Christchurch City Council

Resource Management Act 1991

Christchurch District Plan

Proposed Plan Change

17

Note: *This plan change will have immediate legal effect on notification in accordance with Section 86B(3) of the Resource Management Act 1991. This does not apply to proposed Rules 8.9.2.1 P3 and 8.9.2.3 RD3 which will not have legal effect until the Council gives public notice of its decision on the plan change and matters raised in submissions (under Section 9 and Clause 10(5) of the First Schedule of the Resource Management Act).*

Flood Management Areas, Activities near the Waimakariri River Stopbanks, and Earthworks

Overview

Proposed Plan Change 17 (PC17) updates the Christchurch District Plan to improve the management of flood risk, clarify and improve the rules pertaining to activities near the Waimakariri River stopbanks, and better manage the effects of earthworks. The Plan Change responds to updated technical knowledge, evolving natural hazard risk, national direction, and implementation issues identified through the operation of the current District Plan.

PC17 seeks to ensure the District Plan remains effective, enforceable, and aligned with best practice, while reducing risk to people, property, infrastructure, and the environment.

Purpose and Key Outcomes

PC17 will:

- Improve alignment between planning provisions and current flood modelling and hazard information
- Enable consideration of flooding from all sources, including groundwater influenced by earthquakes and sea level rise
- Strengthen protection of life, safety, property, and water quality
- Reduce unnecessary consenting and regulatory inefficiency
- Provide clearer, more consistent earthworks controls
- Support recovery and resilience following earthquakes
- Clarify roles and responsibilities under the RMA where other regulatory regimes apply

Key Issues and Changes

1. **Outdated references and standards**
   Several District Plan provisions refer to superseded bylaws, plans, and New Zealand Standards.

   Response: References will be updated to current standards to ensure clarity, legal robustness, and ease of implementation.

2. **Lack of earthworks provisions for post-earthquake land repair**
   Temporary rules allowing residential land repair after earthquakes expired in 2018, leaving a regulatory gap.

   Response: The expiry date will be removed and provisions updated to allow for the ongoing repair of earthquake-damaged land.

3. **Emerging groundwater and flood risk from earthquakes and sea level rise**
   Council-commissioned studies (2020 and 2024) show changing shallow groundwater levels in parts of the city, increasing flood risk.

   Response: Flood management and earthworks provisions will be amended to allow consideration of flooding from all sources, including groundwater, during resource consent assessment.

4. **Inconsistent minimum floor level requirements**
   The Fixed Minimum Floor Level Overlay (FMFLO) uses outdated tidal statistics to prescribe minimum floor levels, potentially requiring less vulnerable sites to build higher than more vulnerable sites outside of the FMFLO.

   Response: The FMFLO will be removed. Minimum floor levels will instead be determined using up-to-date flood modelling and site-specific Council advice.

5. **Misalignment between Flood Management Area maps and current modelling**
   The definition of a Flood Management Area (FMA) relies on the spatial extent shown in the planning maps. Each time the modelled extent of a major flood event changes, the FMA overlay in the District Plan Maps must be updated before the District Plan controls apply to the new area. The updates require plan changes, which take about 2 years to complete, meaning mapped flood extents often lag behind the latest modelling.

   Response: The general FMA overlay will be removed from the District Plan Maps and a new definition "the Christchurch Inundation Area" created which relates to areas that are likely to be inundated in a major flood event (the basis for the general FMA) but does not to refer to the District Plan Maps. The modelled 1 in-200-year flood extent will be available on the Council's flood and floor level viewer for information. There will be a replica of this available to view as an overlay to the District Plan. This overlay will not be a formal part of the District Plan and so can be updated without a plan change. Applicants will be able to use either the flood and floor level viewer or their own Council-assessed modelling to determine whether they are in the Christchurch Inundation Area. FMAs for Te Waihora/Lake Ellesmere, Wairewa/Lake Forsyth, and the Waimakariri River will remain in the Planning Maps.

6. **Outdated, unclear, and inconsistent wording of policy, provisions and definitions- FMAS**

Several policies, rules, tables, and definitions are unclear, redundant, or inconsistent with current practice.

Response: PC17 includes an update to terminology and definitions, clarification of rules, removal of redundant tables, and alignment of flood and earthworks provisions. Definitions and policies will be updated to reflect climate change, sea level rise, vertical land movement, and current best practice.

