

PROPOSED GORE DISTRICT PLAN SECTION 32 REPORT

NATURAL HAZARDS



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Glossary of Terms

Resource Management Act 1991	RMA or 'the Act'
Gore District Council	GDC or 'the Council'
Environment Southland	ES
Ministry for the Environment	MfE
Territorial Authority	TA
Operative District Plan	ODP
Proposed District Plan	PDP
Draft District Plan	DDP
Southland Regional Policy Statement	RPS
National Planning Standards 2019	PS
Southland Regional Policy Statement 2017	RPS
National Policy Statements	NPS
National Environmental Standards	NES
The New Zealand Coastal Policy Statement	NZCPS
Project Information Memoranda	PIM
Civil Defence Emergency Management Act 2002	CDEM
Ministry of Civil Defence and Emergency Management	MCDEM
Permitted Activity	PA
Controlled Activity	CA
Restricted Discretionary Activity	RDA
Discretionary Activity	DA
Non-complying Activity	NCA
Southland District Plan	SDP
Clutha District Plan	CDP
Proposed Selwyn District Plan	PSDP
Proposed New Plymouth District Plan	PNPDP

1. Executive Summary

Section 32 of the Resource Management Act 1991 ('the Act' or 'the RMA') requires objectives in plan reviews to be examined for their appropriateness in achieving the purpose of the Act and the policies and methods of those proposals to be examined for their costs, benefits, efficiency, effectiveness, and risk in achieving the objectives. The analysis set out in this report is to fulfil the obligations of the Council under s32 of the Act.

This section 32 evaluation report relates to the evaluation of options for the management of natural hazards in the Gore District Plan. Objectives, policies, and rules for managing natural hazards are located within Part 2 – District Wide Matters in the Hazards and Risks, as required by the National Planning Standards (PS).

This report identifies the resource management issues relating to natural hazards and evaluates these against the Operative District Plan (ODP) and the Proposed District Plan (PDP). This is to ascertain if the objectives are the most appropriate way of achieving the purpose of the Act, and that the other provisions are the most efficient and effective means of achieving the objectives. The proposed approach recognises the need to establish an appropriate balance between providing for economic, social and cultural opportunities for the community, whilst protecting people, property and the environment from the risks associated with natural hazards.

The proposed objectives are tested against the purpose of the RMA while other provisions such as policies and rules are then tested against the objective, as per s32(1)(b) of the RMA. The proposed objectives, policies, and definitions have been drafted to address the resource management issues relating to activities on natural hazards as identified in section 2.1 of this report. The background assessment of other Councils' Plans and the ODP along with the scale and significance of the issues and topic have also informed the PDP provisions.

The provisions for natural hazards seek to:

- Facilitate the gathering of natural hazard information incorporating updated climate data.
- Avoid natural hazard risk when undertaking development and subdivision.
- Manage and mitigate natural hazard risk in areas already developed.

The Natural Hazards Chapter will assist the Council to fulfil its statutory functions and responsibilities as required by the Act through the following proposed objective, policies, and rules.

- Objectives seek to:
 - o Identify, manage, and recognise natural hazard risk.
 - o Identify and manage risk associated with climate change.
 - o Avoid or mitigating the impact of natural hazard risks on people, property, and the environment.
 - o Ensure that new subdivision, development, and significant infrastructure is located either outside hazard risk areas, or that the risk is adequately managed and not exacerbated on other sites.
 - o Protect and where possible enhance natural features that can reduce natural hazard risks.
- Policies seek to:
 - o Promote the identification and mapping of natural hazards.
 - o avoid, mitigate and manage sensitive activities and development within natural hazard areas, in particular actual or potential inundation areas.

- Avoid subdivision and land use within areas subject to potential inundation/ flood, slope instability, subsidence, and liquefaction, unless the risk can be avoided or mitigated.
 - Encourage the use maintenance and enhancement of natural features and buffers such as riparian planting to manage natural hazard risk.
 - Non-regulatory methods are encouraged to inform the community of flood risk due to stopbank failure.
- Rules seek to:
- Manage defences against water.
 - Manage buildings used for sensitive activities within areas at risk of actual or potential inundation.
 - Avoid activities within the Mataura River Floodway.
 - Avoid buildings on the river side of a stop bank.
 - Avoid the establishment of critical infrastructure on land subject to high or very high liquefaction risk.

Key changes from the ODP include the following:

- Improved clarity and direction for plan users which is likely to increase processing efficiencies.
- Manage natural hazards are directly through the PDP.
- Identify and manage natural hazard risks in collaboration with Environment Southland (ES).
- Adopt a risk-based policy approach to manage risks associated with climate change.
- Protect sensitive activities whilst managing more resilient activities.
- Encourage natural features such as riparian planting.

2. Overview and Purpose

2.1 Introduction to the resource management issue(s)

The Natural Hazards Chapter provides a regulatory framework for the management land use and subdivision within natural hazard areas. The provisions seek to address the following issues:

Issue 1 – The availability of accurate natural hazard information and the ability to identify areas at risk from natural hazard effects taking account of the effects of climate change.

Gore is susceptible to natural hazards, in particular flood events which have been shown in recent history to impact a large portion of the district. The existing mapping of hazards is based on outdated information and is not reflective of stopbank upgrades, 2020 flood data and increased rainfall intensity associated with climate change.

It is anticipated that climate change will increase the frequency and severity of natural hazard events, including increased rainfall patterns which may lead to an increase in the frequency and severity of flood hazards and potential for landslips.

Issue 2 – natural hazard risk can have a significant effect on future development and subdivision and on areas with existing development.

The management of development and subdivision within flood prone areas needs to have greater clarity and direction to ensure that intensification or greenfield development only occurs where flood risk can be adequately mitigated.

Issue 3 – Measures to mitigate natural hazard risks (such as defences against water) can result in adverse effects on the environment.

There are extensive stop banks along the Mataura River which provide Flood protection to portions of the district, namely Mataura and Gore townships. Environment Southland is in the process of undertaking a full evaluation of the existing stopbank network to establish the existing capacity, and the integrity of the Mataura River Stopbanks to ensure that the existing stopbank network is capable of withstanding anticipated flood events, noting the increased severity and frequency of these events, associated with Climate Change.

Any changes to stopbanks or other defences against water have the potential to adversely affect ecosystems and ecological values of waterbodies.

2.2 Purpose of the report

This report sets out the statutory and policy context for natural hazards, the key resource management issues, specific consultation, and approach to evaluation on this topic to decide on the proposed provisions. The report also includes a review of the ODP provisions and an evaluation of alternative methods to achieve the purpose of the Act in relation to the natural hazards topic.

3. Statutory and Policy Context

3.1 Resource Management Act

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA.

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

Sustainable management means *managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety, while –*

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

In achieving this purpose, authorities also need to recognise and provide for the matters of national importance identified in s6, have regard to other matters referred to in s7 and take into account the principles of the Treaty of Waitangi referred to in s8.

Section 6 - matters of national importance

The s6 matters that are relevant to this topic are:

(e) the relationship of Maori and their cultural and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.

(h) the management of significant risks from natural hazards.

Clause (h) was added to the RMA in 2017 to address the management of significant risks from natural hazards. MfE guidance ¹states that a risk-based approach to natural hazards management, meaning assessing the likelihood of a natural hazard event and the likely consequences.

The PDP provisions aim to protect existing access to waterways for mahinga kai activities and the policies recognise the potential effects on cultural values from natural hazard risks.

Section 7 – other matters

The s7 matters that are relevant to this topic are:

(i) the effects of climate change:

The above clause was added to the RMA in 2004 to address the effects of climate change, in relation to natural hazard management this largely relates to coastal inundation and the natural hazards risks associated with increased rainfall. The PDP provisions reflect the potential effects of climate change in relation to increased natural hazard risks.

Other Sections

Section 31 is relevant insofar as it requires the Council to establish, implement and review a District Plan which contains objectives, policies and methods to achieve a range of purposes as listed above. This report considers the appropriateness of the new objectives within the PDP to achieve the purpose of the Act. The review of the ODP and the establishment of a new District Plan allows Council to give effect to Section 31.

Section 106 of the Act provides consent authorities with direction that they may refuse a subdivision consent where there is a significant risk from natural hazard. The PDP includes specific rules in relation to subdivision in areas of natural hazard risk within the Subdivision Chapter, the Natural Hazard Chapter objectives and policies will be considered in relation to such subdivision consent.

3.2 National Policy Statements

The Section 32 – Overview and Urban Form and Development Evaluation Report includes details and a brief assessment of all National Policy Statements (NPS).

The New Zealand Coastal Policy Statement (NZCPS) includes policy direction for the management of natural hazards within the coastal environment. However, as Gore is landlocked and distant from the coast the NZCPS is not relevant.

3.3 National Environmental Standards

The Section 32 – Overview and Urban Form and Development Evaluation Report includes details and a brief assessment of all National Environmental Standards (NES). The following NES has relevance to the topic:

¹ Risk Based Approach to Natural Hazards under the RMA. Tonkin + Taylor June 2016

National Environmental Standards for Telecommunications Facilities 2016 (NES-TF)

Regulation 57 of the NES-TF states that territorial authorities cannot make a natural hazard rule that applies to a regulated activity. However, if the activity requires resource consent under the NES-TF or elsewhere in the District Plan, the relevant objectives and policies do apply.

