

## NH – Natural Hazards

The Kaikoura District is susceptible to a wide range of natural hazards, including flooding, fault rupture, liquefaction, tsunami, debris inundation, and coastal inundation. Natural hazard events can damage property and infrastructure and can lead to injury or loss in human life. It is therefore important to identify areas subject to natural hazards and to restrict or manage subdivision, use and development.

This chapter focuses on the following natural hazards as they present the greatest risk to people and property, and the future effects can be addressed through appropriate land use planning measures.

- Flooding:
- Debris inundation,
- Fault rupture:
- Liquefaction: and
- Wildfire

Some natural hazards are influenced by climate change. It is predicted that rainfall events will become more intense, storm events will become more common and sea level will rise. The flooding assessments required by this chapter will incorporate current climate change predictions based on the Intergovernmental Panel on Climate Change's advice and current practice in local government.

The district is also susceptible to other natural hazards such as severe winds, wildfires and ground shaking from earthquakes. These hazards are primarily managed by other statutory instruments or processes. For example, the Building Act 2004 deals with severe winds by use of building materials during construction.

The Canterbury Regional Policy Statement (CRPS) recognises that for existing urban areas the community has already accepted some natural hazard risk in order to support the ongoing development of the district's existing communities. The CRPS accordingly requires development in high hazard areas in these locations to be either avoided or mitigated.

### Risk

Risk is a product of both the consequences (for example, loss of life or damage to properties) and likelihood from a natural hazard occurrence. A risk-based approach to natural hazards balances allowing for people and communities to use their properties and undertake activities, while also ensuring that their lives and significant assets are not likely to be harmed as a result of a natural hazard event.

The level of risk can be either acceptable or unacceptable. This is determined by:

- The likelihood of the natural hazard event;
- The potential consequence of the natural hazard event for people and communities, property and infrastructure and the environment, and the emergency response organisations; and

- The consent process with the hazard overlays identifying areas for assessment.

This chapter anticipates the use of hazard mitigation works where it is appropriate to do so. These measures can reduce the consequences from natural hazards and reduce the associated risk.

Potential hazard mitigation works that can be incorporated into developments to reduce the consequences of natural hazards include:

- Building design and location (for example minimum floor levels or the ability for buildings to be relocated);
- Raising ground levels;
- The creation of flood water detention areas;
- The introduction, retention or improvement of existing natural systems that mitigate natural hazard effects;
- Use or size of materials in infrastructure design and building construction and location;
- The types of activities within buildings and structures;
- Provision of access to water sources for fire fighting
- Private mitigation works and community mitigation works

The chapter sets out a framework for determining where development in certain hazard areas should be avoided, including in areas identified as High Flood Hazard.

The District Council is required under the Resource Management Act to control any actual or potential effects of the use, development, or protection of land including for the purpose of the avoidance or mitigation of natural hazard events.

The District Council and the Regional Council both have functions for avoiding or mitigating natural hazard events in the District.

The areas potentially at risk from flooding are shown on the Proposed District Plan Map Series as Flood Hazard Assessment Overlays. Outside of the District Plan, the Regional Council also maintains flooding maps that indicate likely flow paths and depths for areas where more detailed flood modelling has been undertaken. These areas are based on geomorphological studies undertaken by the Regional Council and LIDAR information which incorporate historical flood data. While the flood hazard maps are based on the best available information, plan users should be aware that in extreme events, localised flooding or ponding may still occur on areas not marked as at-risk areas.

If there is any doubt as to the flood risk, it is recommended that developers check with the Regional Council prior to planning any building project. The Natural Hazard Chapter also recognises that not all areas of the District that may be at risk of flooding are identified on the planning maps.

### **Coastal erosion and inundation from the sea and tsunamis**

Several sections of the Kaikoura coastline are subject to coastal erosion, and this erosion poses a threat to the main transport links which pass through the District. The November 2016 7.8M earthquake resulted in significant damage to Kaikoura where parts of the coast were uplifted. The North Canterbury Transport Infrastructure Recovery (NCTIR) has rebuilt the Road and Railway corridor to provide additional resilience to the coastal transport corridor.

