



Waikato District Council  
Ngaruawahia office  
15 Galileo Street  
Ngaruawahia 3742

13 April 2021

**Attention: Hearing Commissioners**

Dear Commissioners

**Ministry of Education – Waikato District Plan Review - Letter to be Tabled at Hearing 27: Natural Hazards and Climate Change**

The Ministry of Education (the Ministry) has lodged a submission on the Proposed Waikato District Plan (PWDP) (submitter 781) and further submissions (submitter FS1277). The Ministry has chosen not to attend Hearing 27 – Natural Hazards and Climate Change scheduled to commence Monday 10<sup>th</sup> May 2021 and requests that in lieu of attendance this letter be tabled for the Hearing Commissioners' consideration.

The Officer's reports for Hearing 27 of the PWDP has been received. The Ministry's response to these Officer's report recommendations on these submission points are set out below.

**Hearing 27B – Objectives, Policies and General Submission**

The submission made by the Ministry sought to retain Chapter 15: Natural Hazards and Climate Change as proposed, specifically Section 15.2 Objectives and Policies and rule sections 15.4 through to 15.13. Further, the Ministry supports the robust and accurate mapping of the various hazard areas across the district.

The s42A Reporting Officer has recommended accepting in part the Ministry's submission, to the extent that the plan provisions are retained, subject to any changes as recommended by the other section 42A authors dealing with specific natural hazards.

The recommended amendments to Chapter 15 as set out in hearing reports B-F are generally supported and as such are considered acceptable by the Ministry.

**Hearing 27C: Flood Hazards and Defended Areas**

Further Submission - Rule 15.5.4 High Risk Flood – Non-complying activities

Waikato Regional Council sought to add a new Rule NC4 for Natural Hazard Sensitive Activities in High Risk Flood areas. This amendment is opposed in the further submission by the Ministry [FS3011.2].

In its original submission, the Ministry reviewed the associated rule provisions within Rules 15.4 to 15.13 and considered that these provisions generally provide sufficiently robust mechanisms to ensure that the above objectives and policies can be achieved. Given that the Ministry's land and any future acquisition sites will be subject to the various natural hazard overlays (and associated rules) that have been mapped as part of the plan review process, the Ministry do not consider that the introduction of a 'Natural hazard sensitive land use' list of activities is necessary to further restrict the development of educational facilities in the Waikato district and has the potential to create unintended consequences by trying to identify some land uses but not others. The Ministry considers that the district plan, as notified, appropriately communicates to the Ministry and the community generally the location and extent of land areas subject to natural hazards and the susceptibility to climate change effects on existing education facilities and associated infrastructure.

The s42A Reporting Officer has agreed with the Ministry that the introduction of 'natural hazard-sensitive land use' activity is unnecessary. Consequently, the s42A Reporting Officer has recommended that the submission from Waikato Regional Council [2102.20] be rejected and that the further submission in opposition from the Ministry [FS3011.2] be accepted.

This is supported by the Ministry.

### **Hearing 27D: Coastal Hazards**

#### Rule 15.9.3 – Non-Complying Activities

As above, Waikato Regional Council sought to add a new Rule NC4 for Natural Hazard Sensitive Activities in Coastal Hazard areas. This amendment is opposed in the further submission by the Ministry [FS3011.3].

The s42A Reporting Officer has agreed with the Ministry that the introduction of 'natural hazard-sensitive land use' activity is unnecessary. Consequently, the s42A Reporting Officer has recommended that the submission from Waikato Regional Council [2102.21] be rejected and that the further submission in opposition from the Ministry [FS3011.3] be accepted.

This is supported by the Ministry.

#### Rule 15.10.3 – Non-Complying Activities

As above, Waikato Regional Council sought to add a new Rule NC4 for Natural Hazard Sensitive Activities to Rule 15.10.3. This amendment is opposed in the further submission by the Ministry [FS3011.4].

The s42A Reporting Officer has agreed with the Ministry that the introduction of 'natural hazard-sensitive land use' activity is unnecessary. Consequently, the s42A Reporting Officer has recommended that the submission from Waikato Regional Council [2102.22] be rejected and that the further submission in opposition from the Ministry [FS3011.4] be accepted.

The recommended amendments to change the activity status of Rule 15.10.3 NC1 is supported by the Ministry.

### **Hearing 27F: Natural Hazards – Fire, Climate Change and Definitions**

#### Chapter 15.14 – Definitions

Waikato Regional Council sought to add a new definition 'Natural hazard sensitive land use' to Chapter 15.14. The Ministry considers that there may perhaps be unintended consequences of the proposed definition and subsequent changes, in that activities not listed are provided for in the natural hazard areas with equally adverse effects in that environment. It is the Ministry's submission that each activity should be considered based on the potential effects on the environment.

The s42A Reporting Officer has agreed with the Ministry that the introduction of 'natural hazard-sensitive land use' definition is unnecessary. Consequently, the s42A Reporting Officer has recommended that the submission from Waikato Regional Council [2102.19] be rejected and that the further submission in opposition from the Ministry [FS3011.1] be accepted.

This is supported by the Ministry.

Should you have any queries or seek clarification on the above, please contact me on the details below.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alec Duncan', written in a cursive style.

**Alec Duncan**  
Planner

on behalf of

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