183.126]

²⁰⁷ Forest and Bird [156.167]

<p>2-3 Coastal High Natural Character Overlay</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any upgrading does not increase the building or structure envelope by more than 10% within a continuous 10-year period, <u>up to a maximum of 200m².</u>²⁰⁸</p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, CE-P10²⁰⁹ and CE-P11; and the extent to which the building or structure has a functional need or operational need for its location; and the extent of any positive benefits that will result from the proposal.
<p>CE-R8 Regionally Significant Infrastructure – New</p> <p><u>Except that this rule does not apply to solar and wind electricity generation activities covered by CE-RZ and CE-RA</u></p>		

<p>1 Coastal Erosion Overlay²¹⁰</p> <p>Sea Water Inundation Overlay</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 A new building or extension has a maximum ground floor area per site of 200m² in any continuous 10-year period from 22 September 2022 <u>[insert plan operative date]</u>.²¹¹ or</p> <p>PER-2 The ground floor of the new building or extension is not to accommodate a natural hazard sensitive <u>building activity</u>²¹²; or</p> <p>PER-3 The building or extension has a finished floor level equal to or higher than the minimum floor level as stated in a <u>Flood Risk Assessment</u>²¹³ Certificate issued in accordance with NH-S1 or</p>	<p>Activity status when compliance not achieved: Discretionary</p>
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²⁰⁸ Forest and Bird [156.167]

²⁰⁹ Clause 16(2)

²¹⁰ ECan [183.126]

²¹¹ ECan [183.127]

²¹² Clause 16(2)

²¹³ ECan [183.26]

	<p>PER-4 That part of the building below the minimum finished floor level as stated in a Flood Risk Certificate issued in accordance with NH S1 is constructed of materials that will be water tight and any openings below this level must be capable of being sealed mechanically.²¹⁴</p>	
<p><u>2 Coastal Erosion Overlay</u>²¹⁵</p>	<p><u>Activity status: RDIS</u>²¹⁶</p> <p><u>Except that this shall not apply to:</u></p> <p><u>1. Community land drainage infrastructure;</u> <u>2. Established community-scale irrigation and stockwater infrastructure; or</u> <u>3. Any building or structure that has a footprint less than 30m².</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1 Whether there is an operational or functional need for the location;</u> <u>2. The risk to the building or structure taking into account:</u> <u>a. The nature of the building, structure or activity, including its materials and ability to be relocated;</u> <u>b. The anticipated lifespan of the building, structure or activity</u> <u>c. The level of certainty of the projected future shoreline, including whether the erosion is very likely within a medium term as opposed to more uncertain over a longer-term period.</u>²¹⁷</p>	<p><u>Activity status: Not applicable</u></p>
<p><u>3 Coastal Environment outside of urban zoned areas</u></p>	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u></p>	<p><u>Activity status when compliance not achieved: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p>

²¹⁴ ECan [183.127], [183.126], [183.125]

²¹⁵ ECan [183.126]

²¹⁶ ECan [183.126]

²¹⁷ ECan [183.109]

	<u>Any upgrading does not increase the building or structure envelope by more than 200m² within a continuous 10-year period.</u>	<ol style="list-style-type: none"> 1. <u>any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, and CE-P10; and</u> 2. <u>the extent to which the building or structure has a functional need or operational need for its location; and</u> 3. <u>the extent of any positive benefits that will result from the proposal.</u>
2 4 Coastal High Natural Character Area Overlay	Activity status: Discretionary	Activity status when compliance not achieved: Not applicable
CE-R9	Natural hazard mitigation works, including <u>associated</u>²¹⁸ earthworks and <u>incidental vegetation removal</u>²¹⁹; –maintenance, replacement and upgrading²²⁰ <i>This rule does not apply to natural hazard mitigation works only involving the planting of vegetation</i>	
1 Coastal Environment Area Overlay	Activity status: Permitted	<u>Activity status where compliance not achieved with PER-1: Restricted Discretionary</u>
<u>Sea Water Inundation Overlay</u> ²²¹	<p>Where:</p> <p><u>PER-1</u> The natural hazard mitigation works are for the operation, maintenance, replacement or upgrading of these works; and²²²</p> <p><u>PER-4 2</u> The natural hazard mitigation works is <u>occurs</u>²²³ within 25m of the existing alignment or location vertically and horizontally <u>of the existing natural hazard mitigation works</u>;²²⁴ and</p> <p><u>PER-2 3</u> The footprint of the <u>existing</u> natural hazard mitigation</p>	<p><u>Where</u></p> <p><u>RDIS-1</u>²²⁵ Any new natural hazard mitigation works: <u>a. are undertaken by or on behalf of the Crown, Regional Council, or the Council; or</u>²²⁶ <u>b. are undertaken by or on behalf of the Port of Timaru and are located within 310m of PREC7.</u>²²⁷</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the likely effectiveness of the natural hazard mitigation works and the need for them; and 2. the extent of any adverse social, cultural and environmental effects, including <u>from indigenous vegetation clearance, vegetation planting, and earthworks on any sensitive environments, including significant natural areas, natural character areas, riparian margins, sites and areas of significance to</u>

