

natural hazards



RULE 1

GENERAL

RULES

1.0 General

The following rules shall apply to *Any Activity* on *land* including any *building* or *subdivision* of *land* which is or is likely to be affected by *Natural Hazards* known to the Council.

ASSESSMENT CRITERIA

1(a)

The extent to which *subdivisions* are designed to avoid *natural hazards* or at least provide for reasonable *development*, (taking into account the *Human Environment* applying to the *land*), on areas of the *proposed site* not subject to *natural hazards*.

1(b)

The extent to which *buildings* can be located on areas of a *site* not subject to *natural hazards*.

1(c)

The extent to which any *subdivision* or *building*:

- will or may result in damage to property or harm to people
- will or may result in more than minor adverse effects on existing landforms or coastlines
- will or may result in more than minor adverse effects on water quality.

1(d)

The extent to which, in relation to areas subject to inundation, any *subdivision* or *building*:

- will or may result in damage to property or harm to people
- will or may result in more than minor adverse effects on existing landforms
- will have more than minor adverse effects on the natural qualities of the water system
- will have more than minor adverse effects on the ability of the *catchment* to dispose of water in an efficient manner
- will result in the floor level of any *habitable building* being less than 0.5 metres above the 1 in 100 (1% AEP) flood level.

1(e)

The extent to which the proposal has given regard to any comprehensive *catchment* stormwater discharge consent issued by the Auckland Regional Council.

NOTES

1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/plans.
2. Whether or not any particular land is known by Council to be subject to erosion, slope instability, subsidence or inundation is a matter of Council record at the relevant time the *activity* or *subdivision* is proposed to be established. The Council has Hazard Maps which are constantly updated and which form part of Council's records. These maps can be referred to for guidance.
3. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Environment* and also the *Natural Area* rules, the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.
4. Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
5. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
6. The Council may have a guideline to help interpret this rule - check at the Council Offices.
7. For *resource consents* see the Information Requirements in the *City-Wide Rules*.

RULE 1

GENERAL

1.1 Limited Discretionary Activities

Any Activity on, or building on or subdivision of land meeting the following Performance Standards are *Limited Discretionary Activities*:

- (a) *buildings* on land and *subdivision* of land which are known by the Council to be or likely to be subject to erosion, slope instability, subsidence or inundation (other than inundation by the *sea*);
- (b) *subdivision* of land known by the Council to be subject to inundation by the sea where the *subdivision* facilitates the separation of that *land* for the purposes of transfer to the Council.
- (c) *Earthworks* or clearance of *vegetation* required by the *Natural Areas* Rules to obtain a *resource consent*, where the Council has knowledge that the *land* is or is likely to be, subject to any *natural hazard* for which the Council has primary responsibility in terms of the relevant provisions of the Auckland Regional Policy Statement.

Assessment of *Limited Discretionary Activity* applications made under the above rules will be limited to the matters of *design*, location and monitoring and will be considered in accordance with Assessment Criteria 1(a)-1(g).

1.2 Non-Complying Activities

Any Activity or *subdivision* to which these rules apply which is not a *Limited Discretionary Activity* under the above rules shall be deemed to contravene a rule in the *Plan* and shall be a *Non-Complying Activity*.

1(f)

The extent to which more than minor adverse effects can be adequately avoided, remedied, mitigated or offset through provision of *works and services* on or off the *site* and/or through payment or provision of a *financial contribution*.

1(g)

The extent to which, in relation to areas subject to the potential for damage by wildfire, provision is made for appropriate disposal of dead vegetative material.

Note: See also Policies 1.1, 2.1, 3.4, 10.13, 10.27

(Policy Section of the Waitakere District Plan)

RESOURCE CONSENT CONDITIONS

In granting a *resource consent* Council may impose conditions. Conditions may include any one or more of the following matters:

- requiring specified mitigation measures
- specifying the location of *buildings* or *sites*
- specifying the *design* parameters to be used in establishment of a *subdivision* or construction of a *building*
- requiring the removal and/or safe disposal of dead vegetative material from *sites* which are subject to the potential for damage by wildfire.
- requiring *financial contributions* in accordance with the *Plan*
- the imposition of a charge to cover costs of recording and monitoring the *Natural Hazard*
- the imposition of a *bond* to cover satisfaction of conditions of consent
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse effects
- such other matters provided for in sections 108 and 220 of the *Act*.

Provided that, in the case of *Limited Discretionary Activities*, conditions may only be imposed in respect of the matters specified above to which the Council has restricted exercise of its discretion.