

9 Hazards

This Chapter includes two sub-chapters; *natural hazards* and ~~man-made hazards~~, (~~contaminated land~~). The *natural hazards* sub-chapter is further broken up by hazard, (flood, ~~erosion~~, earthquake and fire) with introduction, policies and methods following each other. ~~A summary of the rules for all hazard provisions (man-made and natural) in this chapter can be found on page 9-6 of this chapter.~~

9.1 Natural Hazards

The primary Objective (set out in Chapter 2) that this sub-chapter implements is Objective 2.5 - Natural Hazards. The following objectives are also relevant to this sub-chapter:

- 2.1 Tāngata Whenua
- 2.2 Ecology and Biodiversity
- 2.3 Development Management
- 2.8 Strong Communities

9.1.1 Introduction

Publicly and privately initiated *development* must be undertaken in a manner that achieves the objective for *natural hazards*. The *Council* has adopted a precautionary and *risk* based approach to hazard management. The approach includes avoiding new *development* in areas subject to high *risk* from hazards, if ~~risk~~ the hazard cannot be mitigated, and allowing a greater level of *development*, especially if the ~~risk~~ hazard can be mitigated, in areas subject to lower *risk from hazards* or where the hazard has a low probability or long recurrence interval. The approach takes into account the *effects* of climate change and considers relocation of existing *development* subject to hazards worsened by climate change *effects*.

9.1.2 General Natural Hazard Policies

These policies apply to all *natural hazards* (excluding coastal hazards) in addition to more specific policies in this sub-chapter. There are no particular rules aligned with the general policies, rather the rules that follow in subsequent sections of this sub-chapter give effect to those specific policies.

Policy 9.1 – Identify Hazards

The extent of flooding, and seismic, slope instability and erosion hazards in the District will be identified on the District Plan Maps.

Reference

Objective 2.5

Explanation

~~Hazard risks have been identified in technical reports.~~ **Note:** The extent of flood, and seismic earthquake fault rupture, river erosion and slope instability *hazard* areas has been modelled to identify development control areas, which are identified on the District Planning Maps to provide certainty to *property* owners. The identification of *natural hazards* is an ongoing activity carried out by District and Regional Councils as part of the monitoring of the environment. As more research is undertaken and the information about *natural hazards* changes, new hazard areas may be identified and existing areas refined. This redefined information may be shown on the *Council's* GIS system. Although

the GIS maps are not used to determine status under the District Plan, they are useful for the most up to date flood hazard information and may be used under Section 106 of the RMA or the Building Act. It is important that, where updated information becomes available about the nature and extent of natural hazard development controls, this is reflected on the planning maps.

Policy 9.2 – Risk Based Approach

A risk based, all hazards approach will be taken to *subdivision*, land use, and *development* within areas subject to the following *natural hazards*:

- a) flood hazards;
- b) earthquake hazards; and
- c) fire hazards;
- d) ~~slope instability and erosion; and~~

Hazard risk categories will be developed for flood, and earthquake *seismic* and ~~erosion~~ hazards to guide decision making and help minimising the risk of loss of life potential harm to people and damage to property due to these hazards, while allowing appropriate use in lower risk areas.

Reference

Objective
2-5

Explanation

The District Plan manages risk through hazard categories. These categories take into account the probability of the hazard and risk of loss of life or property consequence of allowing development in areas prone to hazard risk. The risk based categories are explained in hazard specific sections. The District Plan identifies where risks from natural hazards are most significant, manages subdivision and development within these high risk areas, and manages effects in lower risk areas to avoid exposure to increased levels of risk from natural hazards.

Policy 9.3 – Managing Activities in Natural Hazard Prone Areas

~~In areas identified on the District Plan Maps, New subdivision, and land use and *development* activities will be managed in a way that located to avoids increasing risks from natural highly hazards prone areas, identified on the District Plan Maps. Subdivision, use and development will be allowed only where it can be shown that any potential increase in risk exposure on or beyond the land itself has been avoided, remedied or mitigated. Where a modelled risk can be removed, through mitigation, to allow development on part of a site, any mitigation must demonstrate the activities and development do not exacerbate the adverse effects of natural hazards for other people and properties including residual risks.~~

Reference

Objective
2-5

Explanation

The approach to minimising the adverse effects of natural hazards is to avoid subdivision and development in high risk hazard prone areas. The District Plan recognises that certain land use activities can take place in hazard areas. Mitigation measures need to be employed to reduce risk from the hazard(s) provided the mitigation measures do not exacerbate the effects of natural hazard on other properties. The onus is on the applicant to ensure there will be no additional hazard risk on or off site as a result of any proposed activity or development.

The modelling of hazard risks is based on a likely hazard event such as the 1 in 100-year flood or a 1 in 500-year tsunami risk and mitigation of the modelled event does not mean that the property is at no risk in the future as a larger event than the modelled event may occur.

Policy 9.4 – Precautionary Approach

A precautionary approach will be taken to the management of risks from hazards that may impact on subdivision, use and development, where there is uncertainty about the potential effects and where the effects are potentially significantly adverse of a hazard until further detailed information on the extent and nature of the hazard becomes available.

Reference

Objective 2.5

Explanation

A precautionary approach needs to be taken where there is uncertainty about the hazard timing and effects, such as hazards affected by climate change effects, or little information available about a hazard such as liquefaction potential.

In relation to hazard provisions and mapping in this plan the precautionary approach has been considered when undertaking the hazard modelling and creating development restrictions to mitigate hazard risk.

A precautionary approach is applied where further site specific investigations may identify that the activity proposed is appropriate to the natural hazard risks on the site. This approach will be taken to natural hazards that are present in the district but are not mapped in the district plan maps as there is poor information about the scale and extent of the hazard risks for those hazards. This includes potential liquefaction risk, and fire risk.

Policy 9.5 – Protect via Natural Buffers

Natural features which that have the effect of reducing hazard risk by buffering development from the effects of natural hazards will be protected through:

- a) development controls, including the use of minimum setbacks, from rivers and streams for new and relocated buildings; and**
- b) undertaking and encouraging enabling restoration of such natural systems/features.**

Reference

Objectives 2.5 & 2.4

Explanation

Wetlands can act as a sponge to reduce stormwater and/or flood effects. These natural areas absorb the impacts of erosion, or inundation. Protection, including restoration, of natural features is vital for their effective functioning as a buffer against natural hazards.

Past use and development including hard engineering structures in some areas has degraded the effective 'buffering' potential of natural dunes and wetlands, by encroaching on them. The potential for flooding to be considerably accentuated by climate change effects further emphasises the importance of restoring and maintaining natural buffers.

Policy 9.6 – Public Open Space

The potential to mitigate *natural hazards* and climate change impacts will be considered in relation to the provision, acquisition and *development* of new land for public *open spaces* and reserves.

Reference

Objectives
2.5 & 2.18

Explanation

Open Space areas can play a major role in the mitigation of the effects associated with natural hazards, for example stormwater attenuation, detention and secondary flowpaths. These opportunities should be developed on an as-needed basis – both by acquiring new open space areas, and by developing existing areas – in order to make the district more resilient to the impacts from natural hazards and global climate change.

Policy 9.7 – Emergency Management

Preparation for the *effects of natural hazard* events and avoidance or mitigation of hazards will be encouraged through emergency management programmes and procedures, and voluntary action.

Reference

Objectives
2.5, 2.18 &
2.8

Explanation

Increasing awareness of natural hazards assists with community preparedness. The policy promotes emergency management programmes and procedures, and voluntary action in line with the Civil Defence Emergency Management Act 2002. Emergency management initiatives include a range of measures across the four R's of risk reduction, readiness, response, and recovery. Voluntary actions include providing flood hazard information to the public, and providing flood mitigation and risk management advice for land development and building.

9.1.3 All Hazards (Natural and Man-made) Rules and Standards

Summary table

The following table is intended as a guide only and does not form part of the District Plan. Refer to specified rules for detailed requirements. Pe refers to Permitted Activities, C to Controlled Activities, RD to Discretionary Activities (Restricted), D to Discretionary Activities (Unrestricted), NC to Non-Complying and Pr to Prohibited Activities.

Activities/Uses	Rule	Pe	C	RD	D	NC	Pr
All natural hazards							
Subdivision of or development on land subject to two or more high risk natural hazard categories	9A.5.1					•	
Flood hazards							
Buildings in any zone which meet separation from waterbodies standards	9B.1.1	•					
Buildings in <i>ponding and residual ponding</i> hazard areas meeting standards	9B.1.2	•					
Buildings in <i>ponding and residual ponding</i> hazard areas not meeting standards	9B.4.1				•		
Buildings in any <i>overflow path, residual overflow paths or flood erosion area</i>	9B.5.2					•	
Development in the <i>stream corridor or River corridor</i>	9B.1.6					•	
Minor additions within any <i>overflow path, residual overflow path or flood erosion area</i>	9B.1.6	•					
Development and earthworks within any <i>flood storage, ponding or fill control area</i> meeting standards.	9B.2.1		•				
Development within any <i>flood storage, ponding or fill control area</i> not meeting standards.	9B.4.1				•		
Fences in flood hazard areas meeting standards	9B.1.4	•					
Fences in river corridor or stream corridor a flood hazard areas not meeting standards	9B.2.2		•				
Fences not meeting standards	9B.4.1				•		
Flood protection measures in the <i>Open Space – Conservation and Scenic zone and River corridor zones</i>	9B.1.5	•					
Damage or destruction of flood mitigation structures	9B.6.1						•
Earthworks in flood hazard areas (except flood storage and fill control) which meet standards and gravel extraction in the River Corridor)	9B. 1.3 9B. 1.7	•					
Earthworks in flood hazard areas which do not meet permitted activity standards in flood areas	9B.4.1 9B.4.3 9B.4.4 9B.4.5				•		

Activities/Uses	Rule	Pe	G	RD	D	NC	Pr
Earthworks within 20 metres of a waterbody, including wetlands and coastal water.	9B.4.5				•		
Subdivision in <i>ponding</i> and <i>residual ponding</i> areas subject to standards	9B.3.2			•			
Subdivision of land in any <i>overflow path</i>, <i>residual overflow path</i> or <i>flood erosion</i> area	9B.4.2				•		
Subdivision in any <i>stream</i> or <i>river corridor</i>	9B.5.3					•	
Network utilities in <i>ponding</i> areas subject to standards	9B.3.1			•			
Network utilities in an <i>overflow</i> or <i>residual overflow path</i>	9B.5.1					•	
Building in the <i>river corridor</i> or <i>stream corridor</i>	9B.5.4					•	
Earthquake hazards							
Development and buildings within <i>Fault Avoidance Areas</i> subject to standards	9C.1.1	•		•		•	
Development and buildings within <i>Fault Avoidance Areas</i> which exceeds permitted standards or is identified as higher risk development	9C.3.2 9C.5.1			•	•	•	
Subdivision in the <i>Fault Avoidance Areas</i> subject to standards	9C.3.1 9C.4.1			•	•		
Subdivision of land with peat or sandy soils.	9C.3.3			•			
New network utilities within <i>Fault Avoidance Areas</i>	9C.5.2					•	
Erosion and slope stability							
Subdivision and buildings on land with high erosion susceptibility subject to standards.	9D.3.1 9D.3.2			•			
Extension to a <i>habitable building</i> on land with high erosion susceptibility subject to standards.	9D.1.1	•					
Extension to a <i>habitable building</i> on land with high erosion susceptibility which does not meet the permitted activity standards.	9D.3.3			•			
Earthworks on land with a slope greater than 25 degrees and having high erosion susceptibility	9D.3.4			•			
Fire Hazards							
<i>Habitable building</i> located within the rural zone subject to standards	7A.1	•					
Plantation forestry subject to standards	7A.1 to 7A.4 and 8.1 to 8.4	•	•		•		
Rural subdivision subject to standards	7A.2 and		•	•			

Activities/Uses	Rule	Pe	G	RD	D	NC	Pr
	7A.3						
Subdivision and development not meeting standards	7A.				•		
Man-Made Hazards							
Soil disturbance or sampling, removal or replacement of an underground fuel storage system, or change of land use, subject to permitted activity standards	9E.1.3 9E.1.4 9E.1.5 9E.1.6	•					
Soil disturbance or sampling, removal or replacement of an underground fuel storage system, or r change of land use, subject to controlled activity standards	9E.2.2		•				
Soil disturbance or sampling, removal or replacement of an underground fuel storage system, or change of land use, not meeting controlled activity standards 9E.2.2.2 and 9E.2.2.3.	9E.3.1			•			
Subdivision of contaminated or potentially contaminated land	9E.3.2			•			
Any activity not controlled under clause (1) of the controlled activity rules	9E.4.2				•		

9.1.4 Natural Hazard Subdivision Rules and Standards

Rules and standards – All natural hazards

Rule 9A.5 Non Complying Activities

The following activities are non complying activities.