3.4 National Planning Standards

The National Planning Standards (PS) 2019 requires a more bespoke approach to planning zones than the ODP. This includes a clearer centre hierarchy, rural settlement zones, and a wider range of residential, industrial, and rural zones. The PS also provides the structure and form for the Plan content along with definitions and mapping criteria.

The following aspects of the National Planning Standards are relevant to natural hazards:

- The unique identifier for Natural Hazards is NH
- The PS require that this chapter be referred to as 'Natural Hazards' and included within Part 2 of the District Plan – District Wide Matters – Hazards and Risks.
- All provisions relating to natural hazards be located within the Natural Hazards Chapter.
- Relevant definitions include:

Functional need –

Means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.

Natural Hazards –

Has the same meaning as per the Resource Management Act – means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.

Operational Need –

Means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical, or operational characteristics or constraints.

River –

Has the same meaning as per the Resource Management Act – means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).

Water –

Has the same meaning as per the Resource Management Act –
(a) means water in all its physical forms whether flowing or not and whether over or under the ground:

- (b) includes fresh water, coastal water, and geothermal water:
- (c) does not include water in any form while in any pipe, tank, or cistern.

Waterbody –

Has the same meaning as per the Resource Management Act – means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.

3.5 Regional Policy Statement

The Southland Regional Policy Statement 2017 (RPS) sets out the framework and priorities for resource management in the region. The RPS identifies the regionally significant issues around the management of the Region’s natural and physical resources and sets out what needs to be achieved (objectives) and the way in which the objectives will be achieved (policies and methods). The PDP is required to give effect to the regional policy statement by section 75(3) of the RMA.

The RPS objectives require that risks from natural hazard effects to people, communities, their businesses, property, and infrastructure are understood and avoided, remedied, or mitigated. This will result in communities becoming more resilient. Policies seek a precautionary approach towards managing the effects of climate change and sea level rise, and any associated changes in the scale and frequency of natural hazards, to ensure potential adverse effects are avoided or mitigated.

In managing natural hazards, the following are set as implementation priorities:

1. avoid exposure to areas at significant risk from natural hazards where practicable by adopting a precautionary approach;
2. mitigate the effects of natural hazards by managing land use in areas known to be susceptible to the effects of natural hazards;
3. undertake physical works needed to reduce the potential for the natural hazard to affect people and infrastructure.

Policies also seek that new subdivision, development, and placement of critical infrastructure in areas at significant risk from natural hazards are avoided, unless:

- a. there is no reasonable alternative, in which case critical infrastructure must be designed to maintain, as far as practicable, its integrity and function during natural hazard events; or
- b. avoidance is impossible or impractical and adverse effects are mitigated to an acceptable level; or
- c. subdivision is solely for the purpose of boundary adjustments.

The RPS also indicates that Southland is likely to be exposed to an increased magnitude of natural hazards such as flooding and droughts due to the impacts of climate change: *“Human activity is also changing Southland’s climate. Emissions of greenhouse gases, such as carbon dioxide, are causing the earth’s atmosphere to warm up; this is disrupting natural climate patterns. The National Institute of Water and Atmospheric Research (NIWA) predicts that Southland’s annual average temperature could increase by 0.8–0.9°C by 2040. Southland could also be up to 30% wetter with more varied rainfall patterns, and flooding could become up to four times as frequent by 2070. Should these predictions materialise, Southland would be exposed to an increased magnitude of natural hazards such as flooding and droughts.”*

Relevant provisions include:

Chapter 8: Natural Hazards

Issue NH.1 Climate change will affect the intensity, frequency, and risks of some natural hazard events, particularly:

- a) sea level rise, exacerbating the effects of coastal erosion and inundation and river flooding in low lying areas, especially during storm surge events.
- b) increased frequency and intensity of storm events, adding to the risk from floods, landslides, severe wind, storm surge, coastal erosion, and inundation.
- c) increased frequency of drought, placing pressure on water resources and increasing the wildfire risk.

Issue NH.2 There is a lack of public awareness of, and contingency planning for, natural hazards.

Issue NH.3 The impacts of natural hazards on individuals, communities and businesses and the effects of natural hazards on infrastructure are ongoing.

Issue NH.4 There is ongoing development pressure in areas prone to natural hazards.

Objective NH.1 – Communities becoming more resilient the risks to people, communities, their businesses, property, and infrastructure from the effects of natural hazards are understood and avoided, remedied, or mitigated, resulting in communities becoming more resilient.

Policy NH.1 – Awareness and understanding of risks Raise public awareness and promote an understanding of the risks of natural hazards, and encourage people, businesses, and communities to reduce their long-term risk.

Policy NH.2 – Identify and manage risks from natural hazards Identify in district plans, where practicable, areas subject to known natural hazard risk, and actively engage with individuals and the community in managing those and other natural hazard risk areas, using the most up to date information available.

Policy NH.3 – Precautionary approach Take a precautionary approach towards managing the effects of climate change and sea level rise, and any associated changes in the scale and frequency of natural hazards, to ensure potential adverse effects are avoided or mitigated.

Policy NH.4 – Management priorities in managing natural hazards, the following implementation priorities are to be adopted:

1. avoid exposure to areas at significant risk from natural hazards where practicable by adopting a precautionary approach.
2. mitigate the effects of natural hazards by managing land use in areas known to be susceptible to the effects of natural hazards.
3. undertake physical works needed to reduce the potential for the natural hazard to affect people and infrastructure.

Policy NH.5 – Avoid areas of significant risk from natural hazards Avoid new subdivision, development, and placement of critical infrastructure in areas at significant risk from natural hazards, unless:

- a) there is no reasonable alternative, in which case critical infrastructure must be designed to maintain, as far as practicable, its integrity and function during natural hazard events; or
- b) avoidance is impossible or impractical and adverse effects are mitigated to an acceptable level; or
- c) subdivision is solely for the purpose of boundary adjustments.

Policy NH.6 – Mitigate the effects of natural hazards Mitigate the adverse effects of natural hazards on new subdivision and development in areas other than those at significant risk

Policy NH.7 – Works may affect other land Avoid, where practical, or mitigate the potential for activities to have adverse off-site natural hazard effects on other land.

Policy NH.8 – Natural features and landforms Protect, recreate, or enhance natural features and landforms that provide protection from natural hazards.

Territorial authorities will:

Method NH.5 - District plans Establish and maintain provisions in district plans that:

- a) identify and map land subject to known inundation.
- b) manage or avoid the subdivision, development, or use of land in areas subject to natural hazard risk.
- c) require natural hazard risk assessments that are commensurate to the scale and significance of the risk to be completed as part of the consent application process for subdivision and development.
- d) manage the potential effects of subdivision, land development or land use activities that may increase off-site flood risk.
- e) avoid, to the extent possible, new critical infrastructure being established in areas subject to significant natural hazard risk.
- f) recognise and make provision for infrastructure activities that have a functional, operational, and technical need to be developed in an area at risk from natural hazards.
- g) maintain, restore, or protect as appropriate natural features that mitigate the effects of natural hazards.
- h) identify no build, open space and reserve or low-density development areas as necessary to mitigate the effects of flooding and erosion on land use, development, and infrastructure.
- i) exclude some activities from areas known to be subject to significant risk from natural hazards.

The PDP provisions give effect to the RPS objectives and policies.

Method NH.6 - Information directs local authorities to:

- a) Provide information through Land Information Memoranda on the extent and nature of known natural hazards.
 - (b) Establish and maintain inundation hazards information in district plans and natural hazard information on Council websites, in collaboration with other local authorities and agencies.
 - (c) Provide information regarding the earthquake prone building policies developed by the territorial authorities in accordance with the Building Act 2004.

Clause (b) is relevant to the PDP and reflected in the PDP objectives and policies.

Chapter 14: Historic Heritage

A key issue within the RPS is Issue HH.2:

“Natural processes and climate change (i.e. earthquakes, coastal erosion, sea level rise and river flooding) can have adverse effects on historic heritage values.”

Objective HH.3 – Historic heritage values Historic heritage values are appropriately managed to avoid or mitigate the potential adverse effects of natural processes and climate change.

Policy HH.4 – Natural processes and climate change Encourage and make provisions for the use of appropriate techniques to manage historic heritage at risk of the adverse effects of natural processes and climate change.

Method HH.1 – District plans and regional plans Establish and maintain provisions in regional plans and district plans that: (a) provide for the use of appropriate techniques to protect historic heritage from the potential adverse effects associated with natural processes and climate change.

The effects of natural hazards and climate change on historic heritage is assessed in the Section 32 Evaluation Report for Historic Heritage.

Chapter 15: Infrastructure/Transport

A key issue within the RPS is Issue INF.2

“The impact of climate change and natural hazard events are a risk to critical infrastructure.”

Objective INF.1 – Southland’s infrastructure Southland’s regionally significant, nationally significant, and critical infrastructure is secure, operates efficiently, and is appropriately integrated with land use activities and the environment.

Policy INF.4 – Natural hazards - The risks to infrastructure from natural hazards and climate change effects are avoided, remedied, or mitigated including through design and construction.

Method INF.2 – District plans Include objectives, policies and methods in district plans that will:

- e) take into account the potential adverse effects of natural hazards and climate change on infrastructure.