²¹⁸ Clause 16(2)

²¹⁹ Clause 16(2) to align with NH-R3

²²⁰ ECan [183.128]

²²¹ ECan [183.128]

²²² ECan [183.128]

²²³ Clause 16(2)

²²⁴ Clause 16(2)

²²⁵ ECan [183.128]

²²⁶ ECan [183.128]

²²⁷ ECan [183.128], PrimePort [175 - various] and Timaru District Holdings [186 - various]

	<p>works is not increased by more than 25%; and</p> <p>PER-3 4 The activity is undertaken by or on behalf of the Crown, Canterbury Regional Council or the Timaru District Council.</p>	<p><u>Māori and within any ONF or ONL overlay;</u>²²⁸; and</p> <ol style="list-style-type: none"> 3. any potential adverse effects of <u>from</u>²²⁹ diverting or blocking overland flow path(s), including upstream and downstream flood risks; and 4. any increased flood risk for people, property, or public spaces; and 5. the extent to which alternative locations and options for the natural hazard mitigation works have been considered and the merits of those; and 6. any positive effects of the proposal on the community. 7. <u>the extent to which the works will result in adverse cumulative effects; and</u> 8. <u>the extent to which the works will transfer natural hazard risk to other sites and the implications of this; and</u> 9. <u>the extent of any positive benefits that will result from the proposal; and</u> 10. <u>the extent to which the works have a functional need or operational need for its location; and</u> 11. <u>for the HNC Overlay, any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, CE-P9, CE-P10 and CE-P11.</u>²³⁰ <p>Activity status where compliance not achieved with PER-2, PER-3, or PER-4: Restricted Discretionary</p> <p><u>Matters of discretion are restricted to:</u> <u>Those matters set out for PER-1.</u></p> <p><u>Activity status where compliance not achieved with RDIS-1: Discretionary</u></p>
<p><u>2 Coastal High Natural Character Area Overlay</u>²³¹</p>	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u>²³³</p>	<p><u>Activity status where compliance is not achieved: Discretionary</u></p>

²²⁸ ECan [183.128]

²²⁹ ECan [183.128]

²³⁰ ECan [183.128]

²³¹ ECan [183.128]

²³³ ECan [183.128]

Coastal Erosion Overlay ²³²	<p>Any new natural hazard mitigation works are:</p> <p>a. established by or on behalf of the Crown, Regional Council, or the Council; or²³⁴</p> <p>b. established by or on behalf of the Port of Timaru and are located within 310m of PREC7.²³⁵</p> <p>Matters of discretion are restricted to: those matters set out for non-compliance with PER-1.²³⁶</p>	
CE-R10	Planting of trees and/or vegetation not listed in CE-R1, CE-R2 or CE-R3	
Coastal High Natural Character Area Overlay	<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, CE-P10 and CE-P11.</p>	Activity status when compliance not achieved: Not applicable
CE-R14 SUB-RY	Subdivision within the Coastal Environment ²³⁷	
1 Coastal Environment Area Overlay	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The site is not located within the Coastal High Natural Character Area Overlay.</p> <p>Matters of discretion are restricted to:</p> <p>1. any adverse impacts on the identified matters contained in CE-P4, CE-</p>	<p>Activity status when compliance not achieved: Not applicable Discretionary</p> <p><u>Note: Where a resource consent is required as a Discretionary activity under RDIS-1, future building platforms must be indicated in the application and will be registered on the Certificate of Titles of resulting new allotments.</u></p>

²³² ECan [183.128]²³⁴ ECan [183.128]²³⁵ PrimePort [175 - various] and Timaru District Holdings [186 - various]²³⁶ ECan [183.128]²³⁷ Speirs, B [66.53], [66.45].

	<p>P5, CE-P6, CE-P7, CE-P8, and CE-P11; and</p> <p>2. the extent to which the subdivision and future building and structure will result in adverse cumulative adverse effects.</p>	
<p>2 Sea Water Inundation Overlay</p>	<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the extent to which the proposal results in an increased risk of economic, social or environmental harm; 2. whether the proposal includes hazard mitigation; 3. the extent to which future building or structure has a functional need or operational need for its location; and 4. the extent of any positive benefits that will result from the proposal; and 5. the extent to which the proposal creates natural hazard risks on adjacent properties; and 6. the location of any proposed building that will accommodate a natural hazard sensitive activity. 	<p>Activity status when compliance not achieved: Not applicable</p>
<p>3 Coastal High Natural Character Area Overlay</p>	<p>Activity status: Discretionary</p> <p><i>Note: Future building platform must be indicated in the application and will be registered on the Certificate of Titles of resulting new allotments.</i></p>	<p>Activity status when compliance not achieved: Not applicable</p>
<p>4 Coastal Erosion Overlay</p>	<p>Activity status: Non-complying</p>	<p>Activity status when compliance not achieved: Not applicable</p>
<p>CE-R12</p>	<p>Natural hazard mitigation works, including earthworks – New²³⁸ <i>This rule does not apply to natural hazard mitigation works only involving the planting of vegetation</i></p>	