Non-Complying Activities	Reference
<p>1. Subdivision of or development on land subject to two or more of the following natural hazards areas (identified on natural hazard maps):</p> <ul style="list-style-type: none"> a) well defined fault avoidance area; b) well defined extension fault avoidance area; c) high erosion susceptibility; d) overflow path flood hazard area; e) residual overflow path flood hazard area; f) flood storage hazard area; g) ponding flood hazard area h) fill control flood hazard area; i) river corridor or stream corridor. 	<p>Policies 9.1, 9.2, 9.3, 9.4 & 9.5</p>

9.2 Flood Hazards

9.2.1 Introduction

The District's physical landscape presents varying levels of flood *risk* to settlements (particularly on the coastal plain). During high rainfall events flooding can occur within minutes of the event and can result in significant damage. Property and *structures* located in the *river and stream corridor*, ~~*flood-erosion areas*~~, *flood storage areas* and *overflow paths* (including *residual overflow paths*) are more susceptible to damage from flooding. *Buildings in ponding and shallow surface flow areas are also susceptible to damage from flooding.* *New development* within the *river corridor*, *stream corridor*, *flood storage areas*, and *overflow paths* can cause additional adverse effects to existing development. *Buildings and earthworks in ponding and shallow surface flow areas*, and *fill control areas* can push flooding onto additional *properties* or increasing the depth of flooding on other *properties*. Furthermore, *development* within, *river and stream corridors* ~~these areas~~ can adversely affect the structural integrity of existing flood mitigation *structures* and works and increase the potential for damage and loss of life.

The form and location of development of the ~~d~~District's settlements in the past has included the *building* of flood mitigation works in major rivers and streams to mitigate the adverse effects of flooding and erosion on *existing development*. However, complete reliance on structural defences to protect the ~~d~~District from flooding is an unsustainable option. This is because the protection structures will need to be built bigger and stronger as climate change effects are felt more acutely and any *structure* may fail if the flood event exceeds the design specifications.

Land within the floodplain is under increasing pressure for new activities and *development*. Where *subdivision* or *development* is proposed on land subject to flooding, there is a need to ensure the *risks* from flooding are taken into consideration in the assessment of any *resource consent*. Where a *development* proposal relates to the *river/stream corridor*, ~~*flood-erosion areas*~~, *flood storage*, and *overflow paths* (including *residual overflow paths*), as areas most at risk from fast flowing water and debris increasing the level of damage during the flood event, the onus is on the applicant to ensure there will be no additional hazard on-site or off-site as a result of any proposed *development*. *Ponding* (including *residual ponding*) *shallow surface flow* and *fill control areas* are also recognised as requiring specific controls, but floodwaters in these areas are less likely to cause erosion as they are slower moving. However, damage from floodwaters in *ponding, residual ponding, shallow surface flow* and *fill control areas* is likely to be caused by floodwaters entering *buildings* (and also mud, sewage and debris in floodwaters).

The ~~Kapiti Coast District~~ *Council* supports the use of a combination of methods (including physical works where appropriate, the District Plan rules, Land Information Memoranda and building consents) to avoid, remedy or mitigate the potential hazard caused by flooding. The District Plan contains information on *flood hazard categories* (mapped) and descriptions including direct and residual flood *risks* related to the estimated *1% AEP in 100-year* flood event and *development* controls.

1% AEP in 100-year flood event

The estimated *1% AEP in 100-year* flood event is shown as *flood hazard categories* on the ~~District Planning~~ *Mmaps*. It shows the areas where flood waters would go in a flood event. This event has a 1% probability of happening in any one year. It should

be recognised that there can be events greater than the 1% AEP in 100-yr flood event or that flood defences can fail. These areas have been identified as residual hazard risk areas. The Kāpiti Coast District Council and the Greater Wellington Regional Council have a responsibility to inform people of this greater risk from hazards.

Hazard categories and definitions

Flood Hazard categories (shown on the District Planning Maps) are based on the 1% AEP in 100-yr extent. The purpose of the hazard categories is to describe the varying hazard across the floodplain. ~~The flood hazard is determined by taking the following into account:~~

- ~~• The depth and speed of flood waters;~~
- ~~• The threat to life;~~
- ~~• The difficulty and danger of evacuating people and their property; and~~
- ~~• The potential for damage to property and social disruption.~~

There are two types of flood risk hazard identified on the Natural Hazard District Plan Maps:

- Direct flood risk hazard

The direct flood risk hazard affects areas that are not protected from flooding by flood protection *structures* (such as stopbanks or floodwalls) built to the 1% AEP in 100-yr flood event standard. A direct flood risk hazard can also occur where *existing* structural protection, built to less than the 1% AEP in 100-yr standard, is vulnerable and likely to fail in a 1% AEP in 100-yr flood event.

- Residual flood risk hazard

The residual flood risk hazard is the additional or 'left over' risk hazard due to possible breaching and overtopping of flood protection *structures* (such as stopbanks or flood works) built to the 1% AEP in 100-yr flood event standard. An additional residual flood risk hazard can occur due to blockage and subsequent failure of overland flow paths. These can be blocked by unconsented building works/debris/fencing/stored building materials/vehicle storage etc

There are nine flood hazard categories these are listed in the table below.

Table 9.1 Flood hazard categories

Flood Hazard Category	Description
River corridor	This is the minimum area able to contain a flood of up to the <u>1% AEP in 100-yr</u> event magnitude and enable flood water to pass safely to the sea. It includes flood and erosion prone land immediately adjacent to the river, where the <i>risk</i> to people and <i>development</i> is significant.
Stream corridor	This is the minimum area able to contain a flood of up to a <u>1% AEP in 100-yr</u> event magnitude and enable flood water to safely pass to the stream confluence or the sea. It includes flood and erosion prone land immediately adjacent to the stream.
Flood erosion Area	Land adjacent to the <i>River corridor</i> that could potentially be eroded in flood events. The margin of the <i>Flood erosion area</i> is approximately 40 metres from the natural banks of the Ōtaki or Waikanae Rivers, yet may be less than 40 metres where the following features are present:

	<ul style="list-style-type: none"> • Permanent structural works such as bank edge protection and stopbanks, built to the 1 in 100-yr flood event standard. • Bank edge or river berm geology that is relatively more erosion resistant.
Overflow path	<i>Overflow paths</i> generally occur in lower-lying areas on the floodplain which act as channels for flood waters. They can be natural, or artificially formed, and are often characterised by fast flowing water during a flood event. An <i>overflow path</i> is a direct <u>risk hazard</u> .
Residual overflow path	A <i>residual overflow path</i> is a residual flood <u>risk hazard</u> for areas which are protected from flooding by structural measures, such as stopbanks or floodwalls, constructed to the <u>1% AEP in 100-yr flood standard</u> . The residual <u>risk hazard</u> is in the event of a failure or overtopping of the flood protection <i>structure</i> .
Ponding	These are floodplain areas where slower-moving flood waters could pond either during or after a flood event. A <i>Ponding Area</i> may is be affected by a direct flood <i>risk</i> . <i>Ponding</i> can be associated with rivers and streams as well as the piped stormwater network. <i>Ponding</i> is a direct risk.
Residual ponding areas	<i>Residual ponding areas</i> related to a residual flood risk for areas which are protected from flooding by structural measures, such as stopbanks or floodwalls, constructed to the <u>1% AEP in 100-yr flood standard</u> . The residual <i>risk</i> is in the event of a failure or overtopping of the flood protection <i>structure</i> .
<u>Shallow surface flow areas</u>	<u>These are floodplain areas, typically on steeper catchments, where shallow moving flood waters could occur during a flood event. A <i>shallow surface flow area</i> is subject to a direct flood risk. This hazard is associated with high intensity rainfall that overwhelms the primary drainage paths resulting in shallow flows across the ground surface.</u>
Flood storage areas	Land that provides flood water storage either during or after a flood event. <i>Flood Storage Areas</i> are located on local streams only. They include land that has been identified as flood prone where loss of storage due to mitigating measures, or filling, will cause flooding elsewhere. Any proposal for development of these areas (including filling) will need to provide compensatory storage below set <i>ponding</i> levels.
Fill control areas	<i>Fill control areas</i> are undrained “crater” type catchments where filling will raise the level of flooding on the property and on adjoining land.

Natural Hazard Maps (District Planning Maps) identify the extent of these nine flood hazard categories areas (*river corridor, stream corridor, overflow path, residual overflow path, ponding areas, residual ponding areas, flood erosion areas, flood storage areas, and fill control areas*) for the Ōtaki, Waikanae, Paraparaumu and Raumati floodplains. The Council also maintains Flood Extent Maps on GIS that are more regularly updated, although these maps are not used to determine status under the District Plan, they are useful for the most up to date flood hazard information and may be used under section 106 of the RMA or the Building Act.

9.2.2 Flood Hazards Policies

Policy 9.8 – Flood Mapping

~~*Flood hazard categories areas*~~ are mapped using ~~the 1% AEP in 100-year flood modelling scenario has been used to generate flood map extents.~~ The extents and categories include consideration of projected climate change and precautionary freeboard to minimise risks. Residual risks will are also be mapped where flood mitigation *structures* are present.

Reference

Objective
2-5

Policy 9.9 – Flood risk Hazard Categories

~~The flood risk hazard categories~~ have been developed using the following criteria:

- a) depth and speed of floodwaters;
- b) the threat to life;
- c) difficulty and danger of evacuating people;
- d) the potential damage to property; and
- e) the potential for social disruption.

Reference

Objective
2-5

Policy 9.10 – Flood and Erosion Free Building sites Areas

All newly created lots must have flood and erosion-free *building areas sites* based on 1% AEP in 100-year flood modelling.

Reference

Objective
2-5

Policy 9.11 – Flood Risk Levels

A higher level of control on *subdivision, use and development* will be applied ~~within direct and residual high risk flooding areas. These are areas identified as the river corridors, and stream corridors, overflow paths, and residual overflow paths flood storage, and flood erosion areas, and~~ A generally lesser level of restriction on *subdivision, use and development* will be applied in lower risk areas including ponding, residual ponding, shallow surface flow, flood storage and fill control areas and residual ponding.

Reference

Objective
2-5

Policy 9.12 – High Hazard Flood Areas

Development in the river corridor, and stream corridor, overflow path, and residual overflow path flood erosion and flood storage areas will be avoided unless the 1% AEP in 100-year risk hazard can be completely mitigated on-site to avoid damage to property or harm to people, and the following criteria are met:

- a) no increase in flood flow or level on adjoining sites properties or other parts of the floodplain;
- b) no reduction in storage capacity on-site; and
- c) all flow corridors or *overflow paths* are kept clear to allow flood waters to flow freely at all times.

Reference

Objective
2-5

Policy 9.13 – Ponding, Residual Ponding, Shallow Surface Flow, Flood Storage and Fill Control Areas

Reference

When assessing applications for *subdivision, use or development* within a *ponding, residual ponding, shallow surface flow, flood storage or fill control area*, consider the following:

Objective
2.5

- a) the *effects* of the *development* on existing flood mitigation *structures*;
- b) the *effects* of the *development* on the flood hazard – in particular flood levels and flow;
- c) whether the *development* redirects floodwater onto adjoining sites properties or other parts of the floodplain;
- d) whether access to the *site/development* will adversely affect the flood hazard;
- e) the extent to which buildings can be located on areas of the *site/property* not subject to flooding; and
- f) whether any *subdivision or development* will or may result in damage to property or harm to people.

Explanation

The above two policies promote a higher level of restriction in high risk flood areas. The high risk flood areas are the river and *stream corridor, overflow path* (including *residual overflow path*), *flood erosion* and *flood storage* areas. The risks of flooding and erosion to the community are much greater in these high risk flood areas; therefore it is appropriate that district plan rules reflect a higher level of restriction than for lower risk areas. In high flood risk areas the onus is on the applicant to show that there will be no additional hazard, on-site and off site, as a result of any proposed development.

9.2.3 Flood Hazards Rules and Standards

The following rules for flood hazards apply to all zones.

Rules and Standards – Flood Hazards

Rule 9B.0. Introduction: Applicability of Rules in Tables 9BA.1 – 9BA.6

The Rules in Tables 9BA.1 to 9BA.56 shall apply to all land and activities in all Zones unless otherwise specified except:

- a) the Otaki South Precinct where the development is in accordance with the structure plan in Appendix 6.5

There are other rules within the District Plan that may also apply to sites and activities. Section 1.1 in Chapter 1 sets out how to use the Plan and identify other rules that may also apply to a site or activity.