Coastal erosion is widespread along the Kaikoura coastline and varies from -0.67 m/yr at Goose Bay to -0.29 m/yr at Oaro Beach. However, these rates are likely to vary significantly due to high intensity storms which can rapidly erode coastal areas. As a consequence of extreme weather events, some areas are potentially prone to inundation from the sea.

Key defined terms for this chapter	
Term	Definition
Average Recurrence Interval (ARI)	<p>means the average time period between natural hazard events of a certain size.</p> <p>Note:</p> <p>For example, a 500 year ARI flood will occur once every 500 years on average.</p> <p>The size of natural hazard events can also be described using Annual Exceedance Probability (AEP).</p> <p>A 500 year ARI flood has a 0.2% chance of occurring in any given year, and therefore it is also referred as having a 0.2% AEP.</p> <p>A 100 year ARI flood has a 1% chance of occurring in any given year, and therefore it is also referred as having a 1% AEP.</p>
Community Scale Natural Hazard Mitigation Works	<p>Means natural hazard mitigation works that serve multiple properties and are constructed and administered by the District Council, the Crown, the Regional Council or their nominated contractor or agent.</p>
Critical Infrastructure	<p>means infrastructure necessary to provide services which, if interrupted, would have a serious effect on the communities within the Region or a wider population, and which would require immediate reinstatement. This includes any structures that support, protect or form part of critical infrastructure. Critical infrastructure includes:</p> <ul style="list-style-type: none"> <li>a. regionally significant airports</li> <li>b. regionally significant ports</li> </ul>

	<ul style="list-style-type: none"> <li>c. gas storage and distribution facilities</li> <li>d. electricity substations, networks and distribution installations, including the electricity distribution network</li> <li>e. supply and treatment of water for public supply</li> <li>f. storm water and sewage disposal systems</li> <li>g. telecommunications installations and networks (excluding those which are regulated by the NESTF, as well as all poles and antennas)</li> <li>h. strategic road and rail networks (as defined in the Regional Land Transport Strategy).</li> <li>i. Petroleum storage and supply facilities</li> <li>j. Public healthcare institutions including hospitals and medical centres</li> <li>k. Fire stations, police stations, ambulance stations, emergency coordination facilities.</li> </ul> <p>Note: Clause 57 of the National Environmental Standards – Telecommunications Facilities reads as follows:</p> <p>57 District rules about natural hazard areas disapplied</p> <p>(1) A territorial authority cannot make a natural hazard rule that applies to a regulated activity.</p> <p>(2) A natural hazard rule that was made before these regulations came into force, does not apply in relation to a regulated activity.</p> <p>(3) In this regulation, natural hazard rule means a district rule that prescribes measures to mitigate the effect of natural hazards in an area identified in the district plan as being subject to 1 or more natural hazards.</p>
<p>Earthworks</p>	<p>means the alteration or disturbance of land including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand, and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fenceposts</p>
<p>Hazard Sensitive Building</p>	<p>means any building which:</p> <ul style="list-style-type: none"> <li>a. is used as part of the primary activities on the site; or</li> <li>b. contains habitable rooms;</li> <li>c. or serviced with a sewage system and connected to a potable water supply.</li> </ul>

	<p>For the purposes of clause 1, the following buildings are not included.</p> <ul style="list-style-type: none"> <li>I. farm sheds used solely for storage; or</li> <li>II. animal shelters which comply with v below: or</li> <li>III. carports; or</li> <li>IV. garden sheds; or</li> <li>V. any buildings with a dirt/gravel or similarly unconstructed floor; or</li> <li>VI. critical and non-critical infrastructure.</li> </ul>
High Flood Hazard Area	High Flood Hazard Areas are 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 500 year ARI flood event.
Land Disturbance	means the alteration of land, (or any matter constituting the land including soil, clay, sand and rock) that does not permanently alter the profile, contour or height of the land.
Liquefaction Hazard	means land potentially at risk from liquefaction and lateral spread during an earthquake
Natural Hazard	means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment
Natural Hazard Overlays	<p>Identifies areas subject to a natural hazard. Natural hazard overlays include:</p> <ul style="list-style-type: none"> <li>a. Urban Flood Assessment Overlay</li> <li>b. Non-urban Flood Assessment Overlay</li> <li>c. Fault Avoidance Overlay</li> <li>d. Fault Awareness Overlay</li> <li>e. Debris Inundation Overlay</li> <li>f. Liquefaction Overlay</li> </ul>
Non-Critical Infrastructure	Infrastructure (as defined by the RMA) that does not meet the definition of Critical Infrastructure
Operational Need	means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical, operational characteristics or constraints.
Plantation Forestry	Plantation forest or plantation forestry means a forest deliberately established for commercial purposes, being -