7. **Waimakariri River stopbank policy focus**

Current policy focuses narrowly on stopbank "integrity" rather than its primary role in managing flood risk to life and property.

Response: Policy wording will be amended to clearly prioritise risk to life, health, safety, and property.

8. **Lack of clarity for activities near stopbanks downstream of the motorway**

Stopbank setback rules do not currently apply apply downstream of the motorway because of an oversight in the restructuring of the rules during the District Plan Review process. This can cause confusion for landowners.

Response: Stopbank setback rules will be reintroduced downstream of the motorway to ensure a consistent and clear management approach.

9. **Redundant and unclear wording of provisions – Waimakariri Stopbank Setbacks**

The wording of some of the provisions is unclear or redundant which could cause confusion and lead to unintended consequences.

Response:

Rules and standards will be amended for clarity.

10. **Mapping inaccuracies and redundant provisions**

Some stopbank locations shown on Planning Maps do not reflect their actual location on the ground.

Response: Planning maps will be corrected to align with real-world infrastructure, reducing unnecessary consenting and unintended outcomes.

11. **Inefficient regulation of small-scale residential earthworks**

The permitted activity limit of 20m³ of earthworks per site over a 12-month period in residential zones, local commercial zones, and smaller parcels of Māori land is low. At the same time, earthworks associated with building consent, within the building footprint, are exempt from requiring resource consent.

This combination often results in resource consents for minor earthworks (e.g. accessways) that are small in scale compared to exempt earthworks, creating unnecessary consenting and inefficiency.

Response: Introduce a new permitted activity allowing up to 40m³ of earthworks for the creation of an accessway to a single dwelling where earthworks associated with a building consent is already permitted.

12. Insufficient control of sediment runoff and water quality effects

Earthworks expose sediment that can be mobilised by stormwater, degrading water quality in rivers, streams, and wetlands. Fine sediment is a known contributor to declining water quality in Christchurch.

Currently:

- Permitted earthworks rules do not include erosion and sediment control in their standards.
- Earthworks exempt under building footprints are not subject to RMA erosion and sediment control requirements.
- The objectives framework does not explicitly protect water quality, creating inconsistency with higher-order documents such as the National Policy Statement for Freshwater Management (NPS-FM) and the Canterbury Regional Policy Statement.

Response:

- Introduce mandatory erosion and sediment control standards for permitted earthworks.
- Remove exemption Rule 8.9.3(a)(iv) and replace it with a permitted activity status for earthworks associated with a building consent where they occur on flatter land and a restricted discretionary activity for land with a gradient steeper than 1:6. This ensures RMA enforceability and tightens controls on the higher risk sites.
- Update the earthworks objective to explicitly include the protection of water quality These changes strengthen consistency with national and regional policy direction and improve practical enforcement.

13. Redirecting, impounding or displacing flood water

Earthworks can unintentionally redirect overland flow paths away from natural drainage patterns. Filling can have additional impacts of impounding water (ponding depth and area increase posing increased risk to people and property) and of occupying flood volume leading to displacement of flooding to new areas. This can be a significant problem where large volumes of earthworks are permitted, such as under the footprint of buildings.

Response: include a permitted activity standard that controls effects on drainage.

14. Privacy effects from fill near property boundaries

Current rules allow up to 0.6m of cut or fill without distinguishing between excavation and fill, and without boundary setbacks. Fill close to boundaries can adversely affect neighbouring privacy and amenity.

Response: Introduce a 1-metre setback from property boundaries as a standard for permitted filling, improving amenity outcomes while retaining flexibility for development.

15. Inconsistency with National Environmental Standards (NES)

Earthworks provisions are not always clearly aligned with applicable National Environmental Standards, including those for:

- Commercial forestry

- Telecommunications infrastructure
- National Grid transmission activities
- Managing Contaminants in Soil

Response: Clarify the relationship between the District Plan and NES provisions, and update rules where required for consistency.

Where changes are required solely to align with NES, these are undertaken under section 44A of the RMA (rather than Schedule 1). Such changes are included for information only and are not subject to submissions or appeals.

16. Unclear process for archaeological discoveries during earthworks

The current earthworks provisions do not clearly address what occurs when an archaeological site is discovered during works.