²³⁸ ECan [183.128], [183.130]

<p>Coastal High Natural Character Area Overlay</p>	<p>Activity status: Restricted Discretionary</p> <p>Where:</p>	<p>Activity status when compliance not achieved: Non-complying</p>
<p>Coastal Erosion Overlay</p>	<p>RDIS-1 The natural hazard mitigation works are undertaken by or on behalf of the Council, Crown or Regional Council; or</p>	
<p>Sea Water Inundation Overlay</p>	<p>RDIS-2 The works are undertaken by PrimePort and are within or adjacent to the Port Zone and are required to protect the ongoing operation of the Port.</p>	
	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, CE-P10 and CE-P11; and 3. the extent to which the works will result in adverse cumulative effects; and 4. the extent to which the works will transfer natural hazard risk to other sites and the implications of this; and 5. the extent of any positive benefits that will result from the proposal; and 6. the extent to which the works have a functional need or operational need for its location. 	
	<p>CE- R13</p>	<p>Primary production not otherwise specified in this chapter</p>
<p>Coastal High Natural Character Area Overlay</p>	<p>Activity status: Discretionary</p> <p>Where:</p> <p>DIS-1 The activity does not involve irrigation or intensive primary production</p>	<p>Activity status when compliance not achieved: Non-complying</p>

CE-R14		
Quarrying/Mining / Quarrying²³⁹ Activity (excluding for natural hazard mitigation works or reclamation within or adjacent the Port Zone)		
1. Coastal Environment Area Overlay	<p>Activity status: Permitted²⁴⁰</p> <p>Where:</p> <p>PER-1 The activity is a farm quarry and is less than <u>500m²</u>.</p>	<p>Activity status when compliance not achieved: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, CE-P9 and CE-P10;</u> 2. <u>the extent to which the works will result in adverse cumulative effects; and</u> 3. <u>the extent to which the activity results in the enhancement of natural character.</u>
Coastal Environment Area Overlay	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
2. Coastal High Natural Character Area Overlay		

NH-RXX		
CE-RXX		
Natural Hazard Sensitive Buildings within the PORTZ²⁴¹		
Flood Assessment Area Overlay	<p>Activity status: Permitted</p> <p>Where</p> <p>PER-1 The building is built to the minimum finished floor level specified in an existing consent notice that is less than five years old; or</p> <p>PER-2 The building activity:</p>	<p>Activity status where compliance is achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>any increased flood risk for people, property, or public spaces; and</u> 2. <u>the effectiveness and potential adverse effects of any proposed mitigation measures; and</u>
Sea Water Inundation Overlay		

²³⁹ Road Metals [169.32] and Fulton Hogan [170.32]

²⁴⁰ Road Metals [169.32], Fulton Hogan [170.32] for all these changes

²⁴¹ PrimePort [175 - various] and Timaru District Holdings [186 - various]

	<ol style="list-style-type: none"> 1. <u>complies with the minimum finished floor level requirement for the site as specified in a Flood Assessment Certificate; or</u> 2. <u>will be designed and constructed to be flood resilient below the minimum finished floor level requirement specified in a Flood Assessment Certificate; or</u> 3. <u>the building has a footprint smaller than 100m²; or</u> 4. <u>the building is relocatable.</u> 	<ol style="list-style-type: none"> 3. <u>any operational need or functional need for the activity to be established in this location; and</u> 4. <u>any increased reliance on emergency services; and</u> 5. <u>any positive effects of the proposal.</u>
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NH-RX CE-RX	<u>New buildings, structures and earthworks in the PORTZ</u> ²⁴²	
<u>Flood Assessment Area Overlay</u>	<p><u>Activity status: Permitted</u></p> <p><u>Where</u></p> <p><u>PER-1</u> <u>Buildings, structures and earthworks will not worsen flooding on another property that is not held in the same ownership through the diversion or displacement of flood water in all events up to and including a 0.5% AEP event.</u> ²⁴³</p> <p><u>Note: when considering flooding effects, the cumulative effects of climate change over the next 100 years (based on latest national guidance) and all sources of flooding (including fluvial, pluvial, and coastal) must be accounted for.</u></p>	<p><u>Activity status where compliance is achieved: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>any adverse effects on the rate of flow and direction of overland flow path(s); and</u> 2. <u>any adverse effects on property from blockage of or disturbance to the overland flow path(s) or displacement of floodwater; and</u> 3. <u>any increased flood risk for people, property, or public spaces; and</u> 4. <u>the effectiveness and potential adverse effects of any proposed mitigation measures and</u> 5. <u>the benefits of or necessity for the proposed building, structure or earthworks.</u>