The PDP provisions give effect to these objectives and policies in relation to the impacts of natural hazards and climate change on critical infrastructure through policies and rules in the Natural Hazards Chapter.

Chapter 17: Urban.

Objective URB.1 – Urban development Urban (including industrial) development occurs in an integrated, sustainable, and well-planned manner which provides for positive environmental, social, economic, and cultural outcomes.

Explanation/Principal Reasons Sustainable, integrated, and well-planned urban development:

- avoids, remedies, or mitigates significant adverse effects from natural hazard events.

Territorial authorities will: Method URB.2 – District plans (a) Establish and maintain provisions in district plans to manage urban growth while managing the natural and physical environment and protecting:

- (vii) people and property from unacceptable risk from natural hazards and the potential adverse effects associated with climate change.

The PDP provisions ensure that natural hazard risks are managed or avoided in relation to urban development.

3.6 Regional Plans

Environment Southland has prepared several regional plans, these include:

- Regional Air Plan 2016
- Effluent Land Application Plan 1998
- Regional Water Plan 2010

Environment Southland's proposed Southland Water and Land Plan was made partially operative following a council meeting in January 2021.

To date most district plans have relied solely on the Regional Policy Statements (RPS) to provide strategic direction as district plans must give effect to RPS's in accordance with RMA requirements. The provisions of the Southland RPS are summarised within the Section 32 – Overview and Urban Form and Development Evaluation Report, however, the following provisions are particularly relevant to natural hazards:

Effluent Land Application Plan

The relevant portion of the Effluent Land Application Plan relate to the design of systems to avoid adverse effects from effluent from inundation of storage ponds.

Regional Water Plan

The relevant portion of the Regional Water Plan relates to the managing discharges onto land to minimise natural hazard risk and allows for natural hazards works within proximity to natural inland wetlands.

Proposed Southland Land and Water Plan

Environment Southland's proposed Southland Water and Land Plan was made partially operative following a council meeting in January 2021. This plan aims to combine the Regional Land, Water, Air and Effluent Plans together. The plan manages Natural Hazards as follows:

- Managing disturbance of rivers and lakes to minimise flood risk P28.
- Avoiding degradation of flood protection P29
- Allowing for drainage maintenance P30
- Encouraging the restoration of wetlands P34
- Reducing the susceptibility to Natural Hazards by improving planning, responsibility, and community awareness P38
- Several rules and matter of discretions to manage adverse effects / methods of improvement of flood risk.

3.7 Iwi Environmental Management Plan(s)

‘Te Tangi a Tauira – The Cry of the People’ the Ngai Tahu Ki Murihiku Natural Resource and Environmental Management Plan identifies a broad range of relevant matters when considering where and how Gore grows and develops. There is a desire to:

- limit the impacts of climate change on indigenous species and ecosystems and the risks of natural hazards by appropriately managing urban development and providing for sustainable energy and transport systems.
- Protect sites of significance and indigenous biodiversity areas along with appropriate management of water
- Limit impacts of industrial activity and subdivision by involving iwi in decision making processes and managing land use, building and water issues
- Providing appropriate infrastructure management

‘Te Tāhū o Te Whāriki’, the Ngāi Tahu Climate Change Strategy, identifies a need to assess future commercial risks, protect wahi tapu, mahinga kai and other taonga, prepare plans to relocate Marae and Runānga facilities threatened by increasing hazards, as well as influence agencies to develop climate change responses.

3.8 Other Legislation and Policy Documents

The following Acts also have relevance to the topic:

Building Act 2004

While the RMA is focused on ensuring that the use of land sufficiently avoids or mitigates the potential effects of natural hazards, the Building Act ensures that any building constructed is safe and fit for purpose. This includes consideration of the risks from natural hazards, through compliance with the Building Code regulations. The Building Code regulations established under the Building Act set certain performance requirements for new buildings. For example, surface water must not enter houses in a 1 in 50-year (2% Annual Exceedance Probability (AEP)) flood event (Clause E1.3.2).

Section 71 of the Building Act requires that territorial authorities (TA’s) refuse consent for the construction of a building or major alterations on land that is subject to natural hazards where the proposed works will accelerate, worsen, or create a hazard on that land or any other property. However, consent can be granted if the TA considers adequate mitigation measures are taken to protect the land, building and other property.

Notwithstanding the requirements of section 71, section 72 does allow building consent authorities to grant building consent for land subject to natural hazards with no mitigation. However, this is only applicable when it is determined that the proposed works will not accelerate, worsen, or create a hazard, and it is considered reasonable to grant a waiver or modification of the Building Code. In these situations, the property owner takes on the risk which is recorded on the title for the property through procedures under section 73 of the Building Act.

In addition, section 31 provides for the preparation of Project Information Memoranda (PIM) when requested from the TA. While not compulsory, a PIM will identify any special feature of the land, which includes susceptibility to natural hazards, such as the potential for erosion, slippage, or flooding.

Changes to the New Zealand Building Code for managing liquefaction prone land came into effect in November 2021. These set out requirements for potentially liquefaction prone land and provides guidance for a risk-based process to manage liquefaction related risk for development.

Local Government Act 2002

The purpose of the Local Government Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities. The following sections are particularly relevant:

- Section 11A – The Council is required to have regard to the avoidance or mitigation of natural hazards.
- Section 145(b) gives local authorities powers to make bylaws for the purpose of protecting, promoting, or maintaining public health and safety.
- Under section 149, regional councils have the power to make bylaws for flood protection and flood control works.

Civil Defence Emergency Management Act 2002

The CDEM Act provides the framework under which natural hazards are to be managed, and sets out the duties, responsibilities and powers of central and local government, lifeline utilities and emergency services. It establishes an ‘all hazards’ approach that seeks to achieve the sustainable management of hazard risk through the ‘4 R’s’ of reduction, readiness, response, and recovery.

The CDEM Act, which is administered by the Ministry of Civil Defence and Emergency Management (MCDEM), requires the formation of several regional CDEM Groups and each must prepare a CDEM Group Plan that details how the risks that threaten their region will be managed. It is generally expected that the risk reduction component of the CDEM Group plans will be achieved through land use planning measures under the RMA.

Water Conservation Order

The Water Conservation (Mataura River) Order 1997 identifies the Mataura River (and various tributaries), as protected waters including outstanding fisheries and angling amenity features. The Water Conservation Order manages rate of flow, water permits, discharge permits and informs both regional and district consenting.

Fire and Emergency New Zealand Act 2017

The Fire and Emergency New Zealand Act has replaced the Forest and Rural Fire Act 1977 and supersedes the prior responsibilities placed on councils regarding bylaws relating to fire control and maintaining a fire plan for the district.

Soil Conservation and Rivers Control Act 1941

The objectives of the Soil Conservation and Rivers Control Act are:

- The promotion of soil conservation
- The prevention and mitigation of soil erosion
- The prevention of damage by floods
- The utilisation of lands in such a manner as will tend towards the attainment of the said objects.

Environment Southland is the primary regulatory authority responsible for implementing this Act. Therefore, they are the primary constructor and maintainer of stopbanks and other defences against water the Gore district and the Southland Region.

3.9 Other Local Policies, Strategies, Guidelines and Plans

Spatial plan, Ready for Tomorrow

In January 2020, the Council released a strategic planning document *Ready for Tomorrow – A Spatial Plan for the Gore District* seeking public feedback on potential growth options for the main urban areas in the district. The document outlines the issues the Council considers important, possible future outcomes and opportunities and was the culmination of various Council initiatives in recent years, in particular the 2018 program Ready for Growth which provided impetus locally as a community lead development strategy applying the direction given by the Southland Regional Development Strategy at a District level. Its overall objective is to grow the district population by 1,500 people by 2030. Through extensive community consultation, Ready for Growth has identified a comprehensive overview of the socio-economic conditions required to generate sustainable growth and opportunity across the district and provides an important strategic framework for the future.

As the report was primarily a desktop exercise it acknowledges that some areas identified for growth may be subject to natural hazard risks which could impact on the appropriateness for rezoning.

Subdivision and Land Development Bylaw

The Gore Subdivision and Land Development Bylaw 2019 is intended to guide subdivision, land use and development within the district and is based on NZS 4404:2010 with modified content as appropriate to meet local conditions. The guide seeks to ensure that subdivision, land use and development are undertaken in a manner that is environmentally sustainable and technically robust by providing requirements for roading and servicing connections and management as well as landscaping, earthworks, and network utilities.

In relation to natural hazards, the bylaw includes controls for:

- Geotechnical Requirements to assess slope stability, suitability of natural ground, and earthworks.
- Stormwater design to be cognisant of flood risk and to minimise offsite hazard effects.
- Earthworks to be cognisant of flood risk.
- Infrastructure design to be resilient to natural hazard risks.
- Freeboard requirements
- Guidance on constructed wetland design

Some of these requirements are now managed by the PDP, particularly the Natural Hazard and Earthworks Chapters.

3.10 Climate Change

The effects of climate change have been added to other matters decision makers should have regard to (RMAs7(i)).

In accordance with 2020 RMA amendments, by 2022 District Plans will not only need to have regard to the effects of climate change (adaptation) but also climate change mitigation and national adaptation and emission reduction plans prepared under the Climate Change Response act 2002. A compact urban form with most activities located around good transport connections and that takes account of the changing nature of natural hazards will help achieve these requirements. Further guidance will be provided in relation to Climate change as emission targets and RMA reform progresses.