Response: Introduce a clear Accidental Discovery Protocol, providing certainty for landowners, contractors, and tangata whenua, and ensuring compliance with heritage legislation.

Overall Benefit

Together, these changes deliver a more coherent, enforceable, and up-to-date planning framework that:

- Better manages flood and natural hazard risk
- Protects water quality and environmental values
- Reduces unnecessary regulatory burden
- Improves certainty for applicants and decision-makers
- Supports safe, resilient, and sustainable development across Christchurch

Date Publicly Notified: 4th November 2026 **Date Operative:** DD Month YYYY

Council Decision Notified: DD Month YYYY **File No:** PL/DP/X

DISTRICT PLAN TEXT AMENDMENTS

Key:

For the purposes of this plan change, any unchanged text is shown as normal text or in **bold**, any text proposed to be added by the plan change is shown as **bold underlined** and text to be deleted as ~~**bold strikethrough**~~.

Text in green font identifies existing terms in Chapter 2 – Definitions. Where the proposed change contains a term defined in Chapter 2 – Definitions, the term is shown as **bold underlined text in green** and that to be deleted as ~~**bold strikethrough in green**~~. New definition in a proposed rule is **bold green text underlined in black.**

Text in **bold underlined orange** font is text to be added to refer to a national environmental standard. Text in ~~**bold strikethrough orange**~~ font is text that has been removed to ensure there is no conflict or duplication of national environmental standards. These changes are shown for information only. They are made under section 44A of the Resource Management Act and as such cannot be submitted on.

Text in blue font indicates links to other provisions in the district Plan and/or external documents. These will have pop-ups and links, respectively, in the on-line Christchurch District Plan.

Amend the District Plan as follows:

Chapter 2 Abbreviations and Definitions

Definitions List

C

Insert the following definition:

Christchurch Inundation Area

means an area in the Christchurch City which is potentially subject to flooding in a major flood event, where specific minimum floor level rules and earthworks rules apply. The area excludes:

(a) The Parts of Banks Peninsula that are not in the Halswell River catchment; and
(b) The Waimakariri Flood Management Area

Note: Council holds publicly available information showing the modelled extent of a major flood event which indicates the location and extent of the Christchurch Inundation Area. A replic1a of this information is available as an overlay on the property search on the District Plan Eplan but this overlay does not form part of the District Plan.

F

Flood management area

means an area identified on the planning maps which is ~~**at risk of**~~ **potentially subject to** flooding in a major flood event, where specific minimum floor level rules and earthworks rules apply.

G

Insert the following definition:

Geotechnical Professional

A geotechnical engineer and/or engineering geologist who holds a current Chartered Professional Engineer accreditation in geotechnical practice and/or Professional Engineering Geologist registration under the Chartered Professional Engineers of New Zealand Act 2002 or equivalent, with experience in investigating earthquake geotechnical hazards.

M

Major flood event

Means either a 1 in 200-year (0.5% AEP) rainfall event concurrent with a 1 in 20 year (5% AEP) tidal event, or a 1 in 200 year tidal event concurrent with a 1 in 20 year rainfall event~~.~~**:**

- **including wave setup; and**
- **excluding tsunami and wave runup; and**
- **including allowance for 1.2m of sea-level rise; and**
- **allowing for climate change over a 100 year period.**

R

Residential building platform

in relation to Rule 5.4.1 Activities and earthworks in the ~~**Flood Management Areas**~~ **Christchurch Inundation Area** and Rule 5.4.2 Activities and earthworks in the Te Waihora/Lake Ellesmere and Wairewa/Lake Forsyth Flood Management Areas, means that area of a site equal to the ground floor area of the residential unit plus up to 1.8 metres extending at ground level beyond its foundations.