<u>CE-RZ</u>	<u>Upgrading of existing, or installation of new solar cells or an array of solar cells</u> ²⁴⁴	
<u>1 Coastal Environment</u>	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u> <u>The activity is located on an existing building; and</u></p>	<p><u>Activity status when compliance not achieved with PER-1 or PER-3: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p>

²⁴² PrimePort [175 - various] and Timaru District Holdings [186 - various]

²⁴³ ECan [183.38]

²⁴⁴ Forest and Bird [156.73]

	<p><u>PER-2</u> <u>The activity is within an urban zoned area; and</u></p> <p><u>PER-2</u> <u>CE-S1 and CE-S3 are complied with.</u></p>	<p><u>Any adverse impacts on the identified matters contained in CE-P5, CE-P6, CE-P7, CE-P8, CE-P9, and CE-P10.</u></p> <p><u>Activity status when compliance not achieved with PER-2: Discretionary</u></p>
<p>2 Coastal High Natural Character Area Overlay</p>	<p><u>Activity status: Discretionary</u></p> <p><u>Where:</u></p> <p><u>DIS-1</u> <u>The activity is located on a building; and</u></p> <p><u>DIS-2</u> <u>CE-S1 and CE-S3 are complied with.</u></p>	<p><u>Activity status when compliance not achieved: Non-complying</u></p>

<p><u>CE-RA</u> <u>Upgrading an existing wind turbine or installation of a new wind turbine, for electricity generation</u> ²⁴⁵</p>		
<p><u>1 Coastal Environment</u></p>	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u> <u>The activity meets the definition of Small-Scale Renewable Electricity Generation; and</u></p> <p><u>PER-2</u> <u>The activity is located within an urban zoned area; and</u></p> <p><u>PER-3</u> <u>The activity is not visible from a High Natural Character area; and</u></p> <p><u>PER-4</u> <u>CE-S1 and CE-S3 are complied with.</u></p>	<p><u>Activity status when compliance not achieved with PER-1 or PER-2: Discretionary</u></p> <p><u>Activity status when compliance not achieved with PER3 or PER-4: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>Any adverse impacts on the identified matters contained in CE-P5, CE-P6, CE-P7, CE-P8, CE-P9, and CE-P10.</u></p>
<p><u>2 Coastal High Natural Character Area Overlay</u></p>	<p><u>Activity status: Discretionary</u></p> <p><u>Where:</u></p> <p><u>DIS-1</u> <u>CE-S1 and CE-S3 are complied with.</u></p>	<p><u>Activity status when compliance not achieved: Non-complying</u></p>

²⁴⁵ Forest and Bird [156.74]

Standards		
CE-S1	Height of buildings and structures	
Coastal Environment Overlay	<p>The maximum height of any building or structure must not exceed:</p> <ol style="list-style-type: none"> 1. 4m; or 2. if located within the General Industrial Zone or Port Zone, it shall be as per the applicable zone rules and standards. <p><u>Note: Height shall be measured from the existing ground level prior to any works commencing.</u>²⁴⁶</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, CE-P9, CE-P10 and CE-P11; and 2. the extent to which the height of the building or structure will result in: <ol style="list-style-type: none"> a. visual dominance; or b. incompatibility with the character and scale of buildings and structures within the surrounding area; or c. reduced views from publicly accessible areas; and 3. the extent to which the building or structure has a functional need or operational need for its location.
CE-S2	<u>Site coverage by buildings and structures</u> ²⁴⁷	
Coastal Environment Overlay	<p>The <u>combined</u>²⁴⁸ building and structure <u>coverage of a site</u>²⁴⁹ within the overlay shall not exceed a maximum floor area of:</p> <ol style="list-style-type: none"> 1. 500m² for sites that are less than 20ha in area; and 2. 500m² for every 20ha of site area for sites larger than 20ha in area, or a maximum of 2,000m² per property (whichever is the lesser); <p>unless</p> <ol style="list-style-type: none"> 3. if the building and structure is to be located within the <u>an urban zoned</u>²⁵⁰ area, <u>in which case</u>²⁵¹ it shall be as per the applicable zone rules and standards. 	<p>Matters of discretion restricted to:</p> <ol style="list-style-type: none"> 1. any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, CE-P10 and CE-P11; and 2. the extent to which the building or structure will meet a community or public need; and 3. the extent to which the building or structure has a functional need or operational need for its location.
CE-S3	Building and structure external materials	
Coastal Environment Overlay	<p>With the exception of the Port Zone, all <u>external cladding and roofing of</u>²⁵² buildings and structures must be finished in</p>	<p>Matters of discretion restricted to:</p> <ol style="list-style-type: none"> 1. any adverse impacts on the identified matters contained in CE-P4, CE-P5,