The effects of climate change have been given regard to in respect of the Natural Hazards Chapter. The objectives and policies recognise the potential effects of climate change in relation to increasing natural hazard risks and events. The objectives and policies also require consideration of the long-term effects of climate change and require identification and mapping of natural hazards which take account the effects of climate change.

The districts hazard maps are in the process of being upgraded with updated information based on projected rainfall data. The district plan provisions have been designed to refer to this data as opposed to set numbers allowing for flexibility as updated modelling becomes available. This will ensure the most up to date climate change data can be implemented into natural hazard management through the PDP.

4. Resource Management Issue Analysis

4.1 Background

Section 2.1 of this report identifies three resource management issues which the PDP Natural Hazard chapter provisions address:

Issue 1 - The availability of accurate natural hazard information and the ability to identify areas at risk from natural hazard effects taking account of the effects of climate change.

Gore is susceptible to natural hazards, in particular flood events which have been shown in recent history to impact a large portion of the district. The existing mapping of hazards is based on outdated information and is not reflective of stopbank upgrades, 2020 flood data and increased rainfall intensity associated with climate change.

Environment Southland is under the process of updating their flood modelling to incorporate updated information, stopbank upgrades, 2020 flood data, and increased rainfall intensity associated with climate change. This information is due to be released to the public later in 2023 and will provide accurate flood inundation information. In turn the proposed plan provisions have been design to adapt to updated flood modelling.

The PDP policies require identification and mapping of areas subject to natural hazards taking into consideration the effects of climate change and update information to employ a risk based approach to development.

Issue 2 - Natural hazard risk can have a significant effect on future development and subdivision and on areas with existing development.

Management of development and subdivision within flood prone areas needs to have greater clarity and direction. This is to ensure that development intensification can only be established where flood risk can be adequately mitigated.

Discussions were undertaken with ES to consider management and mitigation measures for flood risk within already developed areas, specifically those areas protected by Stopbanks. ES advised that any provisions, such as a minimal floor level, were not considered to be appropriate, given these areas are only subject to inundation if the existing Stopbanks were to fail. If minimum finished floor levels were required to be set at this level, they could add metres to build heights and development would likely be unfeasible. ES also advised that the spatial layer should remain as a non-regulatory method to inform the community about the risk should the Stopbanks be breached.

From discussions with Environment Southland, it was considered that a best practice default that buildings utilised for sensitive activities shall have a minimum floor level above the 0.5% AEP design flood level, unless otherwise directed by the Southland Regional Council (Environment Southland). The PDP includes rules which permit buildings for sensitive activities in areas subject to actual or potential inundation only where they meet this floor level requirement.

However, any new building within the Mataura River Floodway is discouraged through policies and a non-complying activity status.

A number of policies in the PDP require management or avoidance of development (including subdivision) within areas of actual or potential inundation or the Mataura River Floodway respectively. These policies are given effect to by rules within the Subdivision Chapter that have a non-complying activity status for subdivision within the Mataura River Floodway. In addition, a matter of discretion is included in the standard subdivision rule which allows consideration of the adequacy of measures to address natural hazard risk in all other areas.

Issue 3 - Measures to mitigate natural hazard risks (such as defences against water) can result in adverse effects on the environment.

There are extensive stop banks along the Mataura River which provide Flood protection to portions of the district, namely Mataura and Gore townships. Environment Southland is in the process of undertaking a full evaluation of the existing stopbank network to establish the existing capacity, and integrity of the Mataura River Stopbanks to ensure that the existing stopbank network is capable of withstanding anticipated flood events, noting the increased severity and frequency associated with Climate Change.

The PDP provisions acknowledge (through policies and rule provisions) that increasing the scale of defences against water can have adverse environmental effects on ecosystems and ecological values.

4.2 Operative Plan Approach

Natural Hazards are managed in Chapter 4A of the ODP which includes issues, objectives, policies and rules.

The issues relating to natural hazards are:

- 1) *The public do not have a high level of awareness of natural hazards.*
 - a. *Inundation by flood waters can jeopardise public safety and create risks to structures and materials within \ flood plains.*

- 1) Two objectives are provided: *Ensure the public is aware of the likelihood and consequences of natural and man-made hazards within the District.*
- 2) *Minimise the risk to people and property from inundation.*

Four policies are provided which seek to:

- Promote public awareness of natural and man-made hazards
- Require elevated ground levels for activities and elevated for levels for building which may be adversely affected by actual or potential flooding or in Mātaura are mapped as red, lime green or purple on the planning maps.
- Control activities and subdivision (with a cross reference to the subdivision provisions) to avoid natural and man-made hazards.
- Within areas mapped as ‘actual or potential inundations’ (shown in lime green on the planning maps):
 - Council will refer all resource consents, subdivision and building consents to Environment Southland for comment prior to making a decision, except where applications are for sites within the mapped urban area.
 - Within the mapped urban areas Council will encourage the adoption of flood proofing techniques or other measures to avoid adverse effects from flood hazard. In addition, other measures to avoid flood effects will be encouraged.
- Advise people that Council will place a hazard notice (pursuant to section 73 of the Building Act 2004) on any building consent issued.

Section 4A.9 contains a single rule that requires restricted discretionary consent for any of the following which are within the Mātaura River Floodway as shown on the planning maps and which is not classed as riverbed:

- (1) the erection or alteration of any structure;
- (2) storage of hazardous substances;
- (3) farm quarries and earthworks;
- (4) subdivision;
- (5) forestry and shelter belts;
- (6) storage of floatables;
- (7) permanent fences;

The ODP Hazard section is generic as opposed to directive. National best practice has moved to a risk-based approach to natural hazard management. Furthermore, the existing mapping of hazards is based on outdated information and is not reflective of stop bank upgrades, 2020 flood data and updated hazard information produced by Environment Southland including in relation to managing the effects of climate change.

4.3 Effectiveness of Operative Plan

Issue	Comment	Response
Does not give effect to Part 2 of the RMA	The primary method of managing natural hazards is through the Building Act. However, national now requires district plans to manage natural hazards. As outlined within Figure 23 of the section 35 Efficiency and Effectiveness of the ODP Assessment the development trends since 2006 have not moved away from inundation areas, suggesting that the ODP has not appropriately avoided or managed development within these areas.	A more directive and risk-based approach has been developed that does not default to the Building Act. A risk hierarchy has been developed with sensitive activities more prone to natural hazards required to mitigate or avoid hazard risk.
Differs to Environment Southland	High level objective and policies which do not flow down to rules meaning management of natural hazard risk is left to the Building Act or differed to the regional council. All development within inundation areas (exempting stopbank areas) are referred to Environment Southland for comment prior to approval. While this does provide a catchall solution it does push the management of hazards on to the Regional Council and this method is not supported moving forward.	The PDP adopts a risk-based approach to natural hazard management. Sensitive activities are managed through minimum floor levels, development within high-risk areas such as Maitai River Flood Way and the river side of stopbank areas are avoided. Critical infrastructure within high liquefaction risk areas is avoided.
Does not give effect to the Regional Policy Statement	The ODP has not given effect to the RPS as it was developed prior to the RPS.	Updated provisions to give effect to the RPS
Outdated flood modelling information	The existing mapping of hazards is based on outdated information and is not reflective of stopbank upgrades, 2020 flood data and updated hazard information produced by Environment Southland. Furthermore, existing mapping does not incorporate increased rainfall intensity associated with climate change as required by the RPS and Cry of the People Iwi Management Plan.	ES is in the process of updating their flood modelling - in the interim the PDP provisions have been designed to provide flexibility to work with updated modelling as this becomes available.

4.4 Technical Reports and Research

RDA Consulting provided a series of geotechnical assessments to help inform the possible re-zoning of land within the Gore District. Areas focussed on include portions of Charlton Road, Mandeville, Reaby Road, South Gore, South Mataura and Whiterigg. These assessments considered natural hazard constraints such as liquefaction, seismic shaking, flooding, slope stability, debris flow and subsidence from mining. Further information on the specific zoning of these areas can be found within the relevant zone section 32 report. However zoning decisions have generally been informed by a range of factors including the ability to mitigate the effects of natural hazards on future development.

In the Gore West Residential Development Area a further assessment of geotechnical hazards such as historic mines have been undertaken by Geosolve. The outcomes and recommendations of this report are summarised within the Residential section 32 report. The recommendations of the report have informed the extent of the proposed upzoning. Furthermore, the development area provisions include rules to manage the geotechnical constraints associated with the historical mines which were operated within the area between 1890 -1940.

4.5 Analysis of Best Practice

A review of current practice in respect of this topic has been undertaken, together with a review of the following District Plans:

- Southland District – 2018
- Invercargill City Council – 2019
- Selwyn District – Proposed plan notified 2020.
- Timaru District – Proposed plan notified 2022.

These plans were chosen either because they are within the Southland region or are the most up to date examples of approaches to natural hazard management in districts with comparable characteristics to the Gore District.

Southland District Plan

The plan considers natural hazards within its own chapter, with the objectives that seek to ensure the risk of natural hazards to people, communities, businesses, and infrastructure is reduced. Policies seek to avoid or mitigate subdivision, land use, and infrastructure within areas at significant risk from natural hazards, and to avoid exacerbation of natural hazard risk from development. Policies also seek to allow for physical protection works and to encourage the enhancement of natural features and landforms that mitigate natural hazards.