	<ul style="list-style-type: none"> <li>a. at least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted: and</li> <li>b. includes all associated forestry infrastructure; but</li> <li>c. does not include - <ul style="list-style-type: none"> <li>i. a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30m; or</li> <li>ii. forest species in urban areas; or</li> <li>iii. nurseries and seed orchards; or</li> <li>iv. trees grown for fruit or nuts; or</li> <li>v. long-term ecological restoration planting of forest species; or</li> <li>vi. willows and poplars space planted for soil conservation purposes</li> </ul> </li> </ul>
Shelterbelt	means any trees planted primarily to provide shelter for stock, crops, or buildings from wind, and which are no greater than 30m wide.
Structure	means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.
Woodlot	means a stand of trees for the purposes of firewood, the creation of other wood products, a carbon sink, erosion control, pest, or wilding tree management purposes, but excluding plantation forestry.

Cross-references
<p>In addition to the zone chapters, several district-wide and overlay chapters also contain provisions that may be relevant to natural hazards, including:</p> <p>HAZS - Hazardous Substances</p> <p>CE - Coastal Environment</p> <p>EW - Earthworks</p> <p>SUB - Subdivision</p>

## Objectives

<b>NH-O1</b>	<b>Risk from Natural Hazards</b>
New land use and development is managed in areas subject to natural hazards to ensure that natural hazard risk is avoided or mitigated to an acceptable level.	
<b>NH-O2</b>	<b>Risk from Flood Hazards</b>
New land use and development: <ol style="list-style-type: none"> <li>1. is managed in the Urban Flood Assessment Overlay to ensure the risk to people and property is avoided or mitigated and the ability of communities to recover from natural hazards is maintained;</li> <li>2. is avoided in High Flood Hazard Areas outside of the Urban Flood Assessment Overlay.</li> </ol>	
<b>NH-O3</b>	<b>Infrastructure</b>
<ol style="list-style-type: none"> <li>1. Upgrading maintenance and replacement of existing critical infrastructure, and non-critical infrastructure, and new non-critical infrastructure, within all-natural hazard overlays is enabled where the infrastructure does not increase the risk to life or property from natural hazard events, or transfer the risk to another site; and</li> <li>2. New critical infrastructure avoids High Flood Hazard Areas, unless this is not possible or is impractical when considering operational and technical constraints and therefore is designed to maintain its integrity and ongoing function during and after natural hazard events or can be reinstated in a timely manner.</li> </ol>	
<b>NH-O4</b>	<b>Hazard Mitigation Works</b>
Hazard mitigation works that may adversely affect people, property and the environment is avoided in the first instance and mitigated where such works are necessary.	

## Policies

<b>NH-P1</b>	<b>Identification of natural hazards</b>
<ol style="list-style-type: none"> <li>1. Identify areas that may be susceptible to natural hazards through the use of natural hazard overlays, and use the most up to date information available to provide site specific natural hazard assessments;</li> <li>2. Recognise that climate change will alter the frequency and severity of some natural hazard events, and ensure that natural hazard assessments, and any mitigation works take into account the effects of climate change</li> </ol>	