²⁴⁶ ECan [183.4]²⁴⁷ ECan [183.132]²⁴⁸ ECan [183.132]²⁴⁹ ECan [183.132]²⁵⁰ Silver Fern Farms [172.94]²⁵¹ Clause 16(2)²⁵² Silver Fern Farms [172.95] and Alliance Group [173.96]

materials with a maximum reflectance value of 30%.	<p>CE-P6, CE-P7, CE-P8, CE-P10 and CE-P11; and</p> <ol style="list-style-type: none"> the extent to which the proposed exterior materials and colours respond to and respect the natural character qualities of the surrounding area. the extent to which the building or structure has a functional need or operational need for its location.
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SUB-RX	Subdivision within the PORTZ²⁵³	
<p><u>1</u> <u>Flood Assessment Area Overlay</u></p> <p><u>Sea Water Inundation Overlay</u></p>	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>the design and layout of the subdivision, in relation to natural hazards; and</u> <u>any potential effects of diverting or blocking overland flow path(s) on future development within the subdivision; and</u> <u>any increased flood risk for people, property, or public spaces; and</u> <u>the effectiveness and potential adverse effects of any proposed mitigation measures; and</u> <u>the extent to which future development will require new or upgraded public natural hazard mitigation works; and</u> <u>any increase in reliance on emergency services.</u> 	<p><u>Activity status where compliance not achieved: Not applicable</u></p>

DRINKING WATER PROTECTION

Introduction

The District contains a number of community drinking water supplies and private drinking water supplies that provide its residents with drinking water and water for other domestic use. These supplies may be at risk of contamination from some land use and subdivision activities and as such, require protection to maintain the health and safety of the residents of the District.

When considering an application for a resource consent, section 104G of the RMA requires that a consent authority must have regard to:

- the actual or potential effect of the proposed activity on the source of a drinking water supply that is registered under section 55 of the Water Services Act 2021; and

²⁵³ PrimePort [175 - various] and Timaru District Holdings [186 - various]

2. any risks that the proposed activity may pose to the source of a drinking water supply that are identified in a source water risk management plan prepared in accordance with the requirements of the Water Services Act 2021.

While the Canterbury Regional Council is responsible for the control of discharges of contaminants into or onto land or water, Timaru District Council manages land use and subdivision activities that may impact upon drinking water supplies. The Council have identified drinking water protection areas around community drinking water supplies. This protection overlay is referred to as the Drinking Water Protection Area Overlay. Protection is also given to private drinking water supplies, but these do not have mapped protection areas.

Objectives	
DWP-O1	Protect drinking water supplies
Drinking water supplies are protected from land use and subdivision activities that may limit their ability to provide safe drinking water.	
Policies	
DWP-P1	Drinking Water Protection Area Overlay
Identify the location and extent of: <ol style="list-style-type: none"> known drinking water supplies, as the drinking water protection area overlay on the District Plan Maps; and unknown drinking water supplies, in accordance with the methodology set out within APP6 - Drinking Water Protection and subsequently include as part of the drinking water protection area overlay via a change to the District Plan. 	
DWP-P2	Protect drinking water supplies
Protect drinking water supplies from <u>by avoiding</u> land use and subdivision activities that have the potential to ²⁵⁴ negatively affect their water quality	
Rules	

Note: Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

DWP-R1	Camping grounds	
DWPA - for Community Drinking Water Supply	Activity status: Permitted	Activity status where compliance not achieved with PER-1: Restricted Discretionary
DWPA - within 50m from a private drinking	Where: PER-1 The camping ground is connected to a community wastewater treatment system.	Matters of discretion are restricted to: <ol style="list-style-type: none"> any impact on the safety of drinking water supplies for human consumption, and measures to avoid or mitigate these effects; and the proximity of the land use activity to the drinking water supply, and measures taken to protect the supply

²⁵⁴ TDC [42.42]