Rules to implement the above are located within the underlying zones, infrastructure, and subdivision chapters of the district plan. Rules relate to controls around earthworks and mitigating risk of natural hazards through subdivision consents.

Invercargill District Council

The plan does not consider natural hazards within a separate chapter with objectives and policies bundled in to Part 2 of the plan and rules bundled in with Part 3. Objectives seek to understand, avoid, mitigate, or reduce natural hazard risk with the goal of a more resilient community. Policies seek to improve awareness and understanding of natural hazards, to reduce exposure, avoid development within high-risk areas and to identify natural hazards

risks. Implementation of the above is through matters of discretion, and rules directing location specific criteria for sensitive activities.

Proposed Selwyn District Plan

The plan considers natural hazards within its own chapter, with the objectives that development is avoided or mitigated in areas subject to natural hazards; infrastructure is only established within areas of natural hazard risk where there is a functional or operational need to do so; mitigations methods do not create or exacerbate risks and the effects of climate change are recognised and provided for. Policies seek to avoid or mitigate risks through a risks-based policy approach, discouraging new development unless risks can be suitably mitigated.

Rules implement the above with the inclusion of a “flood assessment certificate”, issued by the Selwyn District Council. The certificate specifies:

- whether or not the site or activity is located on land within a high hazard area;
- whether or not the site is likely to be subject to inundation in a 200-year Average Recurrence Interval (ARI) flood event; and
- where on the site requires a minimum finished floor level that is 300mm above the 200 year ARI flood level.

Proposed Timaru District Plan

The plan considers natural hazards within its own chapter, with the objectives that risk to human life and significant risk to property from natural hazards is avoided or mitigated; that regionally significant infrastructure is located outside of high hazard areas; and natural hazard mitigation works reduce risks to people and property, with a preference for the use of natural features and buffers. Policies seek to identify and map areas subject to natural hazards and considering the effects of climate change, consider tsunami risk, promote natural features and vegetation hazard mitigation methods, and avoid subdivision, use and development within high hazard areas, such as flood, liquefaction, earthquake fault, slope instability areas and overland flow paths.

Rules implement the above and similar to Selwyn, include a “flood risk certificate” with similar criteria to that of Selwyn District Council. Both plans set a finished floor level requirement for a 0.5% AEP flood event.

Summary and Conclusion

The PDP adopts a similar approach to the Proposed Selwyn and Timaru district plans, both of which have been drafted in accordance with the National Planning Standards. The PDP includes comparable objectives and policies and adopts a similar risk-based approach.

4.6 Other Relevant Documents and feedback

The Natural Hazards Chapter and proposed zoning have been developed in direct consultation with ES. ES have been broadly supportive of the provisions proposed through the natural hazards chapter, with more directive feedback for some of the proposed upzoning areas.

Zoning Decisions:

More detail on zoning considerations in relation to natural hazards is provided within the relevant Section 32 Evaluation Reports for each zone. However, Mandeville is an example of an area where the draft district plan initially split the ODP rural zoning into rural and rural lifestyle zones. Following consultation with ES who provided information on the level of

flood risk for Mandeville, the rural lifestyle zoning was paired back to avoid additional development within flood prone areas.

Stopbank Protection areas:

The stop bank protection area, if referred to in ODP as the “*Mataura River floodplain: prone to flooding subsequent to a stopbank breach or stopbank overtopping*”. It is also shown in lime green on the planning maps. However, the ODP does not have any specific provisions in relation to this area, although it is addressed within the objectives and policies.

Discussions were held with ES as to whether this area should be managed through PDP provisions, or if non-regulatory methods were more appropriate. ES advised that any provisions, such as a minimal floor level, were not considered to be appropriate, given these areas are only subject to inundation if the existing stopbanks were to fail. If minimum finished floor levels were required to be set at this level, they could add metres to build heights and development would likely be unfeasible. ES also advised that the spatial layer should remain as a non-regulatory method to inform the community about the risk should the stopbanks be breached.

The PDP has adopted the recommendations from ES in relation to the stopbank protection area.

5. Scale and Significance

5.1 Scale and Significance Evaluation

Section 32(1)(c) of the RMA requires that this report contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

	Comments	Assessment		
		Low	Medium	High
Degree of change from the Operative Plan	The PDP covers natural hazards already addressed throughout the Operative Plan. However, the PDP incorporates best practice and sets out more directive provisions rather than case by case referral to ES	x		
Scale of effects – geographically (local, district wide, regional, national).	District wide as covers natural hazards spread across the Gore District		x	
Effects on matters of national importance (s6 RMA)	The provision implement section 6 (h)			x
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?).	The Natural Hazards chapter includes district wide provisions which will impact individual landowners but also the community in general across the Gore district.		x	
Scale of effects on those with specific interests, e.g., Tangata Whenua	The provisions seek to protect sensitive activities from natural hazards, this includes marae, Papatipu Rūnanga complexes, and urupā.		x	

	Comments	Assessment		
		Low	Medium	High
	Broader positive effects of mana whenua values may be experienced by increased natural hazard protection, such as the mauri of water.			
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	The provisions have been designed to give effect to the National and Regional policy direction and gives effect to section 6h of the RMA. Other district plans have been reviewed for consistency	X		
Likelihood of increased costs or restrictions on individuals, communities, or businesses.	Natural hazard management due to the proposed provisions may result in costs for those developing within natural hazard areas. However these are unlikely to exceed costs already experienced under the ODP The PDP provision seek to be directive rather than pushing regulatory requirements to Environment Southland.	x		

5.2 Evaluation Summary

The degree of change from the operative plan is medium as there is already natural hazard provisions within the ODP, however, the proposed provisions seek to be more directive and to avoid the need for regulatory advice to be provided by Environment Southland as a default.

The topic is one of specific national importance under section 6(h) of the RMA, and can have broader impacts on other section 6 matters. The scale of the effects of natural hazards can vary from a temporary nuisance, up to posing a risk to life or property. Potential adverse effects can also be short term usually associated with a natural event such as flooding, or have long-term permanent effect on landforms and sites. Higher order documents require district plans to manage significant risks from natural hazards.

6. Consultation

6.1 Overview

The Section 32 – Overview and Urban Form and Development Evaluation Report provides an overview of the consultation undertaken to date in respect of the draft district Plan (DDP). The PDP has been prepared in partnership with Hokonui Rūnanga who have reviewed and provided feedback on the Natural Hazards chapter to ensure consistency with the Mana Whenua Chapter and that cultural values are appropriately integrated throughout the proposed provisions.

Engagement with the community on the draft District Plan was undertaken 10th August 2022 to 30th September 2022. The feedback received is fully summarised in Appendix 1. However, feedback and the response to feedback is generally summarised below:

Feedback received raised a number of issues, provided comment on specific provisions and supported some of the approaches proposed:

- The Southland Public Health Services sought expansion of the effects of natural hazards including a clear hierarchy of natural hazard management. They requested some amendments to specific policies including listing the types of natural hazards and in relation to landscaping requirements in high risk hazard areas. They also sought that the effects of climate change were expanded on.
- Some submitters raised a general concern about flooding in Pukerau.
- Transpower felt the provisions had not given effect to the NPS-ET and Yrless+ requested that the provisions recognised the critical role of lifeline infrastructure. Waka Kotahi was supportive of the objective recognising that critical infrastructure cannot always be located outside of high hazard risk areas.
- Environment Southland was generally supportive of provisions but acknowledged pressure for development in floodprone areas and the plan should be strengthened in this regard. Ongoing modelling work may assist with provisions and hazard management.
- Some parties commented on provisions relating to liquefaction in relation to the negligible, medium and high areas.
- Royal Forest and Bird supportive of nature based solutions and that development is avoided in natural hazard areas.
- Southland Federated Farmers was supportive of the provisions and understood the importance of sharing natural hazard information and accurately identifying areas to ensure ongoing mitigation.

The feedback and ongoing discussions with Environment Southland (as noted in section 4.4 of this report) resulted in some amendments to the DDP provisions. The following is the general response to feedback received:

- Areas around Pukerau proposed for a rural lifestyle zone were removed.
- The negligible and medium liquefaction overlays were listed as 'information only'.
- Amendments were made to objectives and policies to strengthen the direction.

7. Proposed Plan Provisions

7.1 Strategic Direction

The PDP includes a number of strategic objectives which have been tested in terms of s32(1)(a) in their relevant s32 reports. However, the other chapters of the plan should align with these strategic objectives to ensure vertical integration within the PDP. The strategic objectives in the PDP that relate to Natural Hazards are laid out below:

In terms of the Natural Hazards Chapter, objectives UFD-O1 and UFD-O7 are the most relevant. These objectives seek that the district develops in a way that minimises adverse effects on natural and cultural values and recognises the relationship of Māori with their culture, traditions, lands, waterbodies, sites, areas, and landscapes and other taonga of significance.

The mana whenua chapter articulates mana whenua and Te Taiao values. The values of relevance to natural features and landscapes include the provision of Kaitiakitanga, whakapapa, mauri, manaakitanga, wairua, whanaungatanga, utu, mātauranga, te reo māori, ki uta ki tai, and consideration of wai, whenua and mahinga kai. Natural features and landscape values are

integrated into the environment and mana whenua have a kiatiki role in protecting natural features and landscapes and a right to access resources for harvesting in accordance with tikanga.