Notes: [1] ~~Notwithstanding the activity category defined by Rules 9B.1 to 9B.5 for any activity, attention is also drawn to the rules: [a] in Chapters 3, 9, 11 and 12 which apply to matters which apply across all zones in the District – for example, transport; and [ab] in Chapters 5, 6, 7 and 8 that apply to specific land use Zones in the District – for example the Rural Plains Zone and the Open Space (Recreation) Zone.~~

~~The rules in these chapters may identify the activity as (or result in the activity being) a different activity category than expressed below. Additional clarity on activity category determination is provided in Chapter 1 (Section 1.1).~~

Rule Table 9BA.1. Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted activity standards in this table, and all relevant rules and permitted activity standards in other Chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
1. Any activities which are not specified as a <i>Permitted, Controlled, Restricted Discretionary, Discretionary, or Non</i>	1. <u>The activity complies with all permitted activity standards in Table 9A.1 Permitted Activities.</u> <u>Note: See Rule 9A.1.2 for separation of buildings and structures from waterbodies standards, and Tables 11B.1-11B.5 in relation to water and stormwater rules for all development.</u>	All relevant policies in this chapter.

Rule Table 9BA.1. Permitted Activities

The following activities are permitted activities, provided that they comply with all corresponding permitted activity standards in this table, and all relevant rules and permitted activity standards in other Chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
Complying or prohibited activity in Tables 9A.1 to 9A.6 and complies with all permitted activity standards in this chapter.		
2. Any <i>building</i> or <i>structure</i> in any zone.	<p>1. Separation from Water bodies (Streams, Lakes and Rivers)</p> <p>a) Buildings shall not be sited within the River Corridor or Stream Corridor Hazard Area as shown on the Natural Hazard Planning Maps: (unless they are permitted activities under Rule 9A.1.7):</p> <p>i. For the unsurveyed stream corridor and other water bodies, including ephemeral and intermittent rivers or streams watercourses (except lakes) the minimum setback for any <i>building</i> or <i>structure</i> (other than a bridge or culvert structure for which a <i>resource consent</i> is required from the Regional Council) from the natural banks of any <i>water body</i> greater than 3 metres wide shall be 10 metres;</p> <p>ii. For streams/drains less than 3 metres wide, the minimum setback must shall be 5 metres where the average width of the stream or water body is measured as an average within the site property.</p> <p>b) Buildings shall must not be sited within 5 metres of a lake.</p>	Policies 9.3, 9.4, 9.8, 9.9, 9.11, 9.12 & 9.13
3. New or relocated buildings in ponding, and residual ponding and shallow surface flow hazard areas.	<p>1. The <i>building floor level</i> of any new or relocated <i>building</i> in the ponding, or shallow surface flow or residual ponding hazard area shall be constructed above the 1% AEP in 100-year flood event level.</p>	Policies 9.3, 9.4, 9.8, 9.9, 9.11, 9.12 & 9.13
4. Earthworks except where associated with the matters listed below: a) this rule does not apply to	<p>1. In an <i>overflow path</i> or <i>residual overflow path</i> (excluding fill which is addressed in Rule 9A.3.3), earthworks:</p> <p>a) shall not involve the disturbance of more than 10m³ of land in any 10 year period;</p> <p>b) shall not alter the existing original ground level by more than 0.5 metres, measured</p>	Policies 9.3, 9.4, 9.8, 9.9, 9.11 & 9.12

Rule Table 9BA.1. Permitted Activities

The following activities are permitted activities, provided that they comply with all corresponding permitted activity standards in this table, and all relevant rules and permitted activity standards in other Chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
<p>earthworks associated with:</p> <p>a) i. the maintenance of a watercourse or stormwater control; and</p> <p>b) ii. flood protection works covered by a designation; activities permitted under Rule 9A.1.6;</p> <p>c) iii. the maintenance activities within the legal road; and</p> <p>d) iv. private farm tracks which are ancillary to permitted farming activities and are not within an outstanding natural features and landscapes; shown on the planning maps</p> <p>e) v. residual ponding areas where the earthworks permitted activity standards for the relevant zone are complied with- (see Chapter 3 for policies and rules on earthworks);</p> <p>f) vi. earthworks subject to Rule 9BA.2.1 and 9B.4.4 (i.e. within a flood storage or fill control area).</p>	<p>vertically; and</p> <p>c) The earthworks shall not impede the flow of floodwaters.</p> <p>2. In <i>ponding areas (excluding residual ponding areas) and shallow surface flow areas, earthworks:</i></p> <p>a) Shall <u>not</u> involve the disturbance of more than 20m³ (volume) of land in any 10 year period; <u>and</u></p> <p>b) shall not alter the existing <u>original ground level</u> by more than 1.0 metre, measured vertically.</p> <p>3. In a <i>Stream corridor or River corridor (excluding fill which is addressed in Rule 9B.4.3), earthworks:</i></p> <p>a) shall not exceed 10m³ in any 10 year period. This standard applies whether in relation to a particular work or as a total or cumulative; <u>and</u></p> <p>b) All works must be carried out by Wellington Regional Council, Kāpiti Coast District Council, the Department of Conservation or their nominated contractors.</p> <p><u>Note: Any works carried out within the bed of lakes and rivers are within the jurisdiction of Wellington Regional Council and are not covered in this District Plan.</u></p>	

Rule Table 9BA.1. Permitted Activities

The following activities are permitted activities, provided that they comply with all corresponding permitted activity standards in this table, and all relevant rules and permitted activity standards in other Chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
5. Fences in any flood hazard area. except the river corridor or stream corridor.	1. Fences in the <i>river corridor, stream corridor, an overflow path, or residual overflow path</i> shall be post and wire and shall not impede the free flow of flood waters.	Policies 9.3, 9.4, 9.8, 9.9, 9.11 & 9.12
6. Flood protection, erosion control and <i>natural hazard</i> mitigation measures including associated <i>structures</i> in the <i>Open Space – Conservation and Scenic Zones</i> , and flood mitigation works in the <i>Stream or River Corridor</i> for the management of the Waikanae and Ōtaki Rivers.	1. All works must be carried out by Wellington Regional Council, KāpitiKāpiti Coast District Council, the Department of Conservation or their nominated contractors. <u>Note: Any works carried out within the bed of lakes and rivers are within the jurisdiction of Wellington Regional Council and are not covered in this District Plan.</u>	Policies 9.3, 9.4, 9.8, 9.9, 9.11 & 9.12
7. Minor additions to existing habitable buildings in any overflow path, or residual overflow path or flood erosion area.	1. Additions do not exceed 15% of the total floor space of the existing room or 20m² of the total floor space of the building, whichever is lesser.	Policies 9.3, 9.4, 9.8, 9.9, 9.11 & 9.12
8. <u>7. Gravel extraction activities in the River Corridor on land outside of the beds of any lake or river.</u>	1. All works must be carried out by Wellington Regional Council, KāpitiKāpiti Coast District Council, the Department of Conservation or their nominated contractors. 2. Mobile plants for processing extracted materials and associated temporary <i>buildings</i> shall not be located on any site for longer than any 12 month period. <u>Note: Any gravel extraction carried out within the bed of a lake or river requires resource consent from the Wellington Regional Council.</u>	Policies 9.3, 9.4, 9.8, 9.9, 9.11 & 9.12

Rule Table 9BA.2 Controlled Activities

The following activities are **controlled** activities, provided that they comply with all corresponding controlled activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control	Reference
1. <i>Development and earthworks within any flood storage or fill control area.</i>	<ol style="list-style-type: none"> 1. Equivalent compensatory storage or another solution to achieve <i>hydraulic neutrality</i> shall be created. 2. <i>Development</i> proposals shall be accompanied by detailed and extensive <u>sufficient</u> hydraulic modelling of relevant streams to fully test consequences of the activity. 3. The <u>building floor level</u> of any new or relocated <i>building</i> shall be constructed above the <u>1% AEP</u> in 100-year flood event level. 	<ol style="list-style-type: none"> 1. Future management of the <i>flood storage or fill control area</i>. 2. <i>Natural hazard effects</i>. 3. <i>Nuisance effects</i> including dust. 4. <u>Location</u> and design of <i>buildings and structures</i>. 5. Suitability of access. 	Policies 9.3, 9.4, 9.8, 9.9, 9.11 & 9.12
2. Fences in a river corridor or stream corridor, or fences overflow path or residual overflow path.	1. Any fence shall not impede the free flow of flood waters.	<ol style="list-style-type: none"> 1. The materials from which the fence(s) is constructed 2. The avoidance or mitigation of the potential adverse effects of flooding including the design of the fence to prevent debris entrapment. 	Policies 9.3, 9.4, 9.8, 9.9, 9.11 & 9.12

Rule Table 9BA.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
1. Any activity listed as a <u>permitted activity</u> in Table 9A.1 or a <u>controlled activity</u> in Table 9A.2 which does not comply with one or more of the associated standards, unless otherwise specified.		<ol style="list-style-type: none"> 1. <u>Consideration of the effects of the standard not met.</u> 2. <u>Measures to avoid, remedy or mitigate adverse effects.</u> 3. <u>Cumulative effects.</u> 	
1. New network utilities either above ground or underground within <u>ponding areas</u>.	1. Complies with the relevant permitted and controlled activity standards in the network utilities chapter.	<ol style="list-style-type: none"> 1. The degree to which the network utility structure and/or building will obstruct or provide pathways for flooding. 2. Measures to mitigate any effect of a potential flood event. 	Policies 9.3, 9.4, 9.8, 9.9, 9.11 & 9.12
2. <u>Subdivision where any part of the land contains in <u>flood storage, ponding, and residual ponding or shallow surface flow areas</u>.</u>	<ol style="list-style-type: none"> 1. Each <u>lot</u> shall have a <u>building site area</u> located outside any <u>river or stream corridor, overflow path, or residual overflow path or flood erosion area</u>. 2. Each <u>building site area</u> shall be located above the estimated 1 % <u>AEP</u> in 100-year flood event level. 3. <u>Formed vehicle access</u> should <u>does not</u> adversely affect the 1 % <u>AEP</u> flood hazard risk on other <u>properties</u> in the same flood catchment. 4. <u>Compliance with all other relevant subdivision rules and standards in other chapters.</u> 	<ol style="list-style-type: none"> 1. The design and layout of the <u>subdivision</u>. 2. <u>Council's</u> Subdivision and Development Principles and Requirements 2012. 3. The imposition of <u>financial contributions</u> in accordance with Chapter 12 of this Plan. 4. The imposition of conditions in accordance with sections 108 and 220 of the Resource Management Act. 5. <u>Vehicle access points onto legal road</u> including the <u>State Highway</u> network and any effects on the <u>transport network</u>. 	Policies 9.3, 9.4, 9.8, 9.9, 9.11 & 9.12

Rule Table 9BA.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
		<p>4. 6. The location of any <i>building platform or area site</i> relative to the <i>natural hazards, historic heritage features, and sensitive natural features, ecological sites, outstanding natural features and landscapes, and geological sites.</i></p> <p>7. The location of <i>building platforms.</i></p> <p>5. 8. The location and design of any servicing of the <i>subdivision.</i></p> <p>6. 9. The extent and <i>effects</i> of <i>earthworks.</i></p>	
<p><u>3. In an <i>overflow path, or residual overflow path, fill earthworks, or earthworks</i> which do not comply with one or more of the <i>permitted activity</i> standards under Rule 9A.1.4.</u></p>		<p><u>1.</u> The <i>effect</i> of the <i>earthworks</i> on the effective functioning of the <i>overflow path, residual overflow path or ponding or shallow surface flow area.</i></p> <p><u>2.</u> The avoidance or mitigation of adverse <i>effects</i> on the effective functioning of the <i>overflow path, residual overflow path or ponding or shallow surface flow area.</i></p>	
<p><u>4. In a <i>ponding or shallow surface flow area, earthworks</i> which do not comply with one or more of the <i>permitted activity</i> standards under Rule</u></p>		<p><u>1.</u> The <i>effect</i> of the <i>earthworks</i> on the effective functioning of the <i>overflow path, residual overflow path or ponding or shallow surface flow area.</i></p>	

Rule Table 9BA.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
<u>9A.1.4.</u>		<ol style="list-style-type: none"> 2. The avoidance or mitigation of adverse effects on the effective functioning of the <u>overflow path, residual overflow path or ponding or shallow surface flow area.</u> 	
<ol style="list-style-type: none"> 5. <u>Additions to existing buildings in any overflow path or residual overflow path.</u> 		<ol style="list-style-type: none"> 1. The effect of the <u>addition</u> on the effective functioning of the <u>overflow path or residual overflow path.</u> 2. The ability of the design, placement and construction of the <u>addition</u> to achieve <u>hydraulic neutrality.</u> 3. The avoidance or mitigation of adverse effects on the effective functioning of the <u>overflow path or residual overflow.</u> 4. Whether the potential <u>risk</u> to the health and safety of people, and property from <u>flood hazards</u> can be avoided or mitigated. 	
<ol style="list-style-type: none"> 6. <u>Buildings and plant associated with gravel extraction within the River Corridor that will be located on site for over 12 months.</u> 	<ol style="list-style-type: none"> 1. <u>Proposals shall be accompanied by sufficient hydraulic modelling of the relevant river to fully test consequences of the building or plant.</u> 	<ol style="list-style-type: none"> 1. <u>Effects of buildings and plant in relation to hydraulic neutrality.</u> 2. <u>Effects of buildings and plant on the recreational use of, and amenity values of the river.</u> 3. <u>Natural hazard effects.</u> 	

Rule Table 9BA.4 Discretionary Activities

The following activities are discretionary activities.