<p>water supply</p>		<p>point from the effects of the activity; and</p> <p>5. Risks that the proposed activity may pose to the source of a drinking water supply that are identified in a source water risk management plan prepared in accordance with the requirements of the Water Services Act 2021.</p>
<p>DWP-RX</p>	<p>Earthworks²⁵⁵</p>	
<p>DWPA - for Community Drinking Water Supply</p> <p>DWPA - within 50m from a private drinking water supply</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 <u>All bores within the DWPA overlays are more than 50m deep; or</u></p> <p>PER-2 <u>1. The earthworks are less than 250m²; and</u> <u>2. there is more than 1 m of separation between the base of the earthworks and the highest seasonal groundwater level.</u></p>	<p>Activity status where compliance not achieved: Non-complying</p>
<p>DWP-R2 SUB-RZ²⁵⁶</p>	<p>Subdivision not connected to a community sewage wastewater treatment²⁵⁷ system, except that this shall not apply to boundary adjustments where no additional lots are created²⁵⁸</p>	
<p>DWPA - for Community Drinking Water Supply</p> <p>DWPA - within 50m from a private drinking water supply</p>	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The subdivision is connected to a community wastewater treatment system.²⁵⁹</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> any impact on the safety of drinking water supplies for human consumption, and measures to avoid or mitigate these effects; and the proximity of the land use activity to the drinking water supply, and measures taken to protect the supply point from the effects of the activity; and 	<p>Activity status where compliance not achieved: Not applicable</p>

²⁵⁵ TDC [42.41], [42.42]

²⁵⁶ Speirs, B [66.54]

²⁵⁷ TDC [41.42]

²⁵⁸ Rooney, et al [174.61, 191.61, 249.61, 250.61, 251.61, 252.61]

²⁵⁹ Milward Finlay Lobb [60.29], Bruce Speirs [66.29], TDC [41.2]

	3. Risks that the proposed activity may pose to the source of a drinking water supply that are identified in a source water risk management plan prepared in accordance with the requirements of the Water Services Act 2021.	
DWP-RX	Buildings that require septic/sewage facilities²⁶⁰	
DWPA - for Community Drinking Water Supply DWPA - within 50m from a private drinking water supply	Activity status: Restricted Discretionary Matters of Discretion are restricted to: <u>1. The actual and potential environmental effects of the discharge on the quality and safety of human drinking-water.</u>	Activity status where compliance not achieved: Not applicable
DWP-R3	Mining or quarrying, including prospecting and exploration	
DWPA - for Community Drinking Water Supply DWPA - within 100m from a private drinking water supply	Activity status: Non-complying <i><u>Note: works in the beds of lakes and rivers are also within the jurisdiction of the Regional Council and may require resource consent from that Council.</u></i> ²⁶¹	Activity status where compliance not achieved: Not applicable
DWP-R4	Pipelines used for the transfer of any hazardous substances	
DWPA - for Community Drinking Water Supply DWPA - within 50m from a private drinking	Activity status: Non-Complying	Activity status where compliance not achieved: Not applicable

²⁶⁰ TDC [42.41], [42.42]

²⁶¹ ECan [183.142]

water supply		
DWP-R5	<u>Industrial activities including rural industry, which are located outside of an Industrial zone, or industrial precinct, or a special purpose zone for rural industry</u> ²⁶²	
DWPA - for Community Drinking Water Supply	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
DWPA - within 50m from a private drinking water supply		
<u>DWP-R6</u>	<u>Composting facilities;</u> <u>Offal pits;</u> <u>Silage storage;</u> <u>Vegetation clearance;</u> <u>Intensive primary production</u> ²⁶³	
<u>DWPA - for Community Drinking Water Supply</u>	<u>Activity status: Non-complying</u>	<u>Activity status where compliance not achieved: Not applicable</u>
<u>DWPA - within 50m from a private drinking water supply</u>		

DEFINITIONS

Amend the definitions of Flood Risk Certificate as set out below.

Flood RISK Assessment²⁶⁴ **Certificate**

means a certificate issued by Timaru District Council which specifies:

- a. the flood event risk level for specific land (being either land not subject to flooding in a 0.5% AEP flood event, or land subject to flooding in a 0.5% AEP flood event, or land within a high hazard area); and

²⁶² Fonterra [165.96] and Silver Fern Farms [172.99]

²⁶³ TDC [42.41], [42.42]

²⁶⁴ ECan [183.108]

- b. where a. above identifies that the specific land is subject to flooding in a 0.5% AEP flood event, the minimum finished floor level for any new building or structure (or part thereof) on the specific land to provide at least 300mm freeboard above the flood level in a 0.5% AEP flood event; and
- ~~c. if the specific land is within 150m of a stopbank, the minimum finished floor level for any new building or structure (or part thereof) on the specific land to avoid risk from a stopbank failure; and²⁶⁵~~
- ~~d.~~ whether the specific land is located within an overland flow path.