Advice note:

1. This definition differs from the clarification of 'building consent platform' provided in Rule 5.4.4 Repair of land used for residential purposes damaged by earthquakes within **the Christchurch Inundation Area and** Flood Management Areas in rural and residential zones and Rule 8.9.2.1 Permitted activities P2

Chapter 4 Hazardous Substances and Contaminated Land

4.1 Hazardous Substances

4.1.4.1 Activity status tables – Hazardous substances

4.1.4.1.5 Non-complying activities

a. [….]
b. [….]
   x. waste treatment and disposal facilities (not within High Flood Hazard Management Areas**, the** Christchurch Inundation Area and Flood Management Areas), and waste in process in the Council's trade waste sewers, municipal liquid waste treatment and disposal facilities (not within High Flood Hazard Management Areas**, the** Christchurch Inundation Area and Flood Management Areas) which may contain hazardous substance residues;

Chapter 5 - Natural Hazards

5.1 Introduction

a. [….]
b. [….]
c. [….]
d. [….]
e. [….]
f. [….]
g. [….]
h. [….]
i. [….]
j. [….]
k. [….]
l. [….]
m. Where risk from natural hazards is able to be managed to acceptable levels, the Council may require assessment and mitigation in relation to potential effects on development from natural hazards in order to reduce risk to a level that is deemed acceptable in the circumstances. Examples are Rockfall Management Area 2, the Christchurch Inundation Area**,** Flood Management Area**s** and the Liquefaction Management Area. The planning maps also include Flood Ponding Management Areas which are required for flood storage capacity, thereby reducing impacts of downstream flooding, and the function of these is recognised in the District Plan.
n. [….]

5.2 Objectives and Policies

5.2.2.2.1 Policy – Flooding

a. Map hazard risk for the Flood Management Area based on **land that is subject to a major flood event.** ~~**:**~~
   ~~**i. a modelled 0.5% AEP (1 in 200 year) rainfall event plus a 5% AEP (1 in 20 year) tide event plus 250mm freeboard; OR a modelled 5% AEP (1 in 20 year flood event) plus a 0.5% AEP (1 in 200 year)**~~

~~tide event plus 250mm freeboard; OR 11.9m above Christchurch City Council Datum (the maximum 200 year tidal contour) plus 250mm freeboard; whichever is the greater; and~~

~~ii. allowance for 1 metre of sea level rise and an increase in rainfall intensity by 16% through to 2115 as a result of climate change; and~~

~~iii. a maximum buffer extension of the modelled rainfall event areas by 60 metres in a north/south and east/west direction.~~

b. (…)

c. Avoid activities locating where **there could be unacceptable risk to people, property, and infrastructure from flooding associated with a breach** ~~they could undermine the integrity~~ of the Waimakariri River **upper** primary stopbank ~~system,~~; and

d. **R**~~r~~estrict activities locating where they could undermine the **structural** integrity of the Waimakariri River ~~secondary~~ stopbank system**, i.e., the upper and lower primary stopbank, and the secondary stopbank**.

~~**De.**~~ (….)

~~**Ef**~~ (….)

~~**Fg**~~ (….)

5.3 How to interpret and apply the rules

a. **All natural hazard overlays are shown in the planning maps except the Christchurch Inundation Area. Council holds publicly available information showing the modelled extent of a major flood event which indicates the location and extent of the Christchurch Inundation Area. A replica of this information is available as an overlay on the property search on the District Plan Eplan but this overlay does not form part of the District Plan.**

~~**a**~~**b**. The rules that apply in the natural hazard overlay areas ~~**in the planning maps**~~ are listed in:

i. Rule 5.4 – Flood hazard:

A. Rule 5.4.1 – Activities and earthworks in the **Christchurch inundation** ~~**Flood Management**~~ Area;

B. Rule 5.4.2 – Activities and earthworks in the Te Waihora/Lake Ellesmere and Wairewa/Lake Forsyth Flood Management Areas;

C. Rule 5.4.3 – Activities and earthworks in the Waimakariri Flood Management Area;

D. Rule 5.4.4 – Repair of land used for residential purposes damaged by earthquakes within the **Christchurch Inundation Area and the** Flood Management Areas in rural and residential zones;

E. Rule 5.4.5 – Activities and earthworks in the Flood Ponding Management Area; ~~**and**~~

F. Rule 5.4.6 – Activities in the High Flood Hazard Management Area~~.~~**; and**

G. Rule 5.4.7 – Activities and earthworks within the Waimakariri River stopbank setbacks.

ii. Rule 5.4A Coastal Hazard Medium Risk and High Risk Management Areas and the Tsunami Risk Management Area

iii. Rule 5.5 – Liquefaction hazard; and

iv. Rule 5.6 – Slope instability.