7.2 Objectives and Policies

The proposed objectives, policies, and definitions have been drafted to address the resource management issues relating to natural hazards as identified in section 2.1 of this report. The background assessment of other Councils' Plans and the ODP along with the scale and significance of the issues and topic have also informed the PDP provisions.

The provisions for natural hazards seek to:

- Facilitate the gathering of natural hazard information incorporating updated climate change data.
- Avoid significant natural hazard risk when undertaking development and subdivision.
- Manage and mitigate natural hazard risk in areas already developed.

The following provisions are proposed within the Natural Hazards Chapter of the PDP:

Objectives
There are five objectives that seek to manage natural hazards. Objectives 1 and 2 seeks to identify, manage, and recognise natural hazard risk, further risk associated with climate change and avoiding or mitigating the impact on people, property, and the environment. Objectives 3 and 4 seek to ensure that new subdivision, development, and significant infrastructure is located either outside hazard risk areas. In addition the effects of natural hazards are adequately managed and not exacerbated on other sites. Objective 5 seeks to protect and where possible enhance natural features that can reduce natural hazard risks.
Policies
The policies promote the identification and mapping of natural hazards and the avoidance, mitigation and management of activities and development within natural hazard areas, in particular actual or potential inundation areas. Policies seek to avoid subdivision and land use within areas subject to potential inundation/ flood, slope instability, subsidence, and liquefaction, unless the risk can be avoided or mitigated. Policies encourage the use maintenance and enhancement or natural features and buffers such as riparian planting to manage natural hazard risk. Non-regulatory methods are encouraged to inform the community of flood risk as a result of stopbank failure.
Rules
There are two permitted activity rules which give effect to the objectives and policies, noting these are subject to requirements:

- Maintenance of existing defences against water - Buildings used for sensitive activities within areas subject to actual or potential inundation (minimum floor level requirement) There is one discretionary activity rule managing the construction of new or extended defences against water. There are three non-complying activity rules: - Activities within the Mataura River Floodway - Buildings or structures located on the river side of a stopbank. - The establishment of critical infrastructure on land subject to a high or very high liquefaction
Standards
There are no standards associated with natural hazards.
Definitions
The following definitions are relevant to the Natural Hazards Chapter: Climate Change - Has the same meaning as per the Resource Management Act – climate change means a change of climate that is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and that is in addition to natural climate variability observed over comparable time periods. Defences against water - Means any structure or equipment, including any bund, weir, spillway, floodgate, bank, stopbank, retaining wall, rock or erosion protection structure, groyne, vegetation (including anchored tree protection) or reservoir, that is designed to have the effect of stopping, diverting, controlling, restricting or otherwise regulating the flow, energy or spread of water, including floodwaters, within, into or out of a waterbody, artificial watercourse, or artificial lake, for the purposes of flood mitigation. Floodway - Means that area bounded by the landward toe of a flood protection structure, or work, to the landward toe of the flood protection structure, or work, on the opposite side of the river or stream. Functional need - Has the same meaning as per the National Planning Standards - means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment. Natural Hazards - Has the same meaning as per the Resource Management Act – means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment. Operational need - Has the same meaning as per the National Planning Standards – means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints. Sensitive activities - Sensitive Activity means any: a) health care centre or hospital. b) educational facility, including school, early childhood facility, play centre.

- c) residential activity, including retirement village and supported residential accommodation.
- d) visitor accommodation.
- e) places of worship.
- f) marae or Papatipu Rūnanga complex.
- g) Graveyard or urupā.

8. Evaluation of Objectives

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

Existing Objectives	Appropriateness to achieve the purpose of the Act
4A.3 (1) Ensure the public is aware of the likelihood and consequences of natural and man-made hazards within the district. 4A.3 (2) Minimise the risk to people and property from inundation	These objectives provide high level guidance to decision makers around the risk of natural hazards and the expectations for minimising those risks. In this respect they are broadly consistent with RMA Section 6(h), however the objectives are very broad and high level and do not trickle down to policies and rules that achieve the objectives. Specifically, the ODP defers responsibility to ES and only provides rules relating to the Mataura Floodway, no other inundation areas or other natural hazards are addressed. The provisions are not considered to fully achieve the purpose of the Act due to the lack of specific clarity and direction. Relevance The 4A.3(1) objective addresses the lack of awareness the public have concerning natural hazards, objective 4A.3(2) seeks to minimise risk to people and property from inundation. Whilst the objectives have some overarching relevance, they have not fully given effect to the regional policy statement, which is more specific regarding the environmental and safety outcomes that need to be achieved. Usefulness: The natural hazards objectives do not trickle down to rules that implement them. Combined they provide some guidance and direction, but the broad terms are likely of limited usefulness to decision makers or applicants. Reasonableness: The objectives will not result in unjustifiably high costs on the community, although the lack of clarity and direction in the objectives may increase costs and uncertainty in a situation where there is dispute over the outcome of a non-compliance. Achievability: The objectives seek outcomes within the scope of Council’s responsibilities and can be realistically achieved through regulations at a district level, however they may not be consistent with identified mana whenua values and community outcomes.

Proposed Objectives	Appropriateness to achieve the purpose of the Act
NH-O1 Identify and manage the risks associated with natural hazards to human health, property, infrastructure, and the wider environment. NH-O2 The risks associated with natural hazards and their impact on people, property and the environment are recognised and avoided or mitigated, including the likely long-term effects of climate change. NH-O3 Ensure new subdivision and development activities are only located in areas where the natural hazard risk is: a. adequately managed; and b. not exacerbated on other sites. NH-O4 Regionally significant infrastructure is located outside high hazard risk areas where practicable. NH-O5 Protect, and where practical enhance, natural features that have the effect of reducing natural hazard risk.	The objectives are considered the most appropriate way to achieve the purpose of the Act because they: - Align with the purpose of the Act (section 5(2)) by providing for sustainable management of land whilst seeking to avoid, remedy or mitigate the effects of natural hazards. - Provide for the management of significant risks from natural hazards - consistent with the requirements of the RMA (Section 6(h)) - Incorporate the impacts of climate change on natural hazards - consistent with the requirements of the RMA (Section 7(i)) Relevance The objectives are relevant to and address the identified resource management issues. The objectives will allow Council to fulfil their obligations under s31 of the Act, specifically s31(1)(a) - integrated management of the effects of development on the natural and physical resources of a district, and gives effect to higher order documents, including the RPS. The objectives give effect to a matter of national significance (6(h)) and take account of advice from MfE on hazard management. Usefulness: The objectives provide guidance and direction for decision making and meet best practice by providing clear direction on what the intended outcomes are and describes the end state. The objectives articulate that development within high-risk areas should only occur where natural hazard risk can be avoided or mitigated in a manner that does not exacerbate the effects on other sites. Achievability: The objectives are consistent with identified mana whenua values and community outcomes and can realistically be achieved within the Council’s powers, skills, and resources. Natural Hazards are identified, and managed and in areas with a higher degree of risk for potential adverse effects, technical experts’ advice can be sought to manage those risks as appropriate.

9. Evaluation of Options to Achieve the Objectives

9.1 Evaluation

Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

The assessment must identify and assess the benefits and costs of environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must if practicable quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 4 of this report) to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s). For the purpose of this evaluation, the Council has considered the following potential options:

- Option A - The proposed provisions
- Option B - The ‘status quo’ provisions.

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.

Based on the scale and significance of the proposed changes, specifically the degree of change from the ODP, level of policy risk and scale of effects, it is considered that quantifying costs and benefits is unnecessary.

Therefore, exact quantification of the benefits and costs identified in this report was not considered necessary, beneficial, or practicable. Rather, the table below generally identifies where there may be additional cost(s) and benefit(s).

Option A – Proposed Provisions
Objectives NH-O1 Identify and manage the risks associated with natural hazards to human health, property, infrastructure, and the wider environment. NH-O2 The risks associated with natural hazards and their impact on people, property and the environment are recognised and avoided or mitigated, including the likely long-term effects of climate change. NH-O3 Ensure new subdivision and development activities are only located in areas where the natural hazard risk is: a. adequately managed; and b. not exacerbated on other sites. NH-O4 Regionally significant infrastructure is located outside high hazard risk areas where practicable. NH-O5 Protect, and where practical enhance, natural features that have the effect of reducing natural hazard risk. Policies, rules, and standards which give effect to the objective. NH-P1 - Identify and map areas subject to natural hazards, taking into consideration the effects of climate change and updated information, and apply through zoning and rules, a risk-based approach to the management of subdivision, use and development. NH-P2 - Manage the use, development, and subdivision of land in all mapped Actual or Potential Inundation Areas, with the exception of the Stopbank Protection Areas. NH-P3 - Avoid subdivision, use and development and critical infrastructure within the “Mataura River Floodway”, unless it can be demonstrated that the risks of the natural hazard can be mitigated. NH-P4 - Avoid locating any residential unit or other asset of high value between any waterbody and any defence against water designed or used to contain floodwater from that waterbody, unless that asset has a functional need or operational need to be in that location. NH-P6 - Avoid the placement of critical infrastructure in areas at risk from natural hazards.