Discretionary Activities	Assessment Criteria	Reference
<p>1. Any activity subject to listed as a restricted discretionary activity in Rules 9B.1A-9B.6 9A.3.2 – 9A.3.6 which that does not comply with one or more of the permitted activity-associated standards, under Rules 9B.1 or controlled activity standards under Rule 9B.2 and is not identified as a non-complying or prohibited activity unless otherwise specified.</p>	<p>1. Consistency with the relevant Plan policies, including (but not limited to) all policies in this Chapter.</p>	<p>All policies in this chapter</p>
<p>2. Subdivision of where any part of the land located within any contains an overflow path, or residual overflow path or flood erosion area and any subdivision which does not comply with any one or more of the restricted discretionary activity standards under Rule 9BA.3.2</p>		<p>Policies 9.10, 9.11 & 9.12</p>
<p>3. In any a stream corridor, or river corridor, fill earthworks, or earthworks that do not comply with one or more of the permitted</p>	<p>1. Consistency with the relevant Plan Policies, including (but not limited to): a) Hazards Policies 9.3, 9.4, 9.11 and 9.12. 2. Application of the mapped flood extents of Policy 9.8 and the flood risk assessment criteria of Policy 9.9.</p>	<p>Policies 9.3, 9.4, 9.8, 9.9, 9.11 & 9.12</p>

Rule Table 9BA.4 Discretionary Activities		
The following activities are discretionary activities.		
Discretionary Activities	Assessment Criteria	Reference
<i>activity standards in Rule 9BA.1.4.</i>		
4. In any overflow path or residual overflow path fill earthworks or earthworks that do not comply with the permitted activity standards in Rule 9B.1.	1. Consistency with the relevant Plan Policies, including (but not limited to): a) Hazards Policies 9.3, 9.4, 9.11 and 9.12.	Policies 9.3, 9.4, 9.11 & 9.12
5. Earthworks within 20 metres of a waterbody, and the coastal marine area.	1. Consistency with the relevant Plan Policies, including (but not limited to): a) Natural Environment Policies 3.5, 3.8, 3.10, 3.18 and 3.20.	Policies 3.5, 3.8, 3.10, 3.18 & 3.20
6. Gravel extraction activities in the River Corridor, which does not meet the permitted activity standards for earthworks.	1. Consistency with the relevant Plan Policies, including (but not limited to): 1. Natural Environment Policies 3.5, 3.8, 3.10, 3.18 and 3.20.	Policies 3.5, 3.8, 3.10, 3.18 & 3.20
<u>4. Subdivision of land located partly within the River Corridor or Stream Corridor where each lot has building sites which are:</u> <u>a) located outside any river or stream corridor, overflow path or residual overflow path;</u> <u>b) located above the estimated 1% AEP flood event level; and</u> <u>c) formed vehicle access which does not adversely</u>		

Rule Table 9B.4 Discretionary Activities

The following activities are **discretionary** activities.

Discretionary Activities	Assessment Criteria	Reference
<u>affect the flood hazard risk on other properties in the same flood catchment.</u>		

Rule Table 9BA.5 Non-Complying Activities	
The following activities are non-complying activities	
Non-Complying Activities	Reference
1. New network utilities within an overflow path or residual overflow path. Subdivision of land located partly within the River Corridor or Stream Corridor where each lot has building sites that do not meet the requirements of Rule 9A.4.4.	Policies 9.2, 9.3, 9.4, 9.9 & 9.12
2. New or relocated <i>building</i> in any <i>overflow path</i> , <u>or</u> <i>residual overflow path</i> or flood erosion area . Note: This does not apply to additions to existing <i>habitable buildings</i> which are <i>restricted discretionary activity</i> under Rule 9A.3.5 or <i>structures</i> permitted under Rule 9A.1.6. Exemption: Extensions to existing <i>habitable buildings</i> where they do not exceed 15% of the total floor space of the existing room or 20m ² , whichever is lesser.	Policies 9.2, 9.3, 9.4, 9.9 & 9.12
3. Subdivision of land located wholly within the stream corridor or river corridor, where the land is not to be vested as Reserve.	Policies 9.2, 9.3, 9.4, 9.9 & 9.12
4. The construction, placement or erection of any <i>building</i> in the <i>river corridor</i> or <i>stream corridor</i> <u>except</u> where related to gravel extraction activities and permitted by Rule 9A.1.7 or <i>structures</i> permitted under Rule 9A.1.6.	Policies 9.2, 9.3, 9.4, 9.9 & 9.12

Rule Table 9AB.6 Prohibited Activities

The following activities are **prohibited** activities

Prohibited Activities	Reference
1. Except as provided for by Rule 9- BA.1.5-6 damage or destruction of flood mitigation <i>structures</i> or work (including any planting) in the <i>Open Space – Conservation and Scenic Zone</i> and <i>River Corridor</i> .	Policies 9.2, 9.3, 9.4, 9.9, 9.12 & 11.13
2. Landfills in the <i>River Corridor</i> .	Policies 9.4, 9.2 & 9.7

9.3 Earthquake Hazards

9.3.1 Introduction

The District is subject to most earthquake hazards including strong ground shaking, *liquefaction*, fault rupture and earthquake induced slope failure.

Fault Rupture

A fault rupture has the potential to cause significant damage to *buildings, structures* and life without warning. A large earthquake could cause a fault rupture which may result in significant vertical and/or horizontal movement of land. It is likely that *buildings* or *structures* sited over a fault would suffer considerable damage. Therefore, it is important to avoid new *buildings* and *development* being sited directly over a fault trace where, based on the level of risk, it is reasonable to do so.

A *risk* based approach assesses the risk posed by the fault hazard in conjunction with the type of *development* being sought and then translates that *risk* into District Plan provisions either allowing or restricting activities. *Risk* is assessed on the basis of three factors being: the hazard, elements at *risk*, and *vulnerability*.

In the instance of a fault rupture hazard, the elements at *risk* are either individual buildings or *subdivisions*. The vulnerability is determined by the Recurrence Interval Class (RIC) and *Fault Complexity* areas (i.e. how defined the fault trace is – *Well-Defined, Well-Defined Extension, Distributed, Uncertain-Constrained or Uncertain Poorly Constrained*).

The appropriateness of a *subdivision* and the location and design of proposed *buildings* can only be assessed when further *site* specific geotechnical investigations are undertaken for areas where buildings are to be proposed within a *Fault Avoidance Area*. The geotechnical information will need to be supplied by the applicants to showing that the *building* is not located on the fault trace and/or fault rupture deformation and that the *building* or *building areas sites* are set back from that trace a suitable distance. If this cannot be achieved for whatever reasons, then consideration will be given to the *risks* associated with each fault and the physical limitations of the *site*.

Five *active fault* traces¹ have been identified and mapped within the District Plan ~~and District Plan Maps~~, and they are as follows:

- Ohariu Fault - the Ohariu Fault is traced from offshore of the south coast of Wellington, through Porirua, and north of Waikanae. It is primarily a right lateral strike-slip fault (west side moves north relative to east side). The Ohariu Fault has an estimated average recurrence interval of surface rupture of 1300 to 3800 years. The fault most recently ruptured approximately 1000 years ago. It is expected that an individual surface rupture, associated with a 7.5 Richter Scale magnitude earthquake, along the fault could generate 3 – 5 metres of right-lateral displacement at the ground surface, with a lesser and variable amount of vertical displacement.
- Northern Ohariu Fault - the Northern Ohariu Fault has an estimated average recurrence interval of surface rupture of between 2000 to 4200 years. The fault most recently ruptured approximately 300 – 1000 years ago. It is expected that

¹ The information on the five *active faults* has been provided by the Institute of Geological and Nuclear Sciences in their report: Earthquake Fault Trace Survey Kāpiti Coast District dated August 2003, and their updated report August 2007.

an individual surface rupture along the fault could generate 3 – 4 metres of right-lateral displacement at the ground surface.

- Gibbs Fault – the activity and location of the Gibbs Fault is less well constrained than both the Ohariu and Northern Ohariu faults. The Gibbs Fault has a recurrence interval of between 3500 – 5000 years and is thought capable of generating earthquakes in the order of 6.7 – 6.8 (+/- 0.25) Richter Scale magnitude.
- Ōtaki Forks Fault - the average recurrence and timing of faults on the Ōtaki Forks Fault is unknown. However, a 3500 – 5000 year recurrence interval has been estimated and the potential surface rupture has been estimated to be approximately 1 metre.
- Southeast Reikorangi Fault – there is the least information on this fault. It is estimated that the recurrence interval of this fault is 5000 – 10,000 years.

~~(The information on the five active faults has been provided by the Institute of Geological and Nuclear Sciences in their report: Earthquake Fault Trace Survey Kāpiti Coast District dated August 2003, and their updated report August 2007.)~~

Liquefaction

There is potential for *liquefaction* to result in land subsidence across the District during a large distant earthquake event. Future observed *liquefaction* events in these areas may be associated with loose sand deposits within the floodplain deposits. There is also potential for lateral spread of the Waikanae and Ōtaki river banks.

During a large earthquake on the Wellington Fault or one of the faults in the eDistrict, the likelihood of *liquefaction* is more varied than a distant earthquake event and will depend on the ground conditions at a particular site.

Slope Failure

The Kāpiti area has significant earthquake induced slope failure hazards particularly in the southern and southeastern parts of the eDistrict. For example between Pukerua Bay and Paekākāriki, the terrain is steep and slopes have a very high susceptibility to slope failure which could sever transport links to Wellington.

Tsunami

The District is considered to have a very low level *risk* from a damaging or catastrophic tsunami. The Kāpiti Coast has the lowest *risk* in the Wellington Region of a major or catastrophic tsunami, with earthquakes near the Solomon Islands posing the highest degree of risk. The risk for the Kāpiti Coast has been modelled using a distant Pacific sourced 500 year event which results in a wave *height* of 2.5 – 3 metres. This has been included in tsunami evacuation areas which are not part of this Plan.

While tsunami is acknowledged as a *natural hazard* for the District, the Council has not adopted eDistrict Plan regulations to control the hazard or *risk* specifically with a tsunami event. The method considered most appropriate for reducing the impact of this hazard is an early warning system and the civil defence plans for emergency response procedures. The provision of information by the civil defence emergency management office also assists community awareness and preparedness.

9.3.2 Earthquake Hazards Policies

Policy 9.14 – Activities within a Fault Avoidance Area

Reference

When assessing applications for *subdivisions, land uses and developments* which are located within a *Fault Avoidance Area*, a *risk management approach* has been ~~will be~~ adopted and *Council* will consider a range of matters that seek to reduce the *risk to building failure* and loss of life from a fault rupture hazard, including:

Objective
2-5

- a) geotechnical information provided by a suitably qualified person demonstrating that any *building* is not located on a fault trace or fault trace deformation and maintains a reasonable setback distance in accordance with any geotechnical recommendations; and
- b) the intensity of the *subdivision* and nature of future *development* of the *site/lot(s)*, including *building* design and construction techniques, and the likelihood of *building* failure and/or loss of life if the fault ruptured in a-within 50 years; and
- c) with the exception of BIC Type 2c, 3 and 4 *buildings* (see Table 9.2: *Building Importance Category*), it is not necessary to avoid or mitigate potential *effects* along the Southeast Reikorangi Fault; and excluding the *Well-Defined* and *Well-Defined Extensions Areas*, along the Gibbs and Ōtaki Forks faults.

The *risk management approach* takes into account Recurrence Interval Classes (RIC), *Building Importance Categories* (BIC) and *Fault Complexity*.

Explanation

The Southeast Reikorangi Fault has a very long Recurrence Interval Class of between 5000 years and 10000 years, therefore the likelihood of a rupture on this fault and the location of the fault in rural hill country areas where there is limited development potential mean that the risk is low. Therefore it does not warrant avoidance or mitigation of effects with the exception of BIC Type 2c, 3 and 4 buildings.

The Gibbs and Ōtaki Forks faults have a Recurrence Interval Class (between 3500 years to 5000 years) and where the fault avoidance area is identified as Well-Defined or Well-Defined Extension avoiding building over the fault trace or fault trace deformation could result in severe consequences. However, where along the Gibbs and Ōtaki Forks faults it is identified as Distributed, Uncertain-Constrained or Uncertain-Poorly Constrained, the likelihood based on the Recurrence Interval Class is sufficiently low to make further geotechnical investigations unnecessary.