<b>NH-P2</b>	<b>Risk Based Approach</b>
Take a risk-based approach to managing natural hazards commensurate with the scale of development, whereby the level of risk is assessed as the combination of the likelihood of a natural hazard event occurring and the consequences of that event – for people and communities, property and infrastructure.	
<b>NH-P3</b>	<b>Additions to buildings in all hazard overlays</b>
Provide for additions to existing hazard sensitive buildings within all natural hazard overlays where it can be demonstrated that: <ul style="list-style-type: none"> <li>a. The change in onsite risk resulting from the building addition to life and property is not unacceptable; and</li> <li>b. The change in risk resulting from the building addition to adjacent properties, activities and people is not unacceptably increased.</li> </ul>	
<b>NH-P4</b>	<b>Hazard Mitigation Works</b>
Hazard mitigation works: <ul style="list-style-type: none"> <li>a. undertaken by or on behalf of the Crown, Canterbury Regional Council or the Council are enabled for the purpose of reducing the risk to life and property from flooding where area wide mitigation is necessary to protect existing communities from natural hazard risk which cannot be reasonably avoided; or</li> <li>b. not undertaken by or on behalf of the Crown, Canterbury Regional Council or Council, will only be acceptable where;</li> <li>c. natural hazard risk cannot be reasonably avoided;</li> <li>d. any adverse effects of those works on the natural and built environment and on the cultural values of Ngati Kuri are avoided, remedied or mitigated; and</li> <li>e. the mitigation works do not transfer or create unacceptable hazard risk to people, property, infrastructure or the natural environment.</li> </ul>	
<b>NH-P5</b>	<b>Natural features providing natural hazard resilience</b>
Restore, maintain or enhance natural features, such as natural ponding areas, coastal dunes, wetlands, water body margins, and riparian vegetation, where they assist in avoiding or reducing natural hazards.	
<b>NH-P6</b>	<b>Operation, maintenance, replacement and repair of all infrastructure</b>
Enable the operation, maintenance, replacement, repair or removal of all existing infrastructure in all identified natural hazard overlays.	
<b>NH-P7</b>	<b>New and upgrading of non-critical infrastructure</b>



<p>Enable the development of new non-critical infrastructure and upgrading of existing non-critical infrastructure in flood hazard assessment overlays only where the infrastructure does not increase flood risk on another site; and</p> <p>Provide for the development of new non-critical infrastructure and upgrading of existing non-critical infrastructure in all other identified natural hazard overlays</p>	
<b>NH-P8</b>	<b>Critical Infrastructure</b>
<ol style="list-style-type: none"> <li>1. Enable the operation, maintenance, replacement, repair and upgrading of existing critical infrastructure in Flood Assessment Overlays only where the infrastructure does not increase flood risk on another site;</li> <li>2. Provide for operation, maintenance, replacement, repair and upgrading of existing critical infrastructure in all other identified Natural Hazard Overlays;</li> <li>3. Manage new critical infrastructure in all Natural Hazard Overlays which are outside of High Flood Hazard Areas to ensure that there is a low risk to life and property damage;</li> <li>4. Avoid new critical infrastructure in High Flood Hazard Areas unless:</li> <li>5. Avoidance is impossible or impracticable when considering operational and technical constraints, in which case critical infrastructure must be designed to maintain, as far as practicable, its integrity and ongoing operation during and after natural hazard events, or be able to be reinstated in a timely manner; and</li> <li>6. The critical infrastructure does not significantly increase the natural hazard risk to life on the site, or increase risk to life and property on another site</li> </ol>	
<b>NH-P9</b>	<b>Earthworks</b>
<p>Manage earthworks to avoid significant offsite effects associated with the displacement of floodwaters.</p>	
<b>NH-P10</b>	<b>High Flood Hazard Areas within the Urban Flood Assessment Overlay</b>
<p>Avoid land use and development for hazard sensitive buildings in High Flood Hazard Areas of the Urban Flood Assessment Overlay, unless it can be demonstrated that;</p> <ol style="list-style-type: none"> <li>a. minimum floor levels, as determined by a Flood Hazard Assessment Certificate are incorporated into the design of the development to ensure buildings are located above the flood level so that the risk to life and potential for property damage from flooding is mitigated; and</li> <li>b. the risk to surrounding properties is no more than minor not significantly increased; and</li> <li>c. the development is not likely to require new or upgraded community hazard mitigation works</li> </ol>	
<b>NH-P11</b>	<b>High Flood Hazard Areas outside of the Urban Flood Assessment Overlay</b>