NH-P7 - Encourage the use, maintenance and enhancement of natural features and buffers such as riparian planting to manage the risks of natural hazards on people, property, and the environment. NH-P8 - Identify and map areas subject to stopbank protection and encourage non-regulatory methods to inform the community of the flood risk as a result of stopbank failure. NH-R1 - The maintenance of existing defences against water. NH-R2 - Buildings used for sensitive activities within areas subject to actual or potential inundation. NH-R3 - The construction of new or extended defences against water. NH-R4 - Activities within the Maitava River Floodway. NH-R5 - Buildings or structures located on the river side of a stopbank. NH-R6 - The establishment of critical infrastructure on land subject to a high or very high risk of liquefaction.	
Benefits	Costs
Environmental - Improved clarity and direction for plan users and decision makers. - Recognition and management of natural hazard risk resulting from climate change. - Promotion of natural features and riparian plantings as a natural hazard management mechanism. - Improved natural hazard management likely to avoid adverse environmental effects during flood events.	Environmental - There are not considered to be any environmental costs associated with the PDP as the provisions seek to be manage adverse effects to safeguard the environment.
Economic - Long term economic benefits associated with natural hazard and climate change resiliency. - The increased clarity and direction may reduce costs by giving greater certainty to plan users and increased processing efficiencies.	Economic - Anyone developing within a natural hazard area may experience an increased cost associated with the proposed plan. However, these expenses are likely to improve natural hazard resiliency and result in long term economic benefits.
Social - The provisions will clarify the regulation and expected activities in relation to natural hazard management be more user friendly for decision makers and plan users. - Improved management of natural hazards with the goal of safer communities. - The community understands the risks associated with natural hazards.	Social - The provisions may appear more complex to plan users as they are lengthier and more detailed compared to those within the Operative Plan.
Cultural - The provisions aim to protect cultural values from natural hazard risk, riparian planting for natural hazard management likely to facilitate the mauri of waterways.	Cultural - There are not considered to be any cultural costs associated with the PDP as the provisions seek to manage adverse effects and to acknowledge specific cultural values.
Efficiency	
There are a number of improved efficiency outcomes associated with the PDP provisions. These include improved clarity through a more directive objective and set of policies, which provides greater certainty for plan users and decision makers and will improve efficiency compared to the status quo option. - Less reliance on ES site specific assessment - Improved clarity and direction for plan users likely to increase processing efficiencies. - Natural hazards are directly managed through the PDP - Avoidance of duplicated requirements through other legislation and processes. Overall, the benefits of managing natural hazards via this approach outweigh the costs.	
Effectiveness	
The proposed provisions are considered to be the most effective means of achieving the objectives as: - Identify natural hazard risks and manage them. - A risk-based policy approach has been developed to manage risks associated with climate change. - Sensitive activities are identified as requiring increased management over more resilient activities. - Natural features such as riparian planting are encouraged. Overall, the benefits of managing natural hazards via this approach outweigh the costs.	

Risk of acting or not acting
Risks of not acting: - The resource management issues would not be adequately addressed. - The status quo does not provide adequate natural hazard protection for the Gore community. - ODP policies and rules lack clarity and therefore certainty. - Higher order documents (RMA, RPS etc) would not given effect to Risks of acting: - Landowners will need time to understand the new provisions. - Generally low risk, as the proposed schedule and the provisions have been reviewed by key parties, who have provided feedback on the draft provisions. Overall, there is sufficient information to act and the risks from not acting is higher than the risk of acting.
Overall Evaluation
The proposed policies and methods are an appropriate option to achieve the objectives for natural hazards. The benefits outweigh the costs, and the methods efficiently give effect to the proposed objectives. The methods help to manage activities in relation to natural hazards to protect people, property, and the environment and to address the identified resource management issues.

Option B – Status Quo
4A.2 Objectives: (1) Ensure the public is aware of the likelihood and consequences of natural and man-made hazards within the district. (2) Minimise the risk to people and property from inundation. 4A.4 Policies: (1) Promote public awareness of natural and man-made hazards. (2) On sites subject to actual or potential flooding, promote. (a) identification and use of elevated ground for those activities that could be adversely affected by flooding: and (b) elevated floor levels within any buildings (3) Control activities and subdivision where this is necessary to avoid the adverse effects of natural and man-made hazards. (4) Within areas shown as “Subject to Actual or Potential Inundation” on the District Plan Maps the Gore District Council will: (a) with the exception of the urban area of Gore shown as lime green on the District Plan maps, refer all resource, subdivision and building consents to Environment Southland for comment prior to determining whether to approve or issue those consents. (b) in respect of any development in the urban area of Gore shown as lime green on the District Plan maps, encourage: i. the adoption of flood proofing techniques or other measures to avoid the adverse effects of flooding on the activity, ii. measures to avoid the adverse effects of the activity on other property during a flood. (c) in respect of areas of Mataura shown as red, lime green or purple on the District Plan maps, require any buildings accommodating people to be built with their floor levels at least 300 mm above the 1978 flood level. (d) in respect of areas of the district subject to actual or potential inundation as shown on the District Plan maps, other than those described in (b) and (c) above, require any buildings accommodating people to be built with their floor levels at least 600 mm above the level of past flooding or for sites for which there is no record of past flooding, 600 mm above ground level. (e) where any building consent is issued, the Gore District Council will, pursuant to section 73 of the Building Act 2004, notify the Registrar General of Land of that consent together with a project information memorandum identifying the natural hazard concerned. 4A.9 Rules: Within areas shown as “Mataura River Floodway” on the Planning Maps and not classed as riverbed: (1) the erection or alteration of any structure; (2) storage of hazardous substances; (3) farm quarries and earthworks; (4) subdivision; (5) forestry and shelter belts; (6) storage of floatables;

(7) permanent fences; is a restricted discretionary activity.	
Benefits	Costs
Environmental - No direct environmental benefits aside from some general natural hazard management.	Environmental - Environmental costs associated with inefficient management of natural hazards. - Lack of direct focus on nature based solutions to manage natural hazards.
Economic - Resource consent is not required in areas outside of the Mataura River Floodway.	Economic - Loose policy direction may lead to uncertainty and costs for plan users. - Long term economic risks with looser natural hazard management.
Social - Some activities within the Mataura River Floodway are managed. - Activities that require resource consent must address the objectives and policies which then differs natural hazard management to ES.	Social - Risk to health and safety from looser natural hazard management.
Cultural - There are no known cultural benefits associated with the current provisions.	Cultural - Risk to cultural values from looser natural hazard management.
Efficiency	
The status quo is not considered an efficient option because it does not fully recognise the requirements of the Act (Section 6(h)) nor does it give effects to regional planning requirements. The current policy and rule framework has not enabled an efficient administration of resource management functions within the district with the bulk of natural hazard managed referred to ES or the Building Act. In particular, the natural hazard provisions do not provide directive guidance on the management of the natural hazards, the plan is high level and therefore does not provide strong direction or certainty for plan users.	
Effectiveness	
While the ODP does managed natural hazards to a certain extent, this is only directly related to the Mataura River Floodway and in instances where resource consent is required for another purpose, such as subdivision, and the objectives and policies are then addressed. Overall, the status quo is not an effective method of achieving the purpose of the act and managing natural hazards.	
Risk of acting or not acting	
Risk of not acting - The resource management issues would not be adequately addressed. - The National Planning Standards would not be implemented. - The ODP rules lack clarity and therefore certainty for plan users. Risk of acting - Landowners and relevant stakeholders will need time to understand the new provisions. - Generally low risk, as the proposed schedule and provisions have been reviewed by key parties, who have provided feedback on draft provisions. Overall, there is sufficient information to act and the risks from not acting is higher than the risk of acting.	
Overall Evaluation	
The existing policy and methods are somewhat outdated and do not effectively address the identified resource management issues	

9.2 Summary of Preferred Options

Summary

The preferred option is Option A, the Proposed District Plan provisions, which are anticipated to address the resource management issues and achieve the purpose of the Act. The PDP provides greater clarity and direction to plan users and decision makers, thereby being consistent with section 5 of the RMA 1991. Option B, the ODP approach is ineffective at addressing the resource management issues.

The PDP provides an update management of natural hazard risk and incorporates updated flood modelling information. The PDP is based on a risk-based approach to natural hazards management, which includes assessing the likelihood of a natural hazard event and the likely consequences. The proposed provisions provide a sufficient balance between allowing for appropriate activities whilst protecting them, the community, and the environment from the effects of natural hazards.