Across all faults, including the Southeast Reikorangi Fault, construction of BIC Type 2c, 3 and 4 buildings is restricted because the nature of these buildings means that the risk associated with these elements are greatly increased.

Table 9.1: Recurrence intervals for Ohariu, Northern Ohariu, Gibbs, South-East Reikorangi and Ōtaki Forks Faults.

FAULT COMPLEXITY	RECURRENCE INTERVAL CLASS II	RECURRENCE INTERVAL CLASS III	RECURRENCE INTERVAL CLASS IV
	Ohariu Fault and Northern Ohariu Fault 2000yrs – 3500yrs	Gibbs Fault and Ōtaki Forks Fault 3500yrs – 5000yrs	South-East Reikorangi Fault 5000yrs – 10000yrs

Note: The information has been modified from a table prepared by GNS, 'Earthquake Fault Trace Survey, Kāpiti Coast District' 2003, however the resource consent categories have been modified as a result of submissions received by Kāpiti Coast District Council on Plan Change 61.

Policy 9.15 – Avoid High Density and High Risk Uses in Fault Avoidance Areas

Reference

Higher density and higher *risk* uses such as *commercial* and *industrial activities*, *community buildings* and multi-unit housing (*BIC categories type 3 and 4 in Table 9.1*) will be located to avoid *Fault Avoidance Areas* where they are identified in the Risk Management Approach.

Objectives
2.5 & 2.8

Explanation

Due to the potential for larger numbers of people to congregate or work in community facilities, multi-unit housing, commercial areas or similar uses, these types of facilities should not be located within the *Fault Avoidance Areas*. *Industrial buildings and buildings used for the storage of hazardous substances* entail unacceptable risks to people and to the environment if located on the fault trace.

Policy 9.16 – Liquefaction Prone Land

Reference

When assessing applications for *subdivisions* which are located on sandy, alluvial or peat soils, a *risk* management approach shall be adopted and *Council* will consider a range of matters that seek to reduce the *risk* to people and property, including:

Objective
2.5

- geotechnical information ~~provided by~~ from a suitably qualified person on *liquefaction* provided with any *subdivision* or *development* application;
- the intensity of the *subdivision* and nature of future *development* of the site/lot, including building design and construction techniques; and
- the risk to people and property posed by the *liquefaction* hazard and the extent to which the activity could increase the *risk* posed by the *natural hazard*.

These investigations may result in identifying that some site/lots are not suitable for *development* and any such proposal would be declined.

Explanation

The risk of liquefaction in the district is currently poorly understood. GNS is currently undertaking a study of these risks. Any person wanting to undertake subdivision, which creates additional lots on land with sandy, alluvial or peat soils will need to undertake a site specific investigation to determine actual liquefaction susceptibility risks and provide that information as part of the subdivision consent application.

Policy 9.17 – Tsunami

Residents will be warned to evacuate high *risk* areas prior to an anticipated distant source tsunami event and recommended to self evacuate in the event of a local earthquake. There will be no regulatory controls placed on *development* in high *risk* areas for tsunami in this Plan.

Reference

Objective
2.5

Explanation

While tsunami is acknowledged as a natural hazard for the District, the Council has not adopted district plan regulations to control the hazard or risk specifically with a tsunami event. The method considered most appropriate for reducing the impact of this hazard is an early warning system and the civil defence plans for emergency response procedures. The provision of information by the civil defence emergency management office also assists community awareness and preparedness.

9.3.3 Earthquake Hazards Rules and Standards

The following rules for fault hazards and *liquefaction* apply to all zones. The rules for earthquake hazards need to be read in conjunction with **Table 9.2: Building Importance Category** the Building Importance-Table set out after the earthquake hazard rules.

Rules and Standards – Earthquake Hazards

Rule 9C.0. Introduction: Applicability of Rules in Tables 9BC.1 – 9BC.5

The ~~R~~rules in Tables 9BC.1 to 9BC.5 shall apply to all land and activities in all Zones unless otherwise specified. There may be other rules within the District Plan that also apply to sites and activities within these Zones. Section 1.1 in Chapter 1 sets out how to use the Plan and identify other rules that may also apply to a site or activity.

Notes: [1] ~~Notwithstanding the activity category defined by Rules 9C.1 to 9C.6 for any activity, attention is also drawn to the rules:~~
~~[a] in Chapters 3, 9, 11 and 12 which apply to matters which apply across all zones in the District – for example, transport carparking; and~~
~~[a] in Chapters 5, 6, 7 and 8 that apply to specific land use Zones in the District – for example the Rural Plains Zone and the Open Space (Recreation) Zone.~~
~~The rules in these chapters may identify the activity as (or result in the activity being) a different activity category than expressed below. Additional clarity on activity category determination is provided in Chapter 1 (Section 1.1).~~

Rule Table 9BC.1. Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted activity standards in this table, and all relevant rules and permitted activity standards in other Chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
1. Any activities which are not specified as a P permitted, C controlled, R restricted D discretionary, or N non C complying activity in Tables 9B.1 to 9B.5. and	1. <u>The activity complies with all <i>permitted activity</i> standards in Table 9B.1 Permitted Activities</u> Note: See Rule 9A.1.2 for separation of <i>buildings</i> and <i>structures</i> from <i>waterbodies</i> standards, and Tables 11B.1-11B.5 in relation to water and stormwater rules for all <i>development</i> .	All relevant policies in this chapter.

Rule Table 9BC.1. Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted activity standards in this table, and all relevant rules and permitted activity standards in other Chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
<p>complies with all permitted activity standards in this chapter.</p>		
<p>2. <i>Buildings</i> within <i>Fault Avoidance Areas</i> (as identified on the <i>Natural Hazard Maps</i>).</p> <p>Note: Refer to the <u>Table 9.2 Building Importance Category</u> and <u>Table 9.3 Risk Based Matrix and Building Importance Category Table 9C</u> below.</p>	<ol style="list-style-type: none"> 1. Within <i>Well-Defined</i> and <i>Well Defined Extension</i> areas for Ohariu and Northern Ohariu faults: <i>Buildings</i> that are defined as <i>Building Importance Category (BIC) Type 1</i>; that comply with the <i>permitted activity</i> standards for the <i>zone</i>. 2. Within <i>Well-Defined</i> and <i>Well Defined Extension</i> areas for the Gibbs and Ōtaki Forks faults: <i>Structures</i> that are defined as <i>BIC Type 1</i> and <i>2a</i>; that comply with the <i>permitted activity</i> standards for the <i>zone</i>. 3. Within <i>Well-Defined</i> and <i>Well Defined Extension</i> areas for the Southeast Reikorangi Fault: <i>Structures</i> that are defined as <i>BIC Type 1, 2a</i> and <i>2b</i>; that comply with the <i>permitted activity</i> standards for the <i>zone</i>. 4. Within <i>Distributed, Uncertain-Constrained</i> and <i>Uncertain-Poorly Constrained</i> areas for the Ohariu and Northern Ohariu faults: <i>Structures</i> that are defined as <i>BIC Type 1</i> and <i>2a</i>. 5. Within <i>Distributed, Uncertain-Constrained</i> and <i>Uncertain-Poorly Constrained</i> areas for the Gibbs, Ōtaki Forks and Southeast Reikorangi faults: <i>Structures</i> that are defined as <i>BIC Type 1, 2a</i> and <i>2b</i>. 	<p>Policies 9.2, 9.3, 9.4, 9.14 & 9.15</p>

Table 9B.2. Controlled Activities

The following activities are **controlled** activities, provided that they comply with all corresponding controlled activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

<u>Controlled Activities</u>	<u>Standards</u>	<u>Matters over which Council reserves control</u>
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There are no *controlled activities* in Table 9B

RuleTable 9B.3. Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
<p>1. Subdivision proposing additional developable lots where any part of the land is in the Fault Avoidance Area which creates additional developable lots.</p> <p>Criteria for notification <u>The written approval of persons will not be required and applications under this rule will not be served on any person or notified.</u></p>	<p>1. Each lot shall <u>must</u> be capable of providing a 200m² building area site, which has a minimum horizontal dimension of 12 metres in any direction, clear of the identified Fault Avoidance Area (as shown in the Natural Hazards Maps), where the allotment lot is not a reserve or access lot.</p> <p>2. Building areas sites do not have to be clear of the Fault Avoidance Areas within the Distributed, Uncertain-Constrained, and Uncertain-Poorly Constrained Areas of the Gibbs and Ōtaki Forks faults and no geotechnical information will be required.</p> <p>3. The entire Southeast Reikorangi Fault, is excluded from this provision. (i.e. zone provisions apply).</p> <p>Criteria for Notification When assessing a resource consent application within the Fault Avoidance Areas, the effects associated with matters arising from the Fault Trace rules, shall be considered without the need to obtain the written approval of affected persons and need not be publicly notified.</p>	<p>1. The design and layout of the subdivision, earthworks and the location of any building areasite, relative to the Fault Avoidance Area.</p> <p>2. Council's Subdivision and Development Principles and Requirements 2012.</p> <p>3. The imposition of financial contributions in accordance with Chapter 12 of this Plan.</p> <p>4. The imposition of conditions in accordance with sections 108 and 220 of the Resource Management Act.</p> <p>4. Vehicle access points onto legal road including the State Highway Network and any effects on the transport network.</p> <p>5. The location of any nominated building site, relative to the natural hazards, historic heritage features and sensitive natural features.</p>	<p>Policies 9.2, 9.3, 9.4, 9.14 & 9.15</p>
<p>2. Buildings within Fault Avoidance Areas that:</p> <p>a) do not comply with the permitted activity</p>	<p>1. Geotechnical information shall <u>must</u> be provided by a suitably qualified person demonstrating that the building is not located on a fault trace and/or fault trace deformation.</p>	<p>1. The location of any building areasite, relative to the location and depth of fault traces.</p>	<p>Policies 9.2, 9.3, 9.4, 9.14 and 9.15</p>

RuleTable 9B.3. Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
<p>b) standards; or are identified as a <i>restricted discretionary activity</i> in the <u>Table 9.3 Risk Based Matrix Table 9.3 and Table 9.2 Building Importance Category Table 9.2</u>.</p>	<p>The information shall identify the location and depth of the Fault Trace in respect of any <i>building</i> platform. The information shall <u>must</u> be recorded using Geographical Positioning Satellite (GPS) Information System.</p> <ol style="list-style-type: none"> 2. Within <i>Well-Defined</i> and <i>Well-Defined Extension</i> Areas for the Ohariu and Northern Ohariu faults: structures that are defined as <i>BIC</i> Type 2a and 2b. 3. Within <i>Well-Defined</i> and <i>Well-Defined Extension</i> Areas for the Gibbs and Ōtaki Forks faults: structures that are defined as <i>BIC</i> Type 2b. 4. Within <i>Distributed, Uncertain-Constrained</i> and <i>Uncertain-Poorly Constrained</i> Areas for Ohariu and Northern Ohariu faults: structures that are defined as <i>BIC</i> Type 2b. 5. Within all <i>Fault Avoidance Areas</i> for all faults: structures that are defined as <i>BIC</i> Type 2c. 	<ol style="list-style-type: none"> 2. The location and design of <i>buildings</i> to mitigate <i>effects</i> from a fault rupture hazard. 3. The level of <i>risk</i> posed by the fault trace rupturing. 4. The manner in which the topography, land features of the <i>site</i> and access to <i>infrastructure</i> affect the ability to locate the <i>building</i> <u>are</u> <i>site</i>. 5. In respect to <i>BIC</i> Type 2c <i>buildings</i>; the nature, scale and use of those <i>buildings</i>. 	
<p>3. <i>Subdivision</i> (excluding <i>boundary adjustments</i> or <i>subdivision of land where no additional lots are created</i>) of land with peat or sand soils.</p>	<ol style="list-style-type: none"> 1. Geotechnical information shall <u>must</u> be provided by a suitably qualified and experienced person (to building consent level) on <i>liquefaction risk</i>. 2. Proposed <i>building</i> areas with a minimum dimension of 20 metres shall <u>must</u> be 	<ol style="list-style-type: none"> 1. The outcomes of the geotechnical investigation on <i>liquefaction risk</i>. 2. Whether the potential <i>risk</i> to the health and safety of people, and property from <i>liquefaction</i> can be avoided or mitigated. 	<p>Policies 9.4 & 9.16</p>

RuleTable 9B.3. Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
	identified for each <i>lot</i> .	<ol style="list-style-type: none"> 3. The design and layout of the <i>subdivision</i> including <i>earthworks</i>, servicing and the location of any <i>building</i> platforms. 4. <i>Council's</i> Subdivision and Development Principles and Requirements 2012. 5. The imposition of <i>financial contributions</i> in accordance with Chapter 12 of this Plan. 6. The imposition of <i>conditions</i> in accordance with sections 108 and 220 of the Resource Management Act. 7. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway Network</i> and any <i>effects</i> on the <i>transport network</i>. 8. The location of any nominated <i>building areasite</i>, relative to the <i>natural hazards</i>, <i>heritage features</i> and <i>sensitive natural features</i>. 	
4. Any new <i>building</i> defined as <i>BIC</i> Type 2c, 3 and 4 located on land with sand or peat soils.	1. Geotechnical information shall must be provided by a suitably qualified and experienced person (to building consent level) on <i>liquefaction</i> .	<ol style="list-style-type: none"> 1. The outcomes of the geotechnical investigation on <i>liquefaction</i> by a suitably qualified and experienced person. 2. Whether the potential <i>risk</i> to the health and safety of the people and property from <i>liquefaction</i> can be avoided or mitigated. 	Policies 9.4 & 9.16

RuleTable 9B.3. Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
		3. The design and location of the <i>building</i> .	

Rule Table 9B.4 Discretionary Activities		
The following activities are discretionary activities		
Discretionary Activities	Assessment Criteria	Reference
1. Any activity listed as <u>restricted discretionary</u> in Rules 9B.3.2 – 9B.3.5 that does not comply with one or more of the associated standards, unless otherwise specified		
<p>2.1. Subdivision within Fault Avoidance Areas Subdivision of where any part of the land identified as being is within the Fault Avoidance Area for all of the Ohariu and Northern Ohariu faults, and or within the Well-Defined and Well-Defined Extension Areas for the Gibbs and Ōtaki Forks faults (see Natural Hazards District Plan Maps for detail) and where a building area site, which has a minimum dimension of 12 metres, is not provided clear of the identified Fault Avoidance Area and where the subdivision would otherwise be a restricted discretionary activity under Rule 9B.3.1.</p> <p>Note: Refer to the Table 9.2 <i>Building</i></p>	<p>1. The location of any building site, relative to the location and depth of fault traces.</p> <p>2. The manner in which the topography, land features of the site and access to infrastructure affect the ability to locate the building site.</p> <p>3. For the Rural Zone, in respect to BIC Type 2c buildings; the nature, scale and use of those buildings.</p> <p>4. The adequacy of geotechnical information shall be provided by a suitably qualified person demonstrating that any building is not located on the fault trace and/or fault rupture deformation. The information shall include the location and depth of the Fault Trace in respect of any building platform, recorded using Geographical Positioning Satellite (GPS) Information Systems.</p> <p>5. The location and design of buildings to mitigate effects from a fault rupture hazard.</p> <p>6. The level of risk posed by the fault trace rupturing.</p> <p>7. Identification on a survey plan of any 'Building Exclusion Zones' where no part of a building may be located.</p> <p>Criteria for Notification (Rural Zone) When assessing a resource consent application within the Fault Avoidance Areas, the effects associated with matters arising from the Fault Trace rules, shall be considered without the need to obtain the written approval of affected persons and need not be publicly notified.</p>	<p>Policies 9.2, 9.3, 9.4, 9.14 & 9.15</p>

<p><u>Importance Category and Table 9.3 Risk Based Matrix and Building Importance Category Table 9C below.</u></p> <p><u>Criteria for notification</u> <u>The written approval of persons will not be required and applications under this rule will not be served on any person or notified.</u></p>		
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RuleTable 9BC.5 Non-Complying Activities

The following are non-complying activities

Non-Complying Activities	Reference
1. The location of <i>structures</i> defined as <i>BIC Type 3</i> and <i>Type 4</i> and any <i>Type 1, 2a, 2b, 2c structure</i> associated with a <i>Type 3</i> and/or <i>Type 4 structure</i> or activity within the <i>Fault Avoidance Areas</i> (refer to the <u>Table 9.2 Risk Based Matrix</u> and <u>Table 9.1 Building Importance Category Table</u> below).	Policies 9.2, 9.3, 9.4, 9.14 & 9.15
2. Network utilities within Fault Avoidance Areas.	Policies 9.2, 9.3, 9.4, 9.14 & 9.15

Table 9.2: Building Importance Category (BIC) and Representative Examples (as modified from source GNS, 'Earthquake Fault Trace Survey Kāpiti Coast District, 2003)

Building Importance Category (BIC)	Description	Examples
1	Temporary and/or non-habitable structures and additions to existing dwellings with low hazard to life and other properties (provided those <i>additions</i> do not increase the number of dwellings on the <u>site/property</u>).	<ul style="list-style-type: none"> • Non-habitable stand-alone <i>structures</i> • <i>Accessory Buildings</i> • Farm <i>buildings</i>, fences • Towers in rural situations • Additions to any dwelling type, including <i>additions to existing two-storey dwellings</i>
2a	Timber-Framed single-storey residential construction <300m ² .	<ul style="list-style-type: none"> • Timber framed single-storey dwellings <300m² • <i>Minor flats</i>
2b	Other Residential Buildings including timber-framed residential construction with a floor area greater than 300m ² and/or with multiple storeys, and specific other residential construction.	<ul style="list-style-type: none"> • Timber framed with multiple storeys • Timber framed houses with area > 300m² • Houses outside the scope of NZS 3604 "Timber Framed Buildings"
2c	Normal Structures (including <i>structures</i> not in other categories).	<ul style="list-style-type: none"> • Multi-occupancy residential, commercial and industrial <i>buildings</i>
3	Important Structures that may contain people in crowds or contents of high value to the community or pose <i>risks</i> to people in crowds.	<ul style="list-style-type: none"> • Public assembly <i>buildings</i>. • Theatres and cinemas <1000m² • Car parking <i>buildings</i> • Emergency medical and other emergency facilities not designated as critical post disaster facilities • Airport terminals, railway stations, schools • Museums and art galleries • Municipal <i>buildings</i> • Grandstands • <i>Service Stations</i> • Hazardous facilities

4	Critical Structures with special post disaster functions.	<ul style="list-style-type: none">• Major <i>infrastructure</i> facilities• Air traffic control installations• Designated civilian emergency centres, medical emergency facilities, emergency vehicle garages, fire and police stations
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Note:

- *Subdivisions* located within a *Fault Avoidance Area* are controlled by separate rules. Where a *subdivision* has occurred within a *Fault Avoidance Area* and consent notices control the location of or define a *building area* – the directions of the consent notices are to be given primacy over these provisions.
- The *Building Importance Categories* of Type 1, 2a, 2b, 3 and 4 are defined in Table 9.2 and adapted from GNS Science, “Earthquake Fault Trace Survey Kāpiti Coast District,” 2003.
- The resource consent category applies only to the *development* of *buildings*, not to *subdivision*.

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Table 9.3: Risk based matrix table for fault hazard for development only for Ohariu, Northern Ohariu, Gibbs, South-East Reikorangi and Ōtaki Forks faults

Fault Complexity	Recurrence Interval Class II Ohariu Fault and Northern Ohariu Fault >2000yrs - ≤ 3500yrs	Recurrence Interval Class III Gibbs Fault and Ōtaki Forks Fault > 3500yrs - ≤5000yrs	Recurrence Interval Class IV South-East Reikorangi Fault >5000yrs - ≤10000yrs
LIVING ZONES			
Well Defined and Well Defined Extension	Type 1: Permitted Type 2a & 2b & 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1 & 2a: Permitted Type 2b & 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1, 2a & 2b: Permitted Type 2c: Restricted Discretionary Type 3 & 4: Non-Complying
Distributed Uncertain-Constrained Uncertain-Poorly Constrained	Type 1 & 2a: Permitted Type 2b & 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1, 2a & 2b: Permitted Type 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1, 2a & 2b: Permitted Type 2c: Restricted Discretionary Type 3 & 4: Non-Complying
RURAL ZONES			
Well Defined and Well Defined Extension	Type 1: Permitted Type 2a & 2b & 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1 & 2a: Permitted Type 2b & 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1, 2a & 2b: Permitted Type 2c: Restricted Discretionary Type 3 & 4: Non-Complying
Distributed Uncertain-Constrained Uncertain-Poorly Constrained	Type 1: & 2a: Permitted Type 2b & 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1, 2a & 2b: Permitted Type 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1, 2a & 2b: Permitted Type 2c: Restricted Discretionary Type 3 & 4: Non-Complying

Note:

- *Subdivisions* located within a *Fault Avoidance Area* are controlled by separate rules. Where a *subdivision* has occurred within a *Fault Avoidance Area* and consent notices control the location of a or define a *building area* – the directions of the consent notices are to be given primacy over these provisions
- The information has been modified from table prepared by GNS Science, “Earthquake Fault Trace Survey, Kāpiti Coast District” 2003.
- The *Building Importance Categories* of Type 1, 2a, 2b, 3 and 4 are defined in Table 9.2 and are taken from GNS Science, “Earthquake Fault Trace Survey Kāpiti Coast District”, 2003.
- The *resource consent* category applies only to the *development of buildings*, not to *subdivision*.

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9.4 Erosion and Slope Stability

9.4.1 Introduction

Landslips pose a significant risk not only to existing properties within the district but also to regional and nationally significant infrastructure including transport routes such as SH1 and the rail corridor. In the southern and southeastern parts of the district the terrain is steep and slopes have a very high susceptibility to slope failure. Predictions of changing weather patterns from climate change suggest that there could be more frequent and intense rainstorm events which may cause more damage to erosion prone land and increase risk to people and property. The erosion prone land within the district is shown on the Natural Hazard Planning maps. The erosion susceptibility mapping was undertaken in a study for the Ministry for the Environment. The maps show erosion risk categories from very high to no risk.

9.4.2 Erosion and Slope Stability Policies

Policy 9.18 – Erosion Risk Assessment

When assessing applications for subdivisions and developments which are located on land which has a moderate or high erosion risk, a risk management approach will be taken and Council will consider a range of matters that seek to reduce the risk to people and property, including:

- a) geotechnical information provided by a suitably qualified person on slope stability provided with any subdivision or development application;
- b) engineering information for mitigation or remediation works if practicable;
- c) the intensity of the subdivision and nature of future development of the site;
- d) any measures proposed to avoid or mitigate any potential effects on slope stability including the retirement and planting of steeper land.
- e) the extent to which any subdivision or building will, or may, result in damage to property or harm to people.
- f) the activity or any subsequent use of the land and the potential of those activities to increase erosion or instability or result in material damage to any structure or building on that land or any other land.

Reference

Objective 2.5

Explanation

The areas of moderate or high erosion prone land are illustrated on the district planning maps. People wanting to undertake subdivision or development on land which has a moderate to high susceptibility to erosion will be required to provide a geotechnical assessment as part of their subdivision or land use consent application. Subdivision and development will not be undertaken on land where there is an erosion risk that cannot be remediated.

Policy 9.19 – Erosion Risk Avoidance

~~Subdivision and development on land identified in the District Plan maps as having moderate or high erosion risk will be avoided, unless a comprehensive engineering and geotechnical report demonstrates that the land is sufficiently stable for the subdivision or development activities proposed.~~

Reference

Objective
2.5

Explanation

~~Areas prone to erosion have been identified in the District Plan Natural Hazard maps. These areas are steep hill country areas where little development is anticipated. These areas are commonly used for forestry activities and less commonly for pastoral farming and rural living.~~

9.4.3 Erosion and Slope Stability Rules and Standards

The following rules for erosion and slope stability apply to all zones. The erosion prone land within the district is illustrated on the Natural Hazard Maps and is based on an assessment undertaken by the Ministry for the Environment which takes into account a number of factors including slope, soil type and exposure to weather patterns.

Rules and standards – Erosion and slope stability

Rule 9D.0. Applicability of Rules 9D.1 – 9D.3

Rules 9D.1 to 9D.3 shall apply to all land and activities in all Zones unless otherwise specified.

Notes: [1] Notwithstanding the activity category defined by Rules 9D.1 to 9D.3 for any activity, attention is also drawn to the rules:

- [a] in Chapters 3, 9, 11 and 12 which apply to matters which apply across all zones in the District – for example, transport and;
- and
- [a] in Chapters 5, 6, 7 and 8 that apply to specific land use Zones in the District – for example the Rural Plains Zone and the Open Space (Recreation) Zone.

The rules in these chapters may identify the activity as (or result in the activity being) a different activity category than expressed below. Additional clarity on activity category determination is provided in Chapter 1 (Section 1.1).

Rule 9D.1. Permitted Activities

The following activities are ~~permitted~~ activities, provided that they comply with all corresponding permitted standards (unless otherwise specified).

Permitted Activities	Standards	Reference
1. Any activities which are not specified as Permitted, Controlled, Restricted Discretionary, Discretionary or Non-Complying activity and complies with all permitted activity standards in this chapter.		All relevant policies in this chapter

Rule 9D.1. Permitted Activities

The following activities are ~~permitted activities~~, provided that they comply with all corresponding permitted standards (unless otherwise specified).