<p>Avoid land use and development for Hazard Sensitive Buildings outside of the Urban Flood Assessment Overlay in High Flood Hazard Areas as determined by a Flood Hazard Assessment Certificate, unless:</p> <ul style="list-style-type: none"> <li>a. the activity incorporates mitigation measures so that the risk to life and property damage is acceptable; and</li> <li>b. the risk to surrounding properties is not increased;</li> <li>c. the activity does not require new or upgraded community scale mitigation works.</li> </ul>	
<b>NH-P12</b>	<b>Flooding outside of High Flood Hazard Areas within the Urban and Non-Urban Flood Assessment Overlays</b>
<p>Provide for land use and development for Hazard Sensitive Buildings outside of High Flood Hazard Areas where it can be demonstrated that;</p> <ul style="list-style-type: none"> <li>a. the nature of the activity means the risk to life and potential for damage from flooding is acceptable; or</li> <li>b. the activity is ancillary to the existing main development; or</li> <li>c. buildings are located above the flood level, as determined by a Flood Hazard Assessment Certificate so that the risk to life is acceptable and potential for property damage from flooding is mitigated; and</li> <li>d. the risk to surrounding properties is not significantly increased.</li> </ul>	
<b>NH-P13</b>	<b>Debris Inundation Overlay</b>
<p>Land use and development is avoided for Hazard Sensitive Buildings in the Debris Inundation Overlay which results in unacceptable risk to either life or property.</p>	
<b>NH-P14</b>	<b>The Fault Avoidance Overlay and Fault Awareness Overlay</b>
<p>Land use and development is:</p> <ul style="list-style-type: none"> <li>a. enabled only where there is an acceptable risk to life and property;</li> <li>b. avoided for Hazard Sensitive Buildings in the Fault Avoidance Overlay where these result in an unacceptable risk to life and property;</li> <li>c. managed for Hazard Sensitive Buildings in the Fault Awareness Overlay by locating the building away from the fault or where it can be demonstrated that mitigation measures will result in an acceptable risk to life and property.</li> </ul>	
<b>NH-P15</b>	<b>Other Natural Hazards</b>
<p>Encourage the consideration of other natural hazards such as wildfire as part of land use and development.</p>	

## Rules

NH-R1	Plantation Forestry
<p><b>All zones</b></p>	<p>1. Activity Status: Permitted</p> <p>Where:</p> <p>Any plantation forestry, woodlot or shelterbelt that complies with the following separation distances, measured from the outside extent of the canopy:</p> <p>a. 30m from any hazard sensitive building on an adjoining property.</p>
<p><b>All zones</b></p>	<p>2. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with rule NH-R1 is not achieved.</p> <p>Matters of discretion are restricted to:</p> <p>1. The wildfire risk to life and property on the site and to adjoining properties</p> <p>2. Proposals to mitigate any wildfire risk</p>

NH-R2	Establishment of any new hazard sensitive building
<p><b>All zones within the:</b></p> <p><b>URBAN FLOOD HAZARD ASSESSMENT OVERLAY</b></p>	<p>1. Activity Status: Permitted</p> <p>The establishment of any hazard sensitive building where it:</p> <p>a. Is located on land outside of High Flood Hazard Areas;</p> <p>b. Has a finished floor level equal to or higher than the minimum floor level;</p> <p>as stated in a Flood Hazard Assessment Certificate issued in accordance with activity standard NH-S1</p> <hr/> <p>2. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with rule NH-R2(1) is not met</p> <p>Matters of discretion are restricted to:</p> <p>1. The likely extent of flooding on the site</p>