Appendix 1 - Feedback Received

Person / Organisation	Feedback summary	Response
National Public Health Service – Southland.	Requested: - Expansion on direct and indirect impacts of natural hazards on individuals and communities. - A clear hierarchy on natural hazard management prioritising the health and safety of people over the protection of the environment and loss/damage of property. - Expansion on impacts of climate change on natural hazards - Restrictions on impervious surfaces to avoid inundation. - NH P1: Requests a list of types of natural hazards. - NH P2: Requests design and planting requirements in high-risk hazard areas - Requests that the removal of detritus around a possible natural hazard be inbuilt into the plan.	The PDP has a strong focus on the impacts of natural hazards on human health and prioritises health and safety of people through the non-complying activity status for sensitive activities in the Maitai River Floodway area. In terms of the expansion of climate change on natural hazards- this is primary dealt with via updated mapping and event predictions. NH-P1 outlines that updates will be required as new information comes available i.e. as mapping and hazard event predictions are updated to best reflect climate change impacts on natural hazards. The site coverage standards are in part due to minimising impervious surfaces and controlling stormwater effects. The overview of the natural hazards chapter outlines flooding, liquefaction, and earthquakes as a non-exhaustive list of natural hazards within the Gore District. Hazards such as landslides while possible in Gore are less likely and are covered more generally through the provisions. NH-O5 provides for the enhancements of natural features that could reduce natural hazards, potential for this to be strengthened and flow onto NHP8 to encourage plantings. Removal of detritus around waterways is a regional council function
Alan Smith	Concerned about flooding in Pukerau, in particular impact of more housing and water quality issues from septic systems.	Remove the rural lifestyle zoning from Pukerau. Possibility of hazard standards within Pukerau/. Settlement zoning to mitigate flood risk
Wendy Soper	Concerned about flooding in Pukerau	Remove the rural lifestyle zoning from Pukerau. Possibility of hazard standards within Pukerau/. Settlement zoning to mitigate flood risk
Ian Thomas Phillipson	Concerned about flooding in Pukerau	Removing the draft rural lifestyle zoning from Pukerau. Possibility of hazard standards within Pukerau/. Settlement zoning to mitigate flood risk
BP Oil NZ Ltd, Mobil NZ Ltd, Z Energy Ltd	NH-P3 and NH-P4- request focus should be on ensuring that hazardous substance storage in areas affected by natural hazards is resilient to those hazards. i.e., retail fuel activities, have been demonstrated to be resilient to a range of flood hazards. Simply requiring hazardous substance storage to be above inundation levels does not recognise this and the rationale for this policy direction is therefore unclear.	NH-P3 has been amended to allow for more flexibility.
Ministry for Education	The Ministry acknowledges the risk that inundation poses to the safety of children and their assets, while recognising that there is a functional and/or operational need to locate new buildings within these areas, particularly to serve existing communities. Requests that a 'high value asset' is better defined or removed from this policy to avoid ambiguity in application. The Ministry requests that subject to “actual or potential” inundation is amended in a more articulate way to identify areas that are subject to inundation. The Ministry request that matters of discretion 1 is amended for clarification.	This policy only refers to small areas of land located between stop banks and the relevant river; this is unlikely to impact Ministry of Education assets. No changes were considered necessary. NH-R2 matters of discretion were amended to provide greater clarification. Actual or potential inundation refers to the mapped layer of “actual or potential inundation”.

Alliance Group Ltd	Supportive of the mitigation approach to liquefaction risk areas rather than avoiding development	Acknowledged.
Silver Fern Farms	Requests deletion of Liquefaction Risk Negligible overlay or alternatively the clarification that this is for information only. NH P3- Requests clarification of “areas subject to inundation” and whether it is meant to apply to all mapped flood-prone areas. Requests this is directly connected to a rule therefore, it would be a misnomer for this policy to be read as applying to that particular overlay, despite the policy wording being nearly identical to the overlay name. Recommend amending the policy to clarify exactly which Natural Hazards overlays are subject to this policy, to assist with interpretation and implementation of the Draft Plan. NH P6- Requests clarification if this policy would apply to “Liquefaction Risk Negligible” overlay	The Liquefaction Negligible overlay is important to maintain as otherwise the assumption may be that the liquefaction risk is unknown. However, the negligible liquefaction risk has no hooks within the plan but provides for useful information and therefore should be retained on an ‘information only’ basis. NH-P3 has been amended to “all mapped district inundation areas, with the exception of the areas subject to stopbank protection” to clarify which mapped areas this refers to, noting this refers to the subheading within the maps and does not include liquefaction data.
Mataura Milk	NH R3 – Requests that land subject to medium liquefaction risk not be subject to resource consent as adds an additional layer of regulation on top of the building act	NH R3 (as per the DDP) was deleted, however amendments to the relevant policy have been made to ensure that subdivisions and higher density developments address liquefaction management
Waka Kotahi	NH O4 - Supportive of objective as it recognises that regional significant infrastructure cannot always be located outside of high hazard risk areas	Acknowledged
Environment Southland	Generally supportive of provisions. Acknowledges there is ongoing, pressure for development in areas prone to flood risk (Issue NH.4) the direction outlined in the SRPS is for a precautionary approach when it comes to risk management and avoiding new subdivision, development, and placement of critical infrastructure in areas of significant risk (Policy NH.5). ES is concerned that some of the proposals put forward for intensification on floodplains do not adopt a precautionary approach to natural hazard management. Some changes requested to zone boundaries, and mitigation provisions to enable the safe provision of development. Additionally, information from ongoing LiDAR work programme may assist. NH P7 - Avoid the placement of critical infrastructure in areas at significant risk from natural hazards, unless: (a) there is no reasonable alternative, in which case critical infrastructure must be designed to maintain, as far as practicable, its integrity and function during natural hazard events; or b. avoidance is impossible or impractical and adverse effects are mitigated to an acceptable level; and c. any significant adverse effects on people, cultural values, and property will be avoided.	The Council is committed to continue working with ES on natural hazard planning and mapping. Some amendments have been made to remove areas from upzoning where there is identified flood hazard risk, such as south Mataura and Mandeville.
Southland Federated Farmers	Supportive - understands the importance of information sharing and the necessity of identification of natural hazards as being an important tool for councils and landowners alike. Identifying and accurately locating hazard sites or zones on planning maps is essential for communicating and mitigating hazard risk	Acknowledged.
Royal Forest and Bird Protection Society of New Zealand	NH05 – Supportive of the nature-based solution of using natural features and systems as buffers for protection of natural hazard risk. Advocate for the avoidance of subdivision, land use and development in areas where natural hazards may occur. Suggest that these activities should be set back adequately and appropriately to allow rivers and streams to flood naturally, especially where these features	A setback to the Mataura River is included within the zone chapter provisions and the Landscape Chapter to manage amenity and public access although this would assist in the management of natural hazard risk.

	have been modified to not follow their natural flow path. Reanimation of rivers is important not only to the river and indigenous biodiversity, but for resilience against natural hazards.	
Transpower	NH R5 and NHR6 - Oppose. Fail to give effect to the NPSET and do not consider that the National Grid must be located in natural hazard areas and within (and over) rivers. Requests clarification of where regional and district council responsibility begin and end. Considers that the non-complying activity status does not give effect to the NPSET; is more stringent than the ‘avoid, remedy or mitigate’ direction in the SRPS; and is inconsistent with Policy NH-P7 that does not prevent critical infrastructure that has an operational need or functional need for its location. Transpower notes that a resource consent is required for the development of new significant infrastructure in any case and suggests that infrastructure need not be ‘captured’ by the rules.	A pathway is available for consent and Policy NH-P7 acknowledges that these activities may still take place in these areas if there is an operational or functional need for its location.
Yrless+	Request’s objective and policies to recognise the critical role of lifeline infrastructure cross referenced to hazard management to allow for temporary infrastructure during the aftermath of hazard events	Section 330 of the RMA allows for emergency works, at this stage duplication under the PDP is considered unnecessary
Feedback summary		
A number of residents concerned about flooding in Pukerau in general and the possible impact of an increase in development on the flood hazard. Some key stake holder raised issues concerning their ability to continue their functions and meet their operational objectives: • The National Public Health Service Southland requests more restrictive natural hazards controls in general with a more holistic view connecting public health with natural hazard risk. • The various Oil companies requested development rules focus more on resiliency as opposed to a catchall floor level approach. • The Ministry for Education requests clarification on terms and definitions to allow for less ambiguity for plan users. • Alliance Group Ltd requests policy to focus on development mitigation rather than avoidance. • Silver Fern Farms requests clarification which Natural Hazards overlays apply to which policies to assist with interpretation and implementation of the Draft Plan. • Mataura Milk requests that land subject to medium liquefaction risk not be regulated under the district plan. • Waka Kotahi supportive of objective and the occasional need for regional significant infrastructure to be located within hazard risk areas. • Environment Southland - Generally supportive but request a more precautionary approach when it comes to risk management and avoiding new subdivision, development, and placement of critical infrastructure in areas of significant risk. • Southland Federated Farmers – Supportive, recognises the importance of identifying natural hazards to communicate and mitigate risk. • Royal Forest and Bird Protection Society of New Zealand - Supportive of nature-based solutions of natural hazard management. Advocates for appropriate setbacks from rivers and streams to allow natural flow and flood events. • Transpower - considers NH R5 and NHR6 do not give effect to the NPSET and is more stringent than the SRPS and is inconsistent with Policy NH-P7 that does not prevent critical infrastructure that has an operational need or functional need for its location. Requests clarification of regional and district council responsibilities.		
Key changes in response to feedback		
In response to the feedback received a number of changes have been made and are being worked through to respond to the feedback whilst fulfilling councils’ policy obligations. Staff are exploring where wording can be amended to accommodate some requested changes, and clarify some policy, however no fundamental changes are proposed. More specific changes are proposed as follows: • Removal of rural lifestyle area in Pukerau, exploration of mitigating standards to safety accommodate development. • Council staff are working with Environment Southland explore mapping and policy options. • A stronger hierarchy between risk to people and property, e.g., prevent risk to human life and manage risk to property. • Clarification of ‘actual or potential inundation’ to clarify which mapped areas this is in reference to		