Insert a new definition for Urban Zone / Urban Zoned Areas as follows:

Urban Zone / Urban Zoned Areas

Urban zone or urban zoned areas: for the purpose of the Natural Hazard and Coastal Environment chapters, means all zones with the exception of the General Rural, Rural Production, Rural Lifestyle, Future Urban, and any Open Space and Recreation zones that do not share at least 50% of their boundary with a qualifying urban zone.²⁶⁶

Insert a new definition for flood resilient as follows:

Flood resilient: means the use of materials, construction systems and design types that are capable of withstanding direct and prolonged contact with floodwaters without sustaining damage that would result in the need to replace the materials used in the building. This can be achieved by:

i. utilising suitable materials comprising stainless or galvanized steel, aluminium, closed cell foam panels, stone, concrete, pressure treated or marine-grade plywood, fibre cement sheeting, and / or other non-porous materials;

ii. locating all electrical and data outlets and appliances above predicted flood levels (0.2% AEP), including heat pump and air conditioning compressors and electrical switchboards.²⁶⁷

Insert a new definition for relocatable as follows:

Relocatable: for the purposes of the Natural Hazards and Coastal Environment Chapters, means a building that is intended for relocation, either in part or whole, to another site and demonstrates compliance with the following:

- 1) the building shall be generally of timber or metal framing and excludes any structures that have cast in situ concrete walls, concrete block walls, brick and stone walls (including brick veneer), unless such structures are certified by a qualified structural engineer to be of a specific design which would enable at least the greater part of the building to be relocated if required;
- 2) the building can be removed from the site in less than seven consecutive days;
- 3) the building is fully self-contained or able to disconnect from Council reticulated services in less than two days; and
- 4) has a building footprint of less than 150m².²⁶⁸

Amend the definition of earthquake fault awareness areas as follows:

²⁶⁵ ECan [183.50]

²⁶⁶ Te Rūnanga o Ngāi Tahu [185.46],

²⁶⁷ PrimePort [175 - various] and Timaru District Holdings [186 - various]

²⁶⁸ PrimePort [175 - various] and Timaru District Holdings [186 - various]

Earthquake Fault Awareness Areas: means land located on either side of a ~~an identified active a~~ known or suspected active earthquake fault line that is mapped to ensure that landowners and service providers are aware of the presence of a fault line before they decide to build could be permanently deformed (ripped, buckled or warped) during an earthquake on that fault.²⁶⁹

Amend the definition of high hazard areas as follows:

High Hazard Area means:

~~means flood hazard areas subject to inundation events where the water depth (metres) x velocity (metres per second) is greater than or equal to 1 or where depths are greater than 1 metre, in a 0.2% annual exceedance probability flood event.~~

- a. land likely to be subject to coastal erosion; or
- b. land where there is inundation by floodwater and where the water depth (metres) x velocity (metres per second) is greater than or equal to 1, or where depths are greater than 1 metre, in a 0.2% Annual Exceedance Probability flood event.

When determining a. and b. above, the cumulative effects of climate change over the next 100 years (based on latest national guidance) and all sources of flooding (including fluvial, pluvial, and coastal) must be accounted for.²⁷⁰

Amend the definition of liquefaction awareness areas as follows:

Liquefaction Awareness Area: means land ~~at risk from~~ where liquefaction and lateral spreading is possible during an earthquake, but which requires site specific assessment to determine the actual level of risk to property.²⁷¹

Amend the definition of natural hazard mitigation works as follows:

Natural Hazard Mitigation Works means: structures and associated engineering works to prevent or control the impacts of natural hazards and includes both soft engineering natural hazard mitigation works²⁷² and hard engineering natural hazard mitigation works, retaining walls, stop banks and flood protection works.²⁷³ Retaining walls not required for a hazard mitigation purpose are excluded from this definition. Raised building floor levels and raised land which are required to be raised to meet the requirements of a flood assessment certificate are excluded from this definition.²⁷⁴

Replace the definition of “Natural Hazard Sensitive Activities” with the following definition:

Natural Hazard Sensitive Buildings means buildings which:

1. is/are used as part of the primary activities on the site; or
2. contains habitable rooms; or
3. buildings which are connected to a potable water supply and wastewater system.

For the purposed of clause 1, the following buildings are not included.

- i. farm sheds used solely for storage; or

²⁶⁹ ECan [183.148]

²⁷⁰ ECan [183.14], Silver Fern Farms [172.2] and Alliance Group [173.3]

²⁷¹ ECan [183.7]

²⁷² Clause 16(2)

²⁷³ EnviroWaste [162.4] and ECan [183.14A]

²⁷⁴ EnviroWaste [162.4] and ECan [183.14A]

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- ii. animal shelters which comply with v below: or
 - iii. carports; or
 - iv. garden sheds; or
 - v. any buildings with a dirt/gravel or similarly unconstructed floor; or
 - vi. any buildings or extensions with a building floor area less than 30m²; or²⁷⁵
 - vii. Regionally Significant Infrastructure.²⁷⁶

Note: This definition also applies to the conversion of existing buildings into natural hazard sensitive buildings and extensions greater than 30m² to existing natural hazard sensitive buildings.²⁷⁷

Add a definition for “natural defences” as follows.