~~b~~**c**. The Flood Management Areas **and the Christchurch Inundation Area** have separate, specific provisions ~~**in identified geographical areas identified on the Planning Maps**~~ as set out below. Rule 5.4.1 does not apply to areas subject to Rules 5.4.2**,** ~~**or**~~ 5.4.3 **or 5.4.7 (other than the lower primary stopbank setback, where Rule 5.4.1 also applies)**:

i. Rule 5.4.1 – Activities and earthworks in the **Christchurch Inundation** ~~**Flood Management**~~ Area;

ii. Rule 5.4.2 – Activities and earthworks in the Te Waihora/Lake Ellesmere and Wairewa/Lake Forsyth Flood Management Areas;

iii. Rule 5.4.3 – Activities and earthworks in the Waimakariri Flood Management Area~~.~~**;**

iv. Rule 5.4.7 – Activities and earthworks within the Waimakariri River stopbank setback (Rule 5.4.1 applies to the lower primary stopbank setback).

d. The upper primary stopbank setback and the secondary stopbank setback within the Waimakariri Flood Management Area have separate specific provisions (refer to Rule 5.4.7) in geographical areas identified on the Planning Maps. Rule 5.4.3 does not apply to the stopbank setback subject to Rule 5.4.7.

e. Rules 5.4.1 Activities and earthworks in the Christchurch Inundation Area; 5.4.4 Repair of land for residential purposes damaged by earthquakes within the Christchurch Inundation Area and the Flood Management Areas in rural and residential zones; 5.4.5 Flood Ponding Management Area; and 5.4.6 High Flood Hazard Management Area also apply to the lower primary stopbank setback.

f. Activities in Rule 5.4.7 – Activities and earthworks within the Waimakariri River stopbank setback may also require permission under the Canterbury Regional Council's Flood Protection and Drainage Bylaw to ensure the integrity of flood protection assets is protected. Restrictions apply within 7.5m or 20m of mapped defences against water/stopbanks. Refer to the Bylaw for the relevant setback.

~~c.~~ **g.** The information requirements for resource consent applications are set out in Rule 5.7.

~~d.~~ **h.** The activities covered by the rules in this chapter are also subject to the rules in the relevant zone chapters.

~~e.~~ **i.** The activity status tables, rules and standards in the following chapters also apply:

4	Hazardous Substances and Contaminated Land
6	General Rules and Procedures
7	Transport
8	Subdivision, Development and Earthworks
9	Natural and Cultural Heritage
11	Utilities and Energy

NOTE: The provisions of the Christchurch City Plan and the Banks Peninsula District Plan that relate to coastal hazards continue to apply. The provisions of those plans that still apply (including the 20m building and earthworks setback from mean high water springs) are set out in this table.

5.4 Rules – Flood Hazard

a. Areas identified as being subject to high hazard flooding are identified on the planning maps as High Flood Hazard Management Area.
b. Areas identified as being subject to inundation in a major flooding event are identified as Flood Management Areas **and the Christchurch Inundation Area**. Within this area, ~~**where**~~ the required floors levels are ~~**certain and already established**~~ **determined** by the Council~~**, they are identified on the planning maps as being within the Fixed Minimum Floor Level Overlay, in accordance with Rules 5.4.1.2 and 5.4.2.2**~~. **Where they are not accurately modelled and further modelling is required, t**~~**T**he Council will, on request, review its current information and issue a Minimum Floor Level Certificate that will certify the floor level necessary for that site based on available information.
c. Areas that are important for stormwater retention are also identified on the planning maps as Flood Ponding Management Areas.

5.4.1 Activities and earthworks in the ~~**Flood Management**~~ **Christchurch Inundation** Area

5.4.1.1 Permitted activities

a. The activities listed below are permitted activities where the activity is located in the~~ **area shown on the planning maps as**~~ **Christchurch Inundation** ~~**Flood Management**~~ Area (other than in a Transport Zone, where the **Christchurch Inundation** ~~**Flood Management**~~ Area rules do not apply), if they meet the activity specific standards set out in Table 5.4.1.1~~**b**~~**a**.
b. **The Christchurch Inundation Area is not identified in the planning maps. Council holds publicly available information showing the modelled extent of a major flood event which indicates the location and extent of this Inundation Area. A replica of this information is available as an overlay on the property search on the District Plan Eplan but this overlay does not form part of the District Plan.**
~~**b.**~~ **c.** Activities may also be restricted discretionary as specified in Rule 5.4.1.5.
~~**c.**~~ d. Exemptions relating to this rule can be found in Rule 5.4.1.4.
~~**d.**~~ e. For filling or excavation ~~**(before 31 December 2018)**~~ for repair of land used for residential purposes and damaged by earthquakes, see Rule 5.4.4.
~~**e. For the purpose of determining appropriate floor levels for P1 and P2, the following models will be used.**~~
~~**f.**~~ **f. The Building Act requirements for floor levels also apply where relevant.**