	<ol style="list-style-type: none"> <li>2. the nature, design, and intended use of the building and its susceptibility to damage;</li> <li>3. proposals to mitigate any risk arising from natural hazards on the site, including risk to the health and safety of occupants;</li> <li>4. the extent of any positive effects from the proposal</li> </ol>
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<b>NH-R3 Establishment of any new hazard sensitive building</b>	
<p><b>All zones within the: NON-URBAN FLOOD HAZARD ASSESSMENT OVERLAY</b></p>	<ol style="list-style-type: none"> <li>1. Activity status: Permitted  The establishment of any new hazard sensitive building where it:                             <ol style="list-style-type: none"> <li>a. Is located on land outside of High Flood Hazard Areas;</li> <li>b. Has a finished floor level equal to or higher than the minimum floor level;</li> </ol>  As stated in a Flood Hazard Assessment Certificate issued in accordance with activity standard NH-S1                         </li> </ol>
	<ol style="list-style-type: none"> <li>2. Activity status: Restricted Discretionary  Where:                             <ol style="list-style-type: none"> <li>a. Compliance with rule NH-R3(1)(b) is not complied with</li> </ol>  Matters of discretion are restricted to:                             <ol style="list-style-type: none"> <li>1. The likely extent of flooding on the site;</li> <li>2. The nature, design and intended use of the building and its susceptibility to damage;</li> <li>3. Proposals to mitigate any risk created by any failure to meet minimum finished floor levels, including risk to the health and safety of the occupants;</li> <li>4. the extent of any positive effects from the proposal</li> </ol> </li> </ol>
	<ol style="list-style-type: none"> <li>3. Activity Status: Non-Complying  Where: Compliance with rule NH-R3(1)(a) is not met.</li> </ol>

NH-R4	The establishment of any new hazard sensitive building
<p>All zones within the:</p> <p><b>DEBRIS INUNDATION OVERLAY</b></p>	<p>1. Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The extent of debris flow or landslide inundation hazards on the site;</li> <li>2. The nature, design and intended use of the building, and its susceptibility to damage;</li> <li>3. Proposals to mitigate any risk arising from debris flow or landslide debris inundation hazards on the site</li> <li>4. Whether there is unacceptable risk to either life or property.</li> </ol>

NH-R5	The establishment of any new hazard sensitive building
<p>All zones within the:</p> <p><b>FAULT AVOIDANCE OVERLAY; or</b></p> <p><b>FAULT AWARENESS OVERLAY</b></p>	<p>1. Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The likely fault rupture hazards on the site;</li> <li>2. The nature design and intended use of the building or structure and its susceptibility to damage;</li> <li>3. Proposals to mitigate any risk arising from fault rupture hazards on the site, including risk to the health and safety of occupants.</li> <li>4. <b>Whether the section has been created since 2008 and there is no other suitable location for the proposed building.</b></li> </ol>

NH-R6	Additions to hazard sensitive buildings
<p>All zones within the:</p> <p><b>URBAN FLOOD ASSESSMENT OVERLAY; or</b></p>	<p>1. Activity status: Permitted</p> <p>Additions to hazard sensitive buildings that:</p> <ol style="list-style-type: none"> <li>a. do not increase the floor area by more than 25m<sup>2</sup> in any continuous 5-year period; or</li> <li>b. If located within a flood assessment overlay, have a finished floor level equal to or higher than the minimum floor level as stated in a Flood Hazard Assessment Certificate issued in accordance with activity standard NH-S1</li> </ol>

<b>NON-URBAN FLOOD ASSESSMENT OVERLAY</b>	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with rule NH-R6(1)</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The natural hazard risk on the site</li> <li>2. The nature, design and intended use of the building and its susceptibility to damage;</li> <li>3. Proposals to mitigate any risk arising from natural hazards on the site, including risk to the health and safety of occupants;</li> <li>4. The potential to exacerbate natural hazard risk, including to any other site; and</li> <li>5. The extent of any positive effects from the proposal.</li> </ol>
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<b>NH-R7</b>	<b>Above ground earthworks</b>
<b>All zones within the:</b>	<p>1. Activity status: Permitted</p> <p>Above ground earthworks, buildings and new structures that:</p> <ol style="list-style-type: none"> <li>a. will not worsen flooding on another property through the diversion or displacement of floodwaters; or</li> <li>b. meet the definition of land disturbance</li> </ol>
<b>URBAN FLOOD ASSESSMENT OVERLAY; or</b>	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with rule NH-R7(1) is not achieved.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The likely extent of flooding on the site;</li> <li>2. The potential for the activity to exacerbate flooding on any other site; and</li> <li>3. The extent to which the earthworks or new structure impedes the free passage of floodwaters</li> </ol>
<b>NON-URBAN FLOOD ASSESSMENT OVERLAY</b>	