Natural defences include dunes, beaches, estuaries, wetlands, intertidal areas, coastal vegetation, natural ponding areas and water body margins. It excludes artificial water races and drainage infrastructure such as swales and stormwater management areas.²⁷⁸

Amend the definition of overland flowpath as follows:

Overland Flowpath means the route at a low point of terrain²⁷⁹ along which stormwater flows over land in a rain event, and excludes permanent watercourses or intermittent rivers or streams.

Add a definition for composting facilities as follows:

Composting facilities²⁸⁰

For the purposes of the DWP Chapter, means: buildings, grounds and equipment used for the receiving of organic material, manufacture of compost, storage and disposal of more than 20 m³ of composted material, but does not include domestic composting activities or where compost is stored on an impervious surface and stormwater runoff is appropriately collected and treated.

Add a definition for offal pits as follows:

²⁷⁵ Clause 16(2) amendment to change the location of the floor area from the rule into the definition and ECan [183.1] to refer to building floor area

²⁷⁶ ECan [183.173] and ECan [183.127]

²⁷⁷ ECan [183.38] and [183.125]

²⁷⁸ Dir. General Conservation [166.109]

²⁷⁹ ECan [183.6]

²⁸⁰ TDC [42.41]

Offal pits²⁸¹

For the purposes of the DWP Chapter, means: a simple pit or trench, dug into the ground for disposing of animal parts or an animal which has died or been killed on the farm, but does not include burial of a single animal provided this complies with the following conditions:

- a. The dead animal results from agricultural production on the same property; and
- b. The dead animal is buried in a pit which does not contain any water, and is immediately and completely covered by sufficient soil or plant material so as to prevent discharge of odour to air, or other nuisance; and
- c. The burial location is not within any area or zone identified in a proposed or operative district plan for residential, commercial or industrial purposes; and
- d. The burial site is at least 50 m from any:
 - i. surface water body; or
 - ii. bore used for water abstraction; or
 - iii. property boundary.

Add a definition for silage storage as follows:

Silage storage²⁸²

For the purposes of the DWP Chapter, means: silage storage of more than 20 m³ where contaminants are able to leach into the ground, and excludes wrapped silage and storage of silage on an impervious surface where stormwater runoff is appropriately collected and treated.

Add a definition for vegetation clearance as follows:

²⁸¹ TDC [42.41]

²⁸² TDC [42.41]

Vegetation clearance²⁸³

For the purposes of the DWP Chapter, means: the removal of vegetation by physical, mechanical, chemical or other means but excludes:

- a. cultivation for the establishment of, or harvesting of, crops or pasture;
- b. clearance for the establishment or maintenance of utilities or structures;
- c. removal of a species listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Pest Management Strategy;
- d. clearance for the purposes of maintaining existing fence lines, vehicle tracks, firebreaks, drains, ponds, dams or crossings;
- e. domestic gardening and the maintenance of amenity planting;
- f. clearance by, or on behalf of, the Canterbury Regional Council for the purposes of maintaining the flood-carrying capacity of a river;
- g. exotic vegetation clearance by the Department of Conservation or Land Information New Zealand for the purposes of pest management and maintenance of public access; and
- h. vegetation clearance by chemical means where this is more than 50m from a drinking water supply bore.

²⁸³ TDC [42.41]

PLANNING MAPS / OVERLAYS

Amend the planning maps to remove the CE overlay on 86 Sheffield Street, Timaru.²⁸⁴

Amend the coastal erosion layer for Caroline Bay and the Port area as per Figure 3 provided by ECan.²⁸⁵

Amend the HNC overlay on 158 Pratley Road as set out in Figure X.²⁸⁶

Amend the Flood Assessment Overlay as per the .pdf set out in the evidence of Mr Kemp (Timaru and Geraldine Urban Areas).²⁸⁷

Amend the Liquefaction Awareness Overlay to exclude the property situated at 72 Shaw Road, RD 21 Geraldine.²⁸⁸

Remove all the mapped high hazard areas from the planning map.²⁸⁹

Delete from the Planning Maps the Drinking Water Protection Area Overlay from 470 Pleasant Point Highway.²⁹⁰

Add a Drinking Water Protection Area Overlay to 72 Shaw Road, Geraldine.²⁹¹

²⁸⁴ Paul Smith [204.1]

²⁸⁵ ECan [183.133]

²⁸⁶ Fenlea Farms [171.17]

²⁸⁷ ECan [183.28], Kāinga Ora [229.39]

²⁸⁸ Barkers Fruit [179.4]

²⁸⁹ Kāinga Ora [229.39]

²⁹⁰ Fulton Hogan [170.7]

²⁹¹ Barkers Fruit Processors Limited [179.2]