~~**Table 5.4.1.1a**~~

	~~**Flood Management Area Catchment**~~	~~**Model**~~	~~**Version**~~
~~**i.**~~	~~**Styx**~~	~~**Styx River Hydrologic and Hydraulic Model**~~	~~**R004**~~

~~ii.~~	~~Avon~~	~~City-Wide Flood Model – Avon Catchment~~ ~~Avon River Hydrologic and Hydraulic Model~~	~~V96, V114, V115e~~ ~~D13~~
~~iii.~~	~~Heathcote~~	~~City-Wide Flood Model – Heathcote Catchment~~ ~~Heathcote River Hydrologic and Hydraulic Model~~	~~V26~~ ~~2012 Design~~
~~iv.~~	~~Sumner~~	~~City-Wide Flood Model – Sumner Catchment~~ ~~Sumner Floodplain Hydrologic and Hydraulic Model~~	~~V12~~ ~~12N~~
~~v.~~	~~Halswell~~ ~~Avoca Heathcote Valley~~	~~City-Wide Flood Model – Halswell Catchment~~ ~~Avaco Heathcote Valley Hydrologic and Hydraulic Model~~	~~V10~~ ~~AV-ED2014~~

Table 5.4.1.1~~b~~a

Activity		Activity specific standards
~~P1~~	~~New buildings located within the Fixed Minimum Floor Level Overlay, unless specified in P5, P6, P7, P8 or P9 in Rule 5.4.1.1.~~	~~Minimum floor levels shall be the highest of the following:~~ ~~flooding predicted to occur in a 0.5% AEP (1 in 200 year) rainfall event concurrent with a 5% AEP (1 in 20 year) tidal event, including 1metre sea level rise plus 400mm freeboard, as predicted by the relevant Council model and version identified in Table 5.4.1.1a.; or~~ ~~flooding predicted to occur in a 0.5% AEP (1 in 200 year) tidal event concurrent with a 5% (1 in 20 year) rainfall event, including 1m sea level rise plus 400mm freeboard, as predicted by the relevant Council model and version identified in Table 5.4.1.1a.; or~~ ~~12.3 metres above Christchurch City Council Datum.~~ ~~(Link to Council's Floor Level Viewer for Fixed Minimum Floor Levels)~~
~~P2~~	~~Additions to existing buildings which increase the ground floor area of the building located within the Fixed Minimum Floor Level Overlay, unless specified in P6, P7, P8 or P9 in Rule 5.4.1.1.~~	
P~~3~~1	New buildings ~~outside the Fixed Minimum Floor Level Overlay~~ unless specified in ~~P5, P6, P7, P8 or P9~~ **P3, P4, P5, P6 or P7** in Rule 5.4.1.1.	Minimum floor levels shall be **set at or above** the level specified in the Minimum Floor Level Certificate (refer to Rule 5.4.1.2)

Activity		Activity specific standards
P~~4~~2	Additions to existing buildings which increase the ground floor area of the building ~~outside the Fixed Minimum Floor Level Overlay~~ unless specified in ~~P6, P7, P8 or P9~~ P4, P5, P6 or P7 in Rule 5.4.1.1.	Minimum floor levels shall be **set at or above** the level specified in the Minimum Floor Level Certificate (refer to Rule 5.4.1.2)
P~~5~~3	Additions to existing buildings that do not increase the ground floor area of the building.	Nil
P~~6~~4	Additions other than garages provided for in Rule 5.4.1.1 ~~P7~~ P5 which do not increase the ground floor area of an existing building by more than 25 m^2 within any continuous period of 10 years.	~~Nil~~ a. **The floor level of the addition shall be at or above the floor level of the existing building.**
P~~7~~5	Garages of 40 m^2 or less in area, and ~~any~~ other accessory buildings without floors. **Advice note:** 1. **For the purpose of this rule, a concrete slab or similar foundation structