IN THE ENVIRONMENT COURT
AT WELLINGTON

I TE KŌTI TAIAO O AOTEAROA
KI TE WHANGANUI-A-TARA

Decision [2026] NZEnvC 196

IN THE MATTER	of appeals under cl 14 of Schedule 1 of the Resource Management Act 1991
BETWEEN	PORIRUA CITY COUNCIL (and other appellants listed in Annexure A) (ENV-2024-WLG-000043) Appellant
AND	WELLINGTON REGIONAL COUNCIL Respondent

Court:	Judge L J Semple sitting alone under s 279 of the Act
Hearing:	On the papers
Last case event:	3 July 2026
Date of Decision:	31 July 2026
Date of Issue:	31 July 2026

CONSENT ORDER

A: Under s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, <u>orders</u> that Change 1 and Variation 1 are amended to include the agreed version of Objective 19, and Policies 29 and 51 as set out in **Appendix 1** to this consent order.

B: The appeal points on Objective 19, Objective 21, Policy 29 and Policy 51 are otherwise dismissed.

C: Under s 285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

[1] Proposed Change 1 to the Operative Wellington Regional Policy Statement (Change 1) was publicly notified on 19 August 2022. Variation 1 to Change 1 was publicly notified on 13 October 2023 (Variation 1).

[2] Change 1 and Variation 1 make changes to the Operative Regional Policy Statement to account for new national direction and to address issues in the Wellington Region. The focus of Change 1 and Variation 1 is to implement and support the National Policy Statement on Urban Development 2020 and to start the implementation of the National Policy Statement for Freshwater Management 2020. It also addresses issues related to climate change, indigenous biodiversity and high natural character.

[3] Change 1 and Variation 1 progressed in part through a freshwater planning process and in part through a standard Schedule 1 planning process under the Resource Management Act 1991.

[4] On 4 October 2024, the Wellington Regional Council (Council) gave notice that it had made its decision on the provisions and matters raised in submissions on Change 1 and Variation 1 (Decision). For those provisions subject to the standard Schedule 1 process, any Environment Court appeal on the Decision was to be lodged by 18 November 2024, and any s 274 notices to join an appeal were to be lodged by 9 December 2024.

[5] The parties who are appellants on the natural hazards topic, Objectives 19 and 21, and Policies 29 and 51, on Change 1 are:

(a) Porirua City Council;

(b) Royal Forest and Bird Protection Society of New Zealand Inc;

(c) Wellington City Council

(d) Hutt City Council; and

(e) Kāpiti Coast District Council.

[6] The appellants appealed against multiple parts of the Decision. This consent order deals with the part of their appeals that relate to Objectives 19 and 21, and Policies 29 and 51 of Change 1.

Other matters

[7] The following persons joined the proceedings under s 274 of the Act and have signed the joint memorandum setting out the relief sought:

(a) Powerco Ltd;

(b) Transpower New Zealand Ltd;

(c) Winstone Aggregates;

(d) Genesis Energy Ltd;

(e) Wellington City Council;

(f) Te Rūnanga o Toa Rangatira;

(g) NZTA Waka Kotahi;

(h) Porirua City Council;

(i) Royal Forest and Bird Protection Society of New Zealand Inc;

(j) Wellington International Airport Ltd;

(k) Guildford Timber Company Ltd;

(l) Hutt City Council;

(m) Kāpiti Coast District Council;

(n) Ātiawa ki Whakarongotai Charitable Trust; and

(o) Z Energy Ltd, BP Oil New Zealand Limited, and Mobil Oil New Zealand Ltd.

[8] The Council, appellants and the s 274 parties attended Court assisted mediation on 10-12 June 2025, 19 August 2025 and 5 September 2025.

[9] It was not originally clear whether s 274 parties Ngā Hapū o Ōtaki or Waikanae North Developments Ltd retained an interest in the provisions settled by this consent memorandum and draft order. The Court issued a minute directing the Council to ascertain their position. The Council has since lodged a memorandum setting out both parties' positions. The Court is satisfied that all parties with an interest in the provisions settled by this order have agreed to the changes made.

Orders

[10] The Court is making this order under s 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to s 297. The Court understands for present purposes that:

(a) all parties reached an agreement on the amendments to Objective 19, and Policies 29 and 51 as set out in **Appendix 1** to this consent order. **Appendix 2** contains a clean version of Objective 19, and Policies 29 and 51 as agreed by the parties;

(b) all parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

LJ Semple

THE SEAL OF THE ENVIRONMENT COURT OF NEW ZEALAND

LJ Semple
Environment Judge | Kaiwhakawā o te Kōti Taiao

Annexure A

Royal Forest and Bird Protection Society of New Zealand Inc	ENV-2024-WLG-044
Wellington City Council	ENV-2024-WLG-046
Hutt City Council	ENV-2024-WLG-047
Kāpiti Coast District Council	ENV-2024-WLG-054

Appendix 1 – RPS Change 1 Natural Hazards – Amended version

Key: Black underline and ~~strikethrough~~ are amendments to the RPS made by Change 1 Red underline and ~~strikethrough~~ are amendments to Change 1 to the RPS made by this consent order.

Objective 19
The *risks* ~~and consequences~~ to people, communities, ~~their~~ businesses~~s~~, property, and *infrastructure* from *natural hazards* and the effects of climate change ~~effects~~ are ~~reduced~~ avoided, ~~or~~ *minimised* or otherwise managed in a way that is proportionate to the risk.

Policy 29: ~~Avoiding inappropriate~~ Managing subdivision, use and development in areas at ~~high~~ risk from natural hazards – district and regional plans
Regional plans and district plans shall manage subdivision, use and development in areas at *risk* from *natural hazards* as follows: (1) ~~(a)~~ identify areas ~~at high risk from~~ potentially affected by *natural hazards*; and (2) ~~(b)~~ use a risk-based approach to assess the ~~consequences~~ risk to ~~new or existing~~ subdivision, use and development from *natural hazards* and climate change impacts over at least a 100 year planning horizon ~~which identifies~~ identifying the hazards or *risks* as being low, medium ~~or~~, high; or greater; and (3) ~~(c)~~ include ~~hazard overlays~~ spatial layers, objectives, ~~polices~~ policies and rules to manage ~~new and existing~~ ~~avoid inappropriate~~ risks from natural hazards to subdivision, use and development ~~in those areas where the hazards or risks are assessed as low to medium in order to minimise or not increase the risks from natural hazards; and~~ by: (a) avoiding subdivision, use and development for hazard sensitive activities where the hazards or risks from natural hazards are assessed as high or greater; and (b) otherwise avoiding, minimising, or not increasing the *risks* from *natural hazards* in a way that is proportionate to the risk or hazard. ~~(d) include hazard overlays, objectives, polices and rules to avoid new and minimise or not increase the risks to existing subdivision, use and development and hazard sensitive activities in areas where the hazards or risks are assessed as high, unless there is a functional or operational need to be located in these areas.~~

(4) The plan may provide exceptions to the approach in 3(a) or 3(b) in the following circumstances:

(a) In areas where the hazards or risks are assessed as high or greater, the subdivision, use or development either reduces or does not increase the existing *risk* on a site; or

(b) Outside the coastal marine area where there is an operational or functional need for the subdivision, use or development to occur, the risk from natural hazards shall be minimised; or

(c) In the coastal marine area for use or development undertaken by, or on behalf of, a local authority for a public good need, or for other use or development where there is a functional need to locate in the coastal marine area, the risk from natural hazards shall be minimised; or

(d) The subdivision, use or development is for regionally significant infrastructure, and where there are ancillary hazard sensitive activities, the risk to those activities shall be minimised; or

(e) In relation to coastal hazards, the subdivision, use or development is for regionally significant infrastructure, in which case the risk as a result of the activity beyond the regionally significant infrastructure shall be minimised or not increased; or

(f) the subdivision, use or development is within regionally or nationally significant commercial or industrial zoned land, or a similar special purpose zone, in which case the risk from natural hazards shall be minimised.

Explanation

~~Policy 29 establishes a frameworkto:~~

~~1. identify and assess the likelihood of *natural hazards* that may affect the Wellington Region or district over at least a 100 year period; and then~~

~~2. apply a risk-based approach for assessing the potential *consequences* to new or existing subdivision, use and development in those areas; and then~~

~~3. develop provisions to manage new and existing subdivision, use and development in those areas in order to avoid, *minimise* or not increase the *risks* from *natural hazards*.~~

The factors listed in Policies 51 and 52 should be considered when implementing Policy 29 and when writing policies and rules to manage subdivision, use and development in areas ~~identified as being affected by~~ at *risk* from *natural hazards*.

Other than in relation to relevant regional rules, ~~the~~ Policy 29 does not apply to regulated activities under the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016.

~~Guidance documents that can be used to assist in incorporating a risk-based approach to hazard risk management and planning include:~~

- ~~Risk Tolerance Methodology: A risk tolerance methodology for central, regional, and local government agencies who manage natural hazard risks. Toka Tū Ake | EQC (2023); and~~
- ~~Planning for natural hazards in the Wellington Region under the National Policy Statement on Urban Development 2020, GNS Science Misc. Series 140 (2020); and~~
- ~~NZCPS guidance note: Coastal Hazards, Department of Conservation (2017); and~~
- ~~Coastal Hazards and Climate Change: Guidance for Local Government, Ministry for the Environment (2017); and~~
- ~~Risk Based Approach to Natural Hazards under the RMA, Prepared for MfE by Tonkin & Taylor (2016); and~~
- ~~Planning for Risk: Incorporating risk-based land use planning into a district plan, GNS Science (2013); and~~
- ~~Preparing for future flooding: a guide for local government in New Zealand, MfE (2010); and~~
- ~~Landslide Planning Guidance: Reducing Landslide Risk through Land-Use Planning, GNS Science, (2024); and~~
- ~~Planning for development of land on or close to active faults, Ministry for the Environment (2003); and~~
- ~~Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016, User's Guide, Ministry for the Environment, 2018; and~~
- ~~Other regional documents and strategies relating to the management of natural hazards.~~

~~Explanation~~

~~The process of identifying 'areas at high risk' from natural hazards must consider the potential natural hazard events that may affect an area and the vulnerability of existing and/ or foreseeable subdivision or development. An area should be considered high risk if there is the~~

~~potential for moderate to high levels of damage to the subdivision or development, including the buildings, infrastructure, or land on which it is situated. The assessment of areas at high risk should factor in the potential for climate change and sea level rise and any consequential effect that this may have on the frequency or magnitude of related hazard events.~~

~~Examples of the types of natural hazards or hazard events that may cause an area or subdivision or development to be considered high risk include – but are not limited to – fault rupture zones, beaches that experience cyclical or long-term erosion, failure prone hill slopes, or areas that are subject to serious flooding.~~

~~The factors listed in policies 51 and 52 should be considered when implementing policy 29 and writing policies and rules to avoid inappropriate subdivision and development in areas at high risk.~~

~~Most forms of residential, industrial or commercial development would not be considered appropriate and should be avoided in areas at high risk from natural hazards, unless it is shown that the effects, including residual risk, will be managed appropriately.~~

~~Hazard mitigation works can reduce the risk from natural hazards in high hazard areas.~~

~~To give effect to this policy, district and regional plans should require assessments of the risks and consequential effects associated with any extensive structural or hard engineering mitigation works that are proposed. For a subdivision or development to be considered appropriate in areas at high risk of natural hazards, any hazard mitigation works should not:~~

- ~~Adversely modify natural processes to a more than minor extent,~~
- ~~Cause or exacerbate hazards in adjacent areas to a more than minor extent,~~
- ~~Generally result in significant alteration of the natural character of the landscape,~~
- ~~Have unaffordable establishment and maintenance costs to the community,~~
- ~~Leave a more than minor residual risk, and/or~~
- ~~Result in more than minor permanent or irreversible adverse effects.~~

~~Examples of how this may be applied to identified high hazard areas include: fault rupture avoidance zones 20 metres either side of a fault trace; setback distances from an eroding coastline; design standards for floodplains; or, requirements for a geotechnical investigation before development proceeds on a hill slope identified as prone to failure.~~

~~This policy promotes a precautionary, risk-based approach, taking into consideration the characteristics of the natural hazard, its magnitude and frequency, potential impacts and the vulnerability of development.~~

~~Guidance documents that could be used to assist in~~

~~the process include:~~

- ~~Risk Management Standard AS/NZS 4360:2004~~
- ~~Guidelines for assessing planning policy and consent requirements for landslide prone land, GNS Science (2008)~~
- ~~Planning for development of land on or close to active faults, Ministry for the Environment (2003)~~
- ~~Coastal Hazards and Climate Change: A Guidance Manual for Local Government in New Zealand, Ministry for the Environment (2008)~~
- ~~Other regional documents relating to the management of natural hazards.~~

~~This policy also recognises and supports the Civil Defence Emergency Management principles – risk reduction, readiness, response and recovery – in order to encourage more resilient communities that are better prepared for natural hazards, including climate change impacts.~~

~~Policy 29 will act to reduce risk associated with natural hazards. The risks are to people and communities, including businesses, utilities and civic infrastructure.~~

~~This policy and the Civil Defence Emergency Management framework recognise the need to involve communities in preparing for natural hazards. If people are prepared and able to cope, the impacts from a natural hazard event are effectively reduced.~~

Policy 51: Avoiding, ~~or~~ Mminimising or not increasing the risks and consequences of natural hazards – consideration

When considering an application for a resource consent, notice of requirement, or a change, variation or review to a district or regional plan, the risk and consequences of natural hazards on people, communities, their property and infrastructure shall be avoided ~~or~~, minimised ~~, and/~~or not increased. ~~i~~In determining whether an activity is ~~inappropriate~~ appropriate particular regard shall be given to:

1. ~~(a)~~ the ~~frequency and magnitude~~ likelihood and consequences of the range of natural hazards that may adversely affect the ~~proposal or development~~ subdivision, use or development, including ~~residual risk~~ those that may be exacerbated by climate change and sea level rise; and

   ~~(b) the potential for climate change and sea level rise to increase in the frequency or magnitude of a hazard event;~~

2. ensuring the response to the risk from the natural hazard avoids, minimises, or does not increase the risk to the subdivision use or development by:

a. <u>avoiding subdivision, use and development for *hazard sensitive activities* where the hazards or risks from natural hazards are assessed as high or greater; and</u>

b. <u>otherwise avoiding, minimising, or not increasing the *risks* from *natural hazards* in a way that is proportionate to the *risk or hazard.*</u>

<u>Unless one of the following exceptions applies:</u>

c. <u>in areas where the hazards or risks are assessed as high or greater, the subdivision, use or development either reduces or does not increase the existing *risk* on a site; or</u>

d. <u>outside the coastal marine area where there is an operational or functional need for the subdivision, use or development to occur, the risk from natural hazards shall be minimised; or</u>

e. <u>in the coastal marine area for use or development undertaken by, or on behalf of, a local authority for a public good need, or for other use or development where there is a functional need to locate in the coastal marine area, the risk from natural hazards shall be minimised; or</u>

f. <u>the subdivision, use or development is for regionally significant infrastructure, and where there are ancillary hazard sensitive activities, the risk to those activities shall be minimised; or</u>

g. <u>in relation to coastal hazards, the subdivision, use or development is for regionally significant infrastructure, in which case the risk as a result of the activity beyond the regionally significant infrastructure shall be minimised or not increased; or</u>

h. <u>the subdivision, use or development is within regionally or nationally significant commercial or industrial zoned land, or a similar special purpose zone, in which case the risk from natural hazards shall be minimised.</u>

<u>3.</u> ~~(b)~~ whether the location of the <u>subdivision, use or</u> development will foreseeably require hazard mitigation works in the future; and

<u>4.</u> ~~(c)~~ the potential for injury or loss of life, social <u>and economic</u> disruption and <u>civil defence</u> emergency

management ~~and civil defence~~ implications – such as access routes to and from the site; and

5. ~~(d)~~ whether the subdivision, use or development ~~causes~~ would cause any change in the *risks* and consequences from *natural hazards* in areas beyond the application ~~development~~ site; and

6. ~~(e)~~ *minimising* effects ~~the impact~~ of the ~~proposed~~ subdivision, use or development on any natural features that may act as a buffer to reduce the impacts from *natural hazards*; and ~~and where development should not interfere with their ability to reduce the risks of natural hazards;~~

~~(f) avoiding inappropriate subdivision, use or and development and *hazard-sensitive activities* where the hazards and *risks* are assessed as high in areas at high risk from natural hazards, unless there is a functional or operational need to be located in these areas; and~~

~~(g) appropriate the potential need for hazard *risk* management and/or adaptation and mitigation measures for subdivision, use or development in moderate risk areas where the hazards and *risks* are assessed as low to moderate, including an assessment of *residual risk*; and~~

7. ~~(h)~~ the allowance for floodwater conveyancing in identified overland flow paths and stream corridors;

8. ~~(i)~~ the need to locate ~~habitable~~ floor ~~areas and access routes~~ levels of habitable buildings and buildings used as places of employment above the 1% annual exceedance probability (1:100 year) flood level, in identified flood hazard areas; and

9. ~~(h)~~ whether Te Ao Māori or mātauranga Māori provides a broader understanding of the hazards and risk management options.

This Policy applies:

1. until the district plan or regional plan has given effect to Policy 29, and
2. where, after Policy 29 has been given effect to:
   a. new or updated natural hazard information, that is held and considered to be relevant by the local authority, is available, or
   b. to new plan changes implementing Policy 29.

Explanation

Policy 51 aims to avoid, minimise or not increase the risks ~~-~~and *consequences* of *natural hazard* events through sound preparation, investigation and planning prior to development. This policy reflects a need to employ a precautionary, *risk*-based approach, taking into consideration the likelihood of the hazards and the vulnerability of the development. ~~and in partnership with mana whenua / tangata whenua, Te Ao Māori and mātauranga Māori perspectives.~~ When considering the incorporation of Te Ao Māori or mātauranga Māori hazard risk management options, this is done in partnership with mana whenua / *tangata whenua*.

~~Typical *natural hazards* in the region include, but are not limited to:~~

- ~~Flooding and inundation (river, stormwater, coastal)~~
- ~~Earthquake (groundshaking, amplification, liquefaction, ground displacement)~~
- ~~*Coastal hazards* (erosion, storm surge, tsunami)~~
- ~~Mass movement (landslip, rockfall)~~

~~Other site specific hazards may become apparent during the course of an assessment for a proposal or development; however, those above are the most serious hazards to consider.~~

~~Policy 51 refers to *residual risk*, which is the risk that remains after protection works are put in place. Stopbanks, seawalls and revetments and other engineered protection works can create a sense of security and encourage further development. In turn, this increases the extent and value of assets that could be damaged if the protection works fail or an extreme event exceeds the structural design parameters.~~

~~Policy 51(g) will cease to have effect once policy 29 has been given effect to in the relevant district plan.~~

~~The term areas at high risk refers to those areas potentially affected by natural hazard events that are likely to cause moderate to high levels of damage to the subdivision or development, including the land on which it is situated. It applies to areas that face a credible probability of experiencing significant adverse impacts in a hazard event – such as such as fault rupture zones, beaches that experience cyclical or long term erosion, failure prone hill slopes, or areas that are subject to repeated flooding.~~

~~Policy 51(i) requires that particular regard to be given, in identified flood hazard areas, to the need to locate floor levels above the expected level of a 1 in 100 year flood or 1% annual exceedance probability (AEP), to minimise damages. It also recognises that access routes should be located above this level, to allow evacuation or emergency services access to and from a site. The clause uses the 1% annual exceedance probability as a minimum standard, allowing for the possibility that it may need to be higher~~

~~in certain areas, depending on the level of risk.~~

~~To promote more resilient communities that are better prepared for natural hazards, including climate change impacts, there is a need to support the Civil Defence Emergency Management principles of hazards and/or risk reduction, readiness, response and recovery.~~

~~Reduction is concerned with minimising the adverse impacts from natural hazards through sound planning and management. Readiness is about preparing for hazard events before they occur and involves local authorities, civil defence emergency management and the community. An important way to achieve this is through public education and by providing information and advice in order to raise awareness of natural hazard issues. Response and recovery are the important functions carried out by local authorities and civil defence emergency management during and after a civil defence emergency.~~

~~The policy recognises the need to involve the community in preparing for natural hazards. If people are prepared and able to cope, the impacts from a natural hazard event are effectively reduced.~~

Appendix 2 – RPS Change 1 Natural Hazards – Clean version

Objective 19
The *risks* to people, communities, business, property, and *infrastructure* from *natural hazards* and the effects of climate change are avoided, *minimised* or otherwise managed in a way that is proportionate to the risk.

Policy 29: Managing subdivision, use and development in areas at risk from natural hazards – district and regional plans

Regional plans and district plans shall manage subdivision, use and development in areas at *risk* from *natural hazards* as follows:

(1) Identify areas potentially affected by *natural hazards*; and

(2) Use a risk-based approach to assess the risk to subdivision, use and development from *natural hazards* and climate change impacts over at least a 100 year planning horizon identifying the hazards or *risks* as being low, medium, high or greater; and

(3) Include spatial layers, objectives, policies and rules to manage risks from natural hazards to subdivision, use and development by:

  (a) avoiding subdivision, use and development for *hazard sensitive activities* where the hazards or risks from natural hazards are assessed as high or greater; and

  (b) otherwise avoiding, minimising, or not increasing the *risks* from *natural hazards* in a way that is proportionate to the *risk* or *hazard*.

(4) The plan may provide exceptions to the approach in 3(a) or 3(b) in the following circumstances:

  (a) In areas where the hazards or risks are assessed as high or greater, the subdivision, use or development either reduces or does not increase the existing risk on a site; or

  (b) Outside the coastal marine area where there is an operational or functional need for the subdivision, use or development to occur, the risk from natural hazards shall be minimised; or

  (c) In the coastal marine area for use or development undertaken by, or on behalf of, a local authority for a public good need, or for other use or development where there is a functional need to locate in the coastal marine area, the risk from natural hazards shall be minimised; or

(d) The subdivision, use or development is for regionally significant infrastructure, and where there are ancillary hazard sensitive activities, the risk to those activities shall be minimised; or

(e) In relation to coastal hazards, the subdivision, use or development is for regionally significant infrastructure, in which case the risk as a result of the activity beyond the regionally significant infrastructure shall be minimised or not increased; or

(f) the subdivision, use or development is within regionally or nationally significant commercial or industrial zoned land, or a similar special purpose zone, in which case the risk from natural hazards shall be minimised.

Explanation

The factors listed in Policies 51 and 52 should be considered when implementing Policy 29 and when writing policies and rules to manage subdivision, use and development in areas at *risk* from *natural hazards*.

Other than in relation to relevant regional rules, Policy 29 does not apply to regulated activities under the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016.

Policy 51: Avoiding, minimising or not increasing the risks and consequences of natural hazards – consideration

When considering an application for a resource consent, notice of requirement, or a change, variation or review to a district or regional plan, the risk and consequences of natural hazards on people, communities, their property and infrastructure shall be avoided, minimised or not increased. In determining whether an activity is appropriate particular regard shall be given to:

1. the likelihood and consequences of the range of natural hazards that may adversely affect the subdivision, use or development, including those that may be exacerbated by climate change and sea level rise; and
2. ensuring the response to the risk from the natural hazard avoids, minimises, or does not increase the risk to the subdivision use or development by:

    (a) avoiding subdivision, use and development for *hazard sensitive activities* where the hazards or risks from natural hazards are assessed as high or greater; and

(b) otherwise avoiding, minimising, or not increasing the *risks* from *natural hazards* in a way that is proportionate to the *risk* or *hazard*.

Unless one of the following exceptions applies:

(c) in areas where the hazards or risks are assessed as high or greater, the subdivision, use or development either reduces or does not increase the existing *risk* on a site; or

(d) outside the coastal marine area where there is an operational or functional need for the subdivision, use or development to occur, the risk from natural hazards shall be minimised; or

(e) in the coastal marine area for use or development undertaken by, or on behalf of, a local authority for a public good need, or for other use or development where there is a functional need to locate in the coastal marine area, the risk from natural hazards shall be minimised; or

(f) the subdivision, use or development is for regionally significant infrastructure, and where there are ancillary hazard sensitive activities, the risk to those activities shall be minimised; or

(g) in relation to coastal hazards, the subdivision, use or development is for regionally significant infrastructure, in which case the risk as a result of the activity beyond the regionally significant infrastructure shall be minimised or not increased; or

(h) the subdivision, use or development is within regionally or nationally significant commercial or industrial zoned land, or a similar special purpose zone, in which case the risk from natural hazards shall be minimised.

3. whether the location of the subdivision, use or development will foreseeably require hazard mitigation works in the future; and

4. the potential for injury or loss of life, social and economic disruption and civil defence emergency management implications – such as access routes to and from the site; and

5. whether the subdivision, use or development would cause any change in the risks and consequences from natural hazards in areas beyond the application site; and

6. minimising effects of the subdivision, use or development on any natural features that may act as a buffer to reduce the impacts from natural hazards; and

7. the allowance for floodwater conveyancing in identified overland flow paths and stream corridors; and

8. the need to locate floor levels of habitable buildings and buildings used as places of employment above the 1% annual exceedance probability (1:100 year) flood level, in identified flood hazard areas; and

9. whether Te Ao Māori or mātauranga Māori provides a broader understanding of the hazards and risk management options.

This Policy applies:

1. until the district plan or regional plan has given effect to Policy 29, and
2. where, after Policy 29 has been given effect to:
    a. new or updated natural hazard information, that is held and considered to be relevant by the local authority, is available, or
    b. to new plan changes implementing Policy 29.

Explanation

Policy 51 aims to avoid, minimise or not increase the risks and *consequences* of *natural hazard* events through sound preparation, investigation and planning prior to development. This policy reflects a need to employ a precautionary, *risk*-based approach, taking into consideration the likelihood of the hazards and the vulnerability of the development. When considering the incorporation of Te Ao Māori or mātauranga Māori hazard risk management options, this is done in partnership with mana whenua / *tangata whenua*.