

Report on submissions and further submissions on the
Proposed Waikato District Plan

Hearing 27F: Fire, Climate Change and Definitions

Appendix 2: Recommended Amendments

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Provisions discussed in Report H27E Fire, Climate Change and Definitions of Chapter 15 are set out below. Those in red type are recommended to be amended. No change is proposed for those in black type,

1.1 Fire

Policy 15.2.1.18 Residential development and subdivision potentially subject to fire risk

- (a) In areas assessed or identified as being potentially subject to elevated fire risk, ensure that an appropriate design and layout, including a buffer area or setback, is provided around for new residential subdivision and development, and the following matters are considered:
- (i) Access for emergency service vehicles;
 - (ii) Provision of and access to emergency firefighting water supply;
 - (iii) Separation and management of vegetation (with regard to slope, aspect, management regimes; use of less flammable vegetation); and
 - (iv) The design and materials of any buildings.¹

1.2 Climate change

Objective 15.2.3 Climate Change

A well-prepared community that:

- a) Is resilient able to adapt² to the effects of climate change; and
- b) ~~Has transitioned to development that prioritises lower greenhouse gas emissions.³~~

Policy 15.2.3.1 – Effects of climate change on new subdivision and development –

- (a) Ensure that adequate allowances are made for the projected effects of climate change in the design and location of new subdivision and development throughout the district, including undertaking assessments where relevant that provide for:
- (i) the projected increase in rainfall intensity, as determined by national guidance, ~~but being in the event of a temperature rise of⁴~~ not less than 2.3°C by 2120;
 - (ii) the projected increase in sea level, where relevant, as determined by national guidance and the best available information⁵, but being not less than 1m by 2120;
 - (iii) in respect to new urban zoning, stress testing under the RCP 8.5 scenario for rainfall [1] and RCP 8.5H+ for sea level rise [2]; and

¹ Waikato Regional Council [2102.42], Counties Power [FS3021.8] and Fire and Emergency New Zealand [FS3025.5]

² Kainga Ora Homes and Communities [2094.17]

³ Federated Farmers of New Zealand [2173.29]

⁴ Director General of Department of Conservation [2108.12]

⁵ Waikato Regional Council [2102.86],

(iv) in respect to the coastal environment, increases in storm surge, waves and wind.⁶

Policy 15.2.3.2 - Future land use planning and climate change

- (a) Increase the ability of the community to adapt to the effects of climate change when undertaking future land use planning by:
 - (i) ensuring the potential environmental and social costs of climate change, including effects on indigenous biodiversity (inland migration), historic heritage, Maaori Sites and Areas of Significance, mahinga kai, public health and safety, public access to the coast and waterway margins, and the built environment are addressed.
 - (ii) encouraging the incorporation of sustainable design measures within new subdivision, landuse and development, including:
 - (A) low impact, stormwater management, urban design and green infrastructure;
 - (B) of relocatable buildings and structures in areas potentially at risk due to sea level rise or increased flood levels;
 - (C) efficient water storage;
 - (D) provision of renewable energy generation; and
 - (E) transferring to activities with lower greenhouse gas emissions.
 - (iii) providing ongoing monitoring of changes to the environment due to climate change; and
 - (iv) (iv) facilitating community discussion on adaptive pathways to manage the risks associated with climate change and incorporating them, where appropriate, into the district plan through plan changes.

Policy 15.2.3.3 Precautionary approach for dealing with uncertainty

- a) In areas throughout the district likely to be affected by climate change over the next 100 years, adopt a precautionary approach towards new subdivision, use and development which may have potentially significant or irreversible adverse effects, but for which there is incomplete or uncertain information.

Policy 15.2.3.4 - Provide sufficient setbacks for new development

- (a) Protect people, property and the environment from the projected adverse effects of climate change, including sea level rise, by providing sufficient setbacks from water bodies and the coast when assessing new development.
- (b) Ensure that, in establishing development setbacks, adequate consideration is given to:
 - i) the protection of natural ecosystems, including opportunities for the inland migration of coastal habitats;
 - ii) the vulnerability of the community;
 - iii) the maintenance and enhancement of public access to the coast and public open space;
 - iv) the requirements of infrastructure; and
 - v) natural hazard mitigation provision, including the protection of natural defences.”

Policy 15.2.3.5 - Assess the impact of climate change on the level of natural hazard risks.