Permitted Activities	Standards	Reference
2. Any extension to an existing habitable building on land shown as having high erosion susceptibility (as shown on the Natural Hazard maps)	1. The extension shall not exceed 15% of the total floor space of the existing room or 20m², whichever is lesser, in any 10-year period.	Policies 9.2, 9.3, 9.4 & 9.18

Rule 9D.3. Restricted Discretionary Activities

The following activities are ~~restricted discretionary activities~~, provided that they comply with all corresponding ~~restricted discretionary standards (unless otherwise specified)~~.

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
<p>1. Subdivision of land with a slope greater than 25 degrees and having high erosion susceptibility (as shown on the Natural Hazard maps).</p> <p><i>Boundary adjustments where no new lots are created are excluded from this rule.</i></p>	<p>1. A report from an appropriately qualified and experienced person shall be provided demonstrating that any habitable building, network utility, access, and earthworks required will not be likely to nor contribute to damage to any habitable building, access or network utility or any adjoining property arising from slope instability.</p>	<p>1. The outcomes of the report into slope instability from an appropriately qualified and experienced person.</p> <p>2. Any measures proposed to avoid or mitigate any potential effects on slope stability including the retirement and planting of steeper land.</p> <p>3. The design and layout of the subdivision including earthworks.</p> <p>4. Council's Subdivision and Development Principles and Requirements 2012.</p> <p>5. The imposition of financial contributions in accordance with Chapter 1 of this Plan.</p> <p>6. The imposition of conditions in accordance with sections 108 and 220 of the Resource Management Act.</p> <p>7. Vehicle access points onto legal road including the State Highway Network and any effects on the transport network.</p> <p>8. The location of any nominated building site relative to the natural hazards, heritage features and <i>sensitive natural features</i>.</p>	<p>Policies 9.2, 9.3, 9.4, 9.18 & 9.19</p>

Rule 9D.3. Restricted Discretionary Activities

The following activities are ~~restricted discretionary activities~~, provided that they comply with all corresponding ~~restricted discretionary standards (unless otherwise specified)~~.

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
2. Any new or relocated buildings on land with a slope greater than 25 degrees or having high erosion susceptibility (as shown on the Natural Hazards maps).	1. A report from an appropriately qualified and experienced person shall be provided demonstrating that any habitable building, network utility, access, and earthworks required will not be likely to nor contribute to damage to any habitable building, access or network utility or any adjoining property arising from slope instability.	1. The outcomes of the report into slope instability from an appropriately qualified and experienced person. 2. Any measures proposed to avoid or mitigate any potential effects on slope stability including the retirement and planting of steeper land.	Policies 9.2, 9.3, 9.4, 9.18 & 9.19
3. Any extension to an existing building on land with a slope greater than 25 degrees or any extension to a building on land shown as having high erosion susceptibility which does not comply with permitted activity standard 9D.1.1.1.	1. A report from an appropriately qualified and experienced person shall be provided demonstrating that any habitable building, network utility, access and earthworks required will not be likely to nor contribute to damage to any habitable building, access or network utility or any adjoining property arising from slope instability.	1. The outcomes of the report into slope instability from an appropriately qualified and experienced person. 2. Any measures proposed to avoid or mitigate any potential effects on slope stability including the retirement and planting of steeper land. 3. The ability to meet the objectives and policies for the zone and Hazards Chapter. 4. The extent to which the activity could increase the risk posed by the natural hazard.	Policies 9.2, 9.3, 9.4, 9.18 & 9.19
4. Earthworks (not associated with forestry) on land with a slope greater than 25 degrees and having high erosion susceptibility (as		1. The scale and design of the earthworks. 2. Any potential effects of the earthworks on erosion and slope stability.	Policies 9.2, 9.3, 9.4, 9.18 & 9.19

Rule 9D.3. Restricted Discretionary Activities

The following activities are ~~restricted discretionary~~ activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified):

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
shown on the Natural Hazard maps).		3. Any mitigation measures proposed.	

9.54 Fire Hazards

9.5.14.1 Fire Hazard Introduction

Fire Hazards

The nature of the Kāpiti Coast climate varies greatly, resulting in the District developing a high fire danger, sometimes earlier than the rest of the Wellington Region. Some areas of the District are more prone to wildfire than others. The coastal dune area is very quick to dry out following periods of low rainfall or sustained northwest winds. The lowland hills of the Tararua Ranges are also being increasingly planted in exotic pine which increases the fire risk. The wildfire hazard (*risk* to life and property) has increased due to increasing *development* in these high *risk* wildfire zones. Climate change projections pose an additional wildfire threat with increased propensity for drought and stronger or more sustained wind events.

The rules and standards for managing fire hazards require all rural properties in high risk fire hazard zones, and commercial forests, to have access roads and tracks that are appropriately designed, built, and maintained for entry and exit of fire fighting vehicles. The District Plan also sets a requirement that requires that all residential properties in rural areas (developed since 1999) must have a water tank situated on their *property*, so that ~~they~~ it can be used for fire fighting purposes. Developers are also required to have water storage tanks specifically for fire fighting purposes strategically placed in any rural area development. These rules and standards relating to fire hazards are set out in the Rural and Open Space chapters of this Plan.

9.5.24.2 Fire Hazard Policy

Policy 9.24 9.18 – Fire Hazards

~~Risks to people and property from fire hazards will be required to be minimised~~
by:

- a) requiring *plantation forestry* and forestry harvesting activities in rural and *open space zones* to be designed to enable quick response to fire; and
- b) requiring *subdivision, use and development* in rural zones to provide water for firefighting; and
- c) requiring access and adequate fire fighting water supplies to be provided for fire appliances in all *zones*.

Reference

Objective
2.5

Explanation

~~Fire fighting can be less effective in minimising damage in the district by structures which impede access for fire appliances. In urban areas fire hydrants are provided connected to the pressurised water reticulation system, in rural areas there is generally no reticulation therefore water storage in tanks or dams is required to enable fire fighting.~~

There is a high risk of fire occurring in plantation forestry; therefore a fire plan is required prior to commencing a new plantation forestry activity, including harvesting existing plantations.

9.54.3 Fire Hazard Rules and Standards

FIRE HAZARDS – Rules and Standards are integrated into the rules in Chapters 5 (Living Zones Environment), 6 (Working Zones Environment), 7 (Rural Environment Zones) and 8 (Open Space and Private Recreation and Leisure Zones).

9.65 Man-made Hazards: Contaminated Land

The primary objective (set out in Chapter 2) that this sub-chapter implements is Objective 2.10 – Contaminated Land. The following objectives are also relevant to this Chapter:

- 2.5 Natural Hazards

9.6.15.1 Introduction

The District Plan adopts measures that minimise the risks to people, property and the natural environment including the risk of future contamination of land. Contaminated land management deals with the clean-up, remediation and reuse of land which is already contaminated, often as a result of past activities.

These controls are complementary to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2012, New Zealand Standards, Regulations and Legislation for activities involving dangerous, toxic and explosive substances. They are not a substitution for the site and zone standards of the relevant zone, or any other legislation that deals with hazardous substances, such as Hazardous Substances and New Organisms Act (HSNO), Medicines Act, and Health and Safety in Employment Act or any subsequent legislation. Consent may also be required from Greater Wellington Regional Council.

9.6.3 Contaminated and Potentially Contaminated Land

Both District and Regional Councils have roles in managing *contaminated land*. Under the RMA (Section 30(1)(ca)), Regional Councils are charged with the investigation of land to identify and monitor contaminated sites, while District Councils control (avoid remedy or mitigate) the effects of the land use development or protection of land to prevent or mitigate the adverse effects of the *development, subdivision* or use of contaminated land (Section 31(4)).

The *Council* uses the Wellington Regional Council's Selected Land Use Register (SLUR) and the Ministry for the Environment's Hazardous Activities and Industries List (HAIL) to primarily identify *contaminated land*, and gather and record information on *contaminated land*.

HAIL is a list of activities that are considered likely to cause land contamination and therefore provides guidance for identifying potentially contaminated land. HAIL is available at: <http://www.mfe.govt.nz> and at Kāpiti Coast District Council offices. Wellington Regional Council's SLUR contains six different classifications relating to contaminated land:

- Verified history of HAIL
- Unverified history of HAIL
- Contamination confirmed
- Contamination acceptable / managed / remediated
- No identified contamination
- Entered into database in error

These records are used by the *Council* when assessing applications for *resource consents*, to managing/managed the adverse effects resulting from a change in land use or *subdivision of contaminated land*. Typically some remediation and further investigation of contaminated land is undertaken by the site owner and occurs prior to a change in use or when facilities are retired or replaced, e.g. fuel storage tanks. However, it is not practicable to remedy/remediate all contaminated sites and many are not likely to undergo

remediation unless a change to a more sensitive land use is proposed, e.g. in the short to medium term, it is more practical to manage closed landfills to contain *contaminants* rather than remedy these sites at a significant cost.

While much of this land has been identified by the Regional Council (in SLUR) and the *Council* through consent (building and resource) and private plan change processes, there remain areas of land within the District that may potentially be contaminated due to past practices and activities. It is the landowner's responsibility to identify, manage and, where necessary, remediate *contaminated land*.

The importance of a nationally consistent methodology for identifying, assessing and managing land where necessary, including ensuring that the land is remediated or *contaminants* contained, is recognised in the development of the Resource Management (National Environmental Standard for Assessing and Managing *Contaminants* in Soil to Protect Human Health) Regulations 2011². These controls are mandatory and apply to specific activities ~~which heighten risks to human health~~ on sites which are identified as potentially contaminated, e.g. disturbing the soil, change of use, subdivision earthworks or a change from industrial or horticulture to residential use. The National Environmental Standard for Assessing and Managing *Contaminants* in Soil to Protect Human Health does not address environmental impacts.

~~When resource consent is necessary under the rules in this sub-chapter, the objectives and policies are to be considered in conjunction with the objectives and policy provisions for the plan for the underlying Area.~~

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9.6.35.2 Contaminated Land Policies

Policy 9.299.19 – Identify Contaminated and Potentially Contaminated Land

~~Contaminated and potentially contaminated land in the District will be identified, including through the resource consent or plan change processes, to enable the land to be managed or remediated to eliminate any unacceptable risk to the environment.~~

Reference

Objective
2.10

Policy 9.309.20 – Criteria for Identification

~~Contaminated and potentially contaminated land in the District will be identified using the following criteria where land:~~

- ~~a) was used, is presently used, or is likely to have been used for an activity appearing on the Hazardous Activities and Industries List; or including having regard to whether the land is~~
- ~~b) identified as contaminated in the information held by the Kāpiti Coast District Council or in the Wellington Regional Council's SLUR database.~~

Reference

Objective
2.10

Explanation (Policies 9.29 and 9.30)

~~Not all the contaminated land in the District has been identified. As a guideline for identifying potentially contaminated land, the Council uses the Hazardous Activities and Industries List (HAIL). The HAIL identifies most situations in New Zealand where hazardous substances could cause land contamination and is used to identify sites for inclusion on Greater Wellington Regional Council's Selected Land Use Register (SLUR). HAIL lists 52 specific land uses that can potentially cause contamination.~~

~~Land owners are required to assess the risk posed by land identified as contaminated or potentially contaminated at the time of lodging an application for resource consent or a request for a private change so that the Council can be satisfied that the land is safe for the proposed end land use.~~

Policy 9.319.21 – Site Investigations

~~Site investigations of *contaminated land* will should be carried out in accordance with national best practice, including the Ministry for the Environment's Contaminated Land Management Guidelines No.1 to No. 5.~~

Reference

Objective
2.10

Policy 9.329.22 – Management or Remediation

~~Any *development, subdivision* or change in land use on HAIL land, or land identified as contaminated or potentially contaminated land by the Kāpiti Coast District Council or the Wellington Regional Council's SLUR database, that is reasonably likely to increase the risk of exposing people or the *environment* to *contaminants*, will be managed or remediated to eliminate any unacceptable risk to the environment by management or remediation of the contaminated land.~~

Reference

Objective
2.10

Explanation (Policies 9.31 and 9.32)

Site investigations will be required when land has been used for an activity which could result in contamination. The investigations are to determine whether the land is contaminated and what level of contamination is present.

Risk is the potential for adverse consequences resulting from a hazard. It quantifies the likelihood that a hazard's potential to cause harm will be realised. Decision making requires clearly defined criteria about acceptable and unacceptable risk.

