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## **11.0 HAZARDS**

### **11.1 Introduction**

Hazards are defined in the Resource Management Act 1991 and include flooding, erosion, earthquakes, extreme weather conditions, and ground subsidence. Hazards can adversely affect the quality of the environment and have the potential to pose risks to the health and safety of people and their property.

Certain land use practices can promote the creation of hazards such as erosion caused by the removal of vegetation.

It is therefore important that the District Plan includes provisions to ensure that such effects are avoided or mitigated. Policies have been developed to ensure that land use practices do not cause or promote hazards and do not increase the risk of adverse effects of hazards on people or their property.

### **11.2 Objectives**

- 11.2.1 Land use practices that do not cause or promote hazards.
- 11.2.2 Land use practices which recognise limitations on activities caused by hazards.
- 11.2.3 Safe land use practices which do not increase the risk of adverse effects from hazards on the environment, people and their property.

### **11.3 Policies**

- 11.3.1 To control the location of buildings to ensure that they are not likely to be damaged by, or cause, hazards or cause risk to the health and safety of people.
- 11.3.2 To maintain an up to date Hazards Register and to map the recorded hazards as a guide for landowners to consider when carrying out landuse activities in the District.
- 11.3.3 To monitor known hazards within the District.
- 11.3.4 To take any necessary action to avoid, remedy, or mitigate any actual or potential effects on the environment, including people, that could result from hazards.
- 11.3.5 To disseminate educational information to encourage land use practices that will avoid the creation or promotion of hazards.
- 11.3.6 To work with Environment Waikato to develop measures to ensure that land use practices do not cause or promote hazards.



## 11.4 Methods to Achieve Objectives and Policies

The following identifies the methods that are to be used to achieve the objectives and policies contained in this section of the District Plan:

### 11.4.1 General

- (i) Council will continue to update the Hazards Register and actively identify and map hazards. Where practical, data on the probability of occurrence, magnitude and location of effects will be maintained. The Council will make information contained in the Hazards Register available to landowners as a reference guide.

*Refer to Policy 11.3.2.*

- (ii) Council will monitor known hazards.

*Refer to Policy 11.3.3.*

- (iii) Council will require site investigations and inspections to be carried out and reports prepared where a proposed development may cause, promote, or be adversely affected by a hazard. Council will meet its obligations under the Local Government Official Information and Meetings Act 1987 to provide landowners information from the Hazards Register for Land and Project Information Memoranda.

*Refer to Policy 11.3.4.*

- (iv) Council will make available educational information on hazards to the community.

*Refer to Policy 11.3.5.*

- (v) Council will work with Environment Waikato to develop measures to encourage land use practices that will avoid or mitigate the effects of hazards. Council will maintain a GIS based database recording drawings, field notes, relevant historical information concerning hazards including:

- Contaminated Sites;
- Erosion;
- Excessive Traffic Noise Routes;
- Flooding;
- Quarries and Kinleith Potential Effects Area;
- Seismology; and



- Subsidence Potential.

*Refer to Policy 11.3.2, 11.3.3, 11.3.4 and 11.3.6.*

#### 11.4.2 Specific Rules

**Rule A** No building shall be erected or placed, no activity shall be established, no development commenced, or subdivision consent given, on any land which is not suitable for the proposed use because of a hazard.

*Refer to Policy 11.3.1. and 11.3.4*

**Rule B** All applicants for resource consents (including subdivision consents) shall address in the application and to the satisfaction of Council, matters related to hazards as they may affect the suitability of the site for the proposed activity. The matters addressed shall include (amongst other matters) the possibility of material damage to either existing or proposed structures or property caused by:

- (i) erosion;
- (ii) earthquake faultlines or areas of seismic risk;
- (iii) falling debris;
- (iv) subsidence;
- (v) slippage; or
- (vi) inundation, from any source,
- (vii) fire,
- (viii) drought, wind and volcanic activity.

*Refer to Policy 11.3.1 and Section 18 (Subdivision and Development and Section 18.4.2.1 – Suitability of Site).*

**Rule C** Where the Council considers it necessary, the applicant shall obtain and submit to Council at his or her cost and prior to any decision by Council, a professional opinion from a suitably qualified person, addressing the suitability of any site for the proposed activity. Such an opinion shall address:

- (i) The nature of any hazard identified and how it can be avoided, remedied or mitigated.



- (ii) Whether any proposed works or activities will accelerate or increase the potential for any hazard.
- (iii) The likely effects that any remedial or mitigation work or activity may have on any other site or property.
- (iv) Whether any works proposed to avoid or mitigate any potential hazard have been properly designed and can be satisfactorily carried out.

*Refer to Policies 11.3.1 and 11.3.4.*

**Rule D** If during the course of the construction or placement of a building, establishment of an activity or development, Council is of the opinion that a professional opinion as set out in Rule C above is required, that opinion shall be supplied by the applicant before work will be allowed to continue.

*Refer to Policies 11.3.1 and 11.3.4.*

**Rule E** Council shall have regard to Section 36 of the Building Act 1991 before granting or refusing a building consent. This section of the Act governs hazard matters such as erosion, inundation and slippage etc. as it affects building construction.

*Refer to Policies 11.3.1 and 11.3.4.*

**Rule F** Council may impose as conditions of any resource consent, any requirements it considers necessary to avoid, remedy or mitigate any hazard identified in any resource consent application (including any subdivision consent application) which it considers necessary to protect the environment.

Council also reserves the right to refuse consent to any application for resource consent where it considers that any hazard that cannot be avoided, remedied, or mitigated in accordance with the requirements of the Act may cause or advance the effect on the environment.

*Refer to Policies 11.3.1 and 11.3.4.*



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**11.5 Principal Reasons**

Council has an obligation under the Resource Management Act 1991 to promote sustainable management of resources. This includes avoiding, remedying or mitigating any adverse effects of activities on the environment (See Sec 5 of the Act). Under this section of the Act Council has a specific obligation to take into account the management of hazards as they may affect the sustainable use of land and other natural and physical resources.

**11.6 Anticipated Environmental Results**

Improved environment decision making that takes into account the adverse effects on both the natural and physical environment, and the health and safety of individuals and communities within the District.

Note (provided for information only)

Any developer wishing to use a site listed in the Hazards Register is advised to engage a suitably qualified person to certify that the proposed activity and/or development will not be adversely affected by the hazard or will not affect the hazard.