⁶ Tainui Hapu Environmental Management Committee [2097.1] and Department of Conservation [2108.13]

- (a) For all new subdivision, use and development requiring rezoning or a resource consent, ensure that account is taken of the projected effects of climate change over the next 100 years when assessing any identified risks from natural hazards, and their effects on people, property, infrastructure and the environment.
- (b) Ensure that, when assessing the effects of climate change on the level of natural hazard risk in accordance with Policy 15.2.3.5(a) above, the allowances in Policy 15.2.3.1(a)(i)-(iv) are applied.
- (c) ~~Where the assessment required by Policy 15.2.3.5(a) and Policy 15.2.3.5(b) indicates that natural hazards are likely to be exacerbated by climate change, ensure that subdivision and development are designed and located so that any increased and cumulative risk from natural hazards is managed to acceptable levels and any intolerable risks are avoided or reduced to tolerable or acceptable levels to avoid, or appropriately mitigate, any increased and cumulative risk, including increased risk of flooding, liquefaction, coastal inundation, coastal erosion, slope instability, fire, and drought.~~⁷

1.3 Definitions

Coastal Sensitivity Area (Erosion)

Means an area identified on the planning maps that is potentially vulnerable to coastal erosion over the period to 2120, assuming sea level rise of 1.0 m.

Coastal Sensitivity Area (Inundation)

Means an area identified on the planning maps that is potentially vulnerable to coastal inundation over the period to 2120, assuming sea level rise of 1.0 m.

Defended Area

Means an area identified on the planning maps which could normally flood in a 1% AEP flood event but is protected from flooding by a flood protection scheme managed by the Waikato Regional Council, the Waikato District Council or the Crown.

Emergency service facility

~~Emergency service facility' Means a fire station, ambulance station, police station or an emergency co-ordination facility.'~~

Emergency service facility' means a facility used by emergency services, or an emergency co-ordination facility.⁸

Farm building

For the purposes of Chapter 15, means a building that supports the primary use of the site for farming. It excludes residential units.

Flood plain management area

Means an area identified on the planning maps which is at risk of flooding in a 1% AEP flood event and is otherwise described as the 1% AEP floodplain.

⁷ Waikato Regional Council [2102.91], Counties Power [FS3021.9] and Mercury NZ Limited [FS3034.153],

⁸ Clause 16

Flood ponding area

Means an area shown on the planning maps as an identified flood ponding area or an area that experiences floodwater ponding in a 1% AEP rainfall event.

High risk flood area

Means an area identified on the planning maps, located within the Flood Plain Management Area, which is subject to river or surface flooding during an event with an annual exceedance probability of no more than 1%, and during such an event:

- (a) The depth of flood waters exceeds one metre; or
- (b) The speed of flood waters exceeds two metres per second; or
- (c) The flood depth multiplied by the flood speed exceeds one.

High Risk Coastal Hazard (Erosion) Area

Means an area identified on the planning maps which is currently at risk from coastal erosion with existing sea level and existing coastal processes.

High Risk Coastal Hazard (Inundation) Area

Means an area identified on the planning maps which is currently at risk from coastal inundation with existing sea level and coastal processes.

Mine Subsidence Risk Area

Means an area identified on the planning maps which is currently at risk of surface subsidence as a result of historic underground coal mining operations.

Minor upgrading

For the purposes of Chapter 15 means an increase in the capacity, efficiency or security of existing utilities where this utilises existing structures and networks and/or structures and networks of a similar scale and character.

Risk assessment

~~Means the overall process of risk identification, risk analysis and risk evaluation.⁹~~

(Note: "risk assessment" is duplicated in Chapter 13, and with remain in chapter 13 with no change.)

Standalone Garage

Means a roofed and enclosed building which is detached from the main residential unit and designed to accommodate one or more motor vehicles.

⁹ Clause 16

Utility

For the purpose of Chapter 15 Natural Hazards means:

- 1) Transformation, transmission, generation or distribution of electricity provided by network utility operators or requiring authorities, including: transmission lines and substations, electricity distribution lines and associated equipment; and private connections to such utilities¹⁰
- 2) Telecommunication and radiocommunication facilities, including: transmitting/receiving devices such as aerials, antennas, dishes (including cables), insulators, castings, tunnels and associated equipment; and support structures such as towers, masts and poles, accessory buildings and private receiving dish antennas;
- 3) Storage tanks and pipes for the distribution or transmission of petroleum or natural or manufactured gas, including necessary incidental equipment provided by network utility operators or requiring authorities, and private connections to such utilities;
- 4) Reticulated water for supply or irrigation, stormwater management basins, swales or drainage systems, and reticulated sewerage, including: private stormwater facilities connecting to such utilities; and necessary incidental equipment, including water storage tanks and pumping facilities; and
- 5) Meteorological facilities, navigation aids and beacons, including approach control services within the meaning of the Civil Aviation Act 1990.
- 6) Flood management infrastructure including stopbanks and erosion protection structures associated with flood management where owned or operated by the Waikato Regional Council, the Waikato District Council or the Crown.
- 7) Public roads and railway lines.

¹⁰ Transpower New Zealand Ltd [2101.26] and Counties Power [FS3021.6]