The precise level of acceptable risk varies depending on the scale and nature of the contaminant source, its location relative to any potential receptors (ecosystems, plants, animals, people) and the exposure scenario (how the receptors might come into contact with the hazard). The Ministry for the Environment's Contaminated Land Management Guidelines No. 2 – Hierarchy and Application in New Zealand for Environment Guideline Values (updated 2011) was developed to ensure the consistent selection and application of environmental guidelines. The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 incorporates the Ministry for the Environment's Methodology for Deriving Standards for Contaminants in Soil to Protect Human Health, which includes Soil Guideline Values (SGV_{health}) for 12 contaminants in soil, calculated for five generic land use exposure scenarios at which the exposure is judged to be acceptable because the adverse effects on human health for most people are likely to be no more than minor.

Note: 'Contaminated Land Management Guidelines No. 1 to No. 5' Methodology for Deriving Standards for Contaminants in Soil to Protect Human Health and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulation 2001 is available from www.mfe.govt.nz or Council Offices.

Policy 9.339.23 – Ensure Fit for Use

The remediation and/or on-going management of *contaminated or potentially contaminated land* will be undertaken in a manner that is appropriate for any likely future use of that land.

Reference

Objective 2.10

Explanation

Land identified as contaminated or potentially contaminated is required to be made safe for its proposed end land use by the land owner as a result of giving effect to a resource consent or private plan change.

Policy 9.34 – Assessment Criteria

When considering whether contaminated or potentially contaminated land is safe for its intended use, subdivision or development, Council will have regard to the following:

Reference

Objective 2.2 & 2.10

Policy 9.34 — Assessment Criteria**Reference**

- ~~a) the nature and extent of any contamination of soil or groundwater and the potential sources of contamination;~~
- ~~b) the approach to any proposed remediation, and/or ongoing management of the contamination, including:
 - ~~i. extent of earthworks or removal of materials undertaken, including any method to control the release of contaminants into the environment;~~
 - ~~ii. treatment or disposal methods for contaminated or potentially contaminated materials, soil or water;~~
 - ~~iii. measures employed to prevent or mitigate any adverse effects on human health, water quality, or the downstream receiving environment are appropriate;~~
 - ~~iv. methods to address the risk of the contamination to public health and safety and that of workers involved in site works;~~~~
- ~~c) the extent to which the effects of remediation are acceptable;~~
- ~~d) the suitability of the land for its intended use;~~
- ~~e) whether adequate measures will be taken to ensure the safe operation of the proposal on the land.~~

Explanation

The assessment criteria are designed to guide both the applicant and the Council in providing clarity around what is to be assessed when considering resource consents for contaminated land. There are further requirements in relation to effects on human health in the National Environmental Standard for Sources of Human Drinking Water, specifically Regulations 11, 12 and 13 which the council will take into consideration in resource consent conditions.

Note: Reference to the Ministry for the Environment's Contaminated Guidelines No 1 to 5 will assist applicants in achieving compliance with above criteria.

9.6.45.3 Contaminated Land Rules and Standards

The following rules shall apply to activities that involve the disturbance or use of contaminated or potentially contaminated land. Consideration shall be given to the relevant rules and conditions for the zone in which the activity is to be located. Regard shall be had to all Objectives and Policies which may be relevant to any proposed activity subject to the provisions of these rules.

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health, which the Council is responsible for enforcing, is applicable to this topic. The rules of the NES apply to managing the effects of contaminants in soil on human health. The District Plan rules apply to managing other effects, including the effects of contaminants on eco-systems. The Standard is available at: <http://www.mfe.govt.nz> and at Kāpiti Coast District Council offices.

For areas containing *contaminated* and *potentially contaminated* land as defined under the Resource Management (National Environmental Standard for Assessing and Managing *Contaminants* in Soil to Protect Human Health) Regulations 2011 (the 'NES'), the NES applies in its entirety.

No rule in any chapter of this Plan that duplicates or conflicts with the NES shall apply. The NES applies in addition to all other rules in any Chapter of this Plan, however no rule in any Chapter of this Plan that duplicates or conflicts with the NES shall apply.

Rules and Standards – contaminated land

Rule 9E.0. Applicability of Rules 9E.1 – 9E.5

Rules 9E.1 to 9E.5 shall apply to all land and activities in all Zones unless otherwise specified.

Notes: [1] Notwithstanding the activity category defined by Rules 9E.1 to 9E.5 for any activity, attention is also drawn to the rules:
 [a] in Chapters 3, 9, 11 and 12 which apply to matters which apply across all zones in the District—for example, transport **and**;
 and
 [a] in Chapters 5, 6, 7 and 8 that apply to specific land use Zones in the District—for example the Rural Plains Zone and the Open Space (Recreation) Zone.

The rules in these chapters may identify the activity as (or result in the activity being) a different activity category than expressed below. Additional clarity on activity category determination is provided in Chapter 1 (Section 1.1).

Rule 9E.1 Permitted Activities

The following activities are ~~permitted activities~~, provided that they comply with all corresponding permitted standards (unless otherwise specified).

Permitted Activities	Standards	Reference
1. Any activities which are not specified as Permitted, Controlled, Restricted Discretionary, Discretionary or Non-Complying activity and complies with all permitted activity standards in this chapter.		All policies in this chapter
3. Disturbing the soil of contaminated or potentially contaminated land.	1. Controls shall be put in place to minimise any potential adverse environmental effects during the disturbance works. 2. The soil shall be reinstated to an erosion resistant state within 1 month of completing the sampling or subsurface works. 3. Where there is a structure in place designed to contain contaminants the integrity of the structure shall not be compromised. 4. Removed soil shall be disposed at a facility authorised to receive such waste. 5. The volume of soil disturbance shall be less than or equal to 25m³ per 500m². 6. A maximum of 5m³ per 500m² of soil shall be removed from the site per year, excluding soil taken for samples. 7. The duration of soil disturbance shall be no longer than 2 months.	Policies 11.11 & 11.22
4. Soil sampling of contaminated or potentially contaminated land.	1. Controls shall be put in place to minimise any potential adverse environmental effects during the disturbance works. 2. The soil shall be reinstated to an erosion resistant state within one month of completing the sampling or subsurface works. 3. Soil shall be only removed from the land as samples for the purpose of laboratory analysis.	Policies 11.11 & 11.22

Rule 9E.1 Permitted Activities

The following activities are permitted activities, provided that they comply with all corresponding permitted standards (unless otherwise specified).

Permitted Activities	Standards	Reference
	<p>4. Where there is a structure in place designed to contain contaminants the integrity of the structure shall not be compromised.</p>	
<p>5. Removal or replacement of a fuel storage system.</p>	<p>1. The removal, investigation, remediation, validation and management processes shall be undertaken in accordance with the current edition of the Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand.</p> <p>2. Within 3 months of the activity being completed the Council shall be provided with a copy of the results required by the guidelines.</p> <p>3. Prior to the activity commencing the Council shall be advised in writing of:</p> <p style="margin-left: 20px;">a) The location and address of the activity;</p> <p style="margin-left: 20px;">b) The dates the activity will begin and end;</p> <p style="margin-left: 20px;">c) The name of the authorised facility where any removed soil will be disposed of.</p> <p>4. No more than 30m³ of soil per tank shall be disturbed or removed from the site.</p> <p>5. The duration of the activity shall be no longer than 2 months.</p>	<p>Policies 11.11 & 11.22</p>
<p>6. Change of land use of contaminated or potentially contaminated land.</p>	<p>1. A preliminary site investigation of the site has been undertaken confirming that the contamination levels are acceptable for the purposed land use.</p> <p>2. The report is provided to the Council within 1 month of being completed.</p> <p>3. The proposed use complies with the relevant rules in the underlying zone.</p>	<p>Policies 11.11 & 11.22</p>

Rule 9E.2 Controlled Activities

The following activities are **controlled** activities, provided that they comply with all corresponding controlled standards (unless otherwise specified):

Controlled Activities	Standards	Matters over which Council reserves control	Reference
<p>2. Removing or replacing fuel storage system, sampling soil, disturbing soil or change of use that does not meet one of the permitted activity standards under Rules 9E.1.3, 9E.1.4, 9E.1.5. and 9E.1.6.</p>	<p>1. A detailed site investigation shall be provided to the Council.</p> <p>2. The detailed site investigation, including a risk assessment undertaken for all receptors, shall follow the hierarchy of guideline values in the Ministry for the Environment's Contaminated Land Management Guidelines No. 2—Hierarchy and Application in New Zealand of Environmental Guideline Values.</p> <p>3. The conditions of the investigation are compiled with:</p>	<p>1. Adequacy of site investigation including:</p> <ul style="list-style-type: none"> a) Site sampling; b) Laboratory analysis; c) Risk Assessment. <p>2. Adequacy of Management Practices including:</p> <ul style="list-style-type: none"> a) A site management plan; b) Monitoring; c) Reporting. <p>3. The transport, disposal and tracking of soil and other materials taken away in the course of the activity.</p> <p>4. The timing and nature of the review of the conditions in the resource consent.</p> <p>5. The duration of the resource consent.</p> <p>6. Imposition of conditions in accordance with section 102 and 108 of RMA.</p>	<p>Policies 9.29, 9.30, 9.31, 9.32 & 9.33</p>

Rule 9E.3. Restricted Discretionary Activities

The following activities are ~~restricted discretionary activities~~, provided that they comply with all corresponding ~~restricted discretionary standards (unless otherwise specified)~~

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
<p>1. Removing or replacing fuel storage system, sampling soil, disturbing soil, or change of land use that does not meet controlled activity standards 9E.2.2.2 or 9E.2.2.3.</p>	<p>1. A detailed site investigation shall be provided to the Council.</p> <p>2. The detailed site investigation, including a risk assessment undertaken for all other receptors shall follow the hierarchy of guideline values in the Ministry for the Environment's Contaminated Land Management Guidelines No. 2 – Hierarchy and Application in New Zealand of Environmental Guideline Values.</p> <p>3. The conditions of the investigation are compiled with.</p>	<p>1. Adequacy of site investigation including:</p> <p>a) Site sampling;</p> <p>b) Laboratory analysis;</p> <p>c) Risk Assessment.</p> <p>2. Adequacy of Management Practices including:</p> <p>a) A site management plan;</p> <p>b) Monitoring;</p> <p>c) Reporting.</p> <p>3. Adequacy of the methods of mitigation, remediation or on-going management.</p> <p>4. Suitability of land for proposed activity.</p> <p>5. Requirements for and conditions of a financial bond.</p> <p>6. The transport, disposal and tracking of soil and other materials taken away in the course of the activity.</p> <p>7. The timing and nature of the review of the conditions in the resource consent.</p> <p>8. The duration of the resource consent.</p> <p>9. Imposition of conditions in accordance with section 102 and 108 of RMA.</p>	<p>Policies 9.29, 9.30, 9.31, 9.32 & 9.33</p>
<p>2. Subdivision of contaminated or potentially contaminated land</p>	<p>1. A detailed site investigation shall be provided to the Council.</p>	<p>1. Adequacy of site investigation including:</p> <p>a) Site sampling;</p> <p>b) Laboratory analysis;</p>	<p>Policies 9.29, 9.30, 9.31, 9.32 & 9.33</p>

Rule 9E.3. Restricted Discretionary Activities

The following activities are ~~restricted discretionary~~ activities, provided that they comply with all corresponding ~~restricted discretionary~~ standards (unless otherwise specified)

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
	<p>2.— The detailed site investigation, including a risk assessment undertaken for all other receptors shall follow the hierarchy of guideline values in the Ministry for the Environment's Contaminated Land Management Guidelines No. 2— Hierarchy and Application in New Zealand of Environmental Guideline Values.</p> <p>3.— The conditions of the investigation are compiled with.</p>	<p>e) — Risk Assessment.</p> <p>2.— Adequacy of Management Practices including: a) — A site management plan; b) — Monitoring; c) — Reporting.</p> <p>3.— Adequacy of the methods of mitigation, remediation or on-going management.</p> <p>4.— Suitability of land for proposed activity.</p> <p>5.— Requirements for and conditions of a financial bond.</p> <p>6.— The transport, disposal and tracking of soil and other materials taken away in the course of the activity.</p> <p>7.— The timing and nature of the review of the conditions in the resource consent.</p> <p>8.— The duration of the resource consent.</p> <p>9.— Imposition of conditions in accordance with section 102 and 108 of RMA.</p> <p>10.— Imposition of financial contributions in accordance with Chapter 12 of the Plan</p>	

9E.4 Discretionary Activities

The following activities are discretionary activities:

Discretionary Activities	Assessment Criteria	Reference
1. Any activity not meeting activity standard 9E.2.2.1.	1. Consistency with the relevant Plan policies, including (but not limited to): a) Natural Environment Policies 3.1, 3.3-3.5, 3.8 and 3.12-3.15 b) Coastal Environment Policies 4.3-4.5 c) Hazards Policies 9.3, 9.11, 9.14, 9.16, 9.18, 9.19, and 9.29-9.34 d) Infrastructure Services and Associated Resource Use Policy 11.23.	Policies 9.29, 9.30, 9.31, 9.32, 9.33 & 9.34