<b>NH-R8</b>	<b>Non-Critical Infrastructure</b>
<p><b>All zones within the:</b></p> <p><b>URBAN FLOOD ASSESSMENT OVERLAY; or</b></p>	<p>1. Activity status: Permitted</p> <p>New non-critical infrastructure, or the operation, maintenance, repair, replacement, upgrading of non-critical infrastructure where:</p> <p>a. The activity does not result in permanent raising of the ground level.</p>
<p><b>NON-URBAN FLOOD ASSESSMENT OVERLAY</b></p>	<p>2. Activity Status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance with rule NH-R8 (1) is not achieved.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The likely extent of flooding on the site;</li> <li>2. The nature, design and intended use of the infrastructure and its susceptibility to damage;</li> <li>3. The potential for the activity to exacerbate natural hazard risk, including to any other sites; and</li> <li>4. The extent of any positive effects from proposal.</li> </ol>

<b>NH-R9</b>	<b>Critical Infrastructure</b>
<p><b>All zones within the:</b></p> <p><b>URBAN FLOOD ASSESSMENT OVERLAY; or</b></p>	<p>1. Activity status: Permitted</p> <p>Operation, maintenance, repair and replacement of existing critical infrastructure</p>
<p><b>NON-URBAN FLOOD ASSESSMENT OVERLAY; or</b></p>	<p>2. Activity status: Restricted Discretionary</p> <p>New Critical Infrastructure</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The extent to which infrastructure exacerbates the natural hazard risk or transfers the risk to another site;</li> <li>2. The ability for flood water conveyance to be maintained;</li> </ol>

<p><b>DEBRIS INUNDATION OVERLAY; or</b></p> <p><b>FAULT AVOIDANCE OVERLAY; or</b></p> <p><b>FAULT AWARENESS OVERLAY</b></p>	<p>3. The extent to which there is a functional or operational requirement for the infrastructure to be located in the High Flood Hazard Overlay and there are no practical alternatives;</p> <p>4. The extent to which the location and design of the infrastructure address relevant natural hazard risk and appropriate measures that have been incorporated into the design to provide for the continued operation</p>
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<b>NH-R10</b>	<b>The change of use of any existing building that is not currently a hazard sensitive building to a hazard sensitive building</b>
<p><b>All zones within the:</b></p> <p><b>URBAN FLOOD ASSESSMENT OVERLAY; or</b></p> <p><b>NON-URBAN FLOOD ASSESSMENT OVERLAY</b></p>	<p>1. Activity status: Permitted</p> <p>The change of use of any existing building that is not currently a hazard sensitive building to a hazard sensitive building where the activity:</p> <ul style="list-style-type: none"> <li>a. Is located on land outside of High Flood Hazard Areas; and</li> <li>b. Has a finished floor level equal to or higher than the minimum floor level.</li> </ul> <p>As stated in a Flood Hazard Assessment Certificate issued in accordance with activity standard NH-S1</p>
	<p>2. Activity status: Restricted discretionary</p> <p>When: Compliance with rule NH-R10(1)(b) is not achieved</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The likely extent of flooding on the site;</li> <li>2. The nature, design and intended use of the building or structure and its susceptibility to damage with reference to the hazard sensitivity classification 8.6.1</li> <li>3. Proposals to mitigate any risk created by the failure to meet minimum finished floor levels, including risk to the health and safety of occupants;</li> </ul>



		<ol style="list-style-type: none"> <li>4. The proposals for the activity to exacerbate natural hazard risk, including to any other sites; and</li> <li>5. The extent of any positive effects from the reduction in floor levels</li> </ol>
		<ol style="list-style-type: none"> <li>3. Activity status: Non-complying</li> </ol> <p>When Compliance with rule NH-R10(1)(a) is not achieved.</p>

NH-R11	The change of use of any existing building that is not currently a hazard sensitive building to a hazard sensitive building
<p><b>All zones with the: DEBRIS INUNDATION OVERLAY; or FAULT AVOIDANCE OVERLAY; or FAULT AWARENESS OVERLAY</b></p>	<ol style="list-style-type: none"> <li>1. Activity status: Restricted discretionary</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The nature, design and intended use of the building or structure;</li> <li>2. An assessment of natural hazards on the site;</li> <li>3. Proposals to mitigate any risk arising from natural hazards on the site, including risk to the health and safety of occupants;</li> <li>4. The potential for the activity to exacerbate natural hazard risk, including to any other sites; and</li> <li>5. The extent of any positive effects of the proposal.</li> </ol>

NH-R12	The establishment of any new camping grounds
<p><b>All zones within the:  URBAN FLOOD</b></p>	<ol style="list-style-type: none"> <li>1. Activity Status: Permitted</li> </ol> <p>The establishment of any new camping grounds where:</p> <ol style="list-style-type: none"> <li>a. the land is not susceptible to flooding in a 500 year ARI flood event:</li> </ol>

<b>ASSESSMENT OVERLAY; or</b>	as stated in a Flood Hazard Assessment Certificate issued in accordance with activity standard NH-S1
<b>NON-URBAN FLOOD ASSESSMENT OVERLAY</b>	<p>2. Activity status: Restricted discretionary</p> <p>When: Compliance is not achieved with rule NH-R12(1)(a)</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. An assessment of natural hazards on the site;</li> <li>2. Proposals to mitigate any risk arising from natural hazards on the site, including risk to the health and safety of occupants;</li> <li>3. The potential for the activity to exacerbate natural hazard risk, including to any other sites; and</li> <li>4. The extent of any positive effects of the proposal.</li> </ol>

NH-R13	The establishment of any new Camping grounds
<b>All zones within the: FAULT AVOIDANCE OVERLAY; or DEBRIS INUNDATION OVERLAY</b>	<ol style="list-style-type: none"> <li>1. Activity status: Restricted discretionary</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. An assessment of natural hazards on the site;</li> <li>2. Proposals to mitigate any risk arising from natural hazards on the site, including risk to the health and safety of occupants;</li> <li>3. The potential for the activity to exacerbate natural hazard risk, including to any other sites; and</li> <li>4. The extent of any positive effects of the proposal.</li> </ol>

## Standards

NH-S1	Flood Hazard Assessment Certificate within the Urban and Non-Urban Flood Assessment Overlays	
<p>A Flood Hazard Assessment Certificate will be issued by Council (that is valid for three years from the date of issue) which specifies:</p> <ol style="list-style-type: none"> <li>a. whether or not the activity is located on land that is within a High Flood Hazard Area; and</li> <li>b. where the activity is located on land that is within the Urban Flood Assessment Overlay, a minimum finished floor level for any new building or extension (or part thereof) that is 300mm above the 500 year ARI flood level; and</li> <li>c. where the activity is located on land that is within the Non-Urban Flood Assessment Overlay outside of High Flood Hazard Areas, a minimum finished floor level for any new building or structure (or part thereof) that is 300mm above the 500year ARI flood level; or</li> <li>d. for campgrounds, whether the land is susceptible to flooding in a 500 year ARI flood event</li> <li>e. The above will be determined with reference to:</li> <li>f. The most up to date models and maps held by Kaikōura District Council or Canterbury Regional Council; and</li> <li>g. Any relevant field information</li> </ol>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>	

## Methods Other Than Rules

NH-M1	
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Avoid the duplication of relevant provisions, including rules, in the Proposed Kaikōura District Plan and Regional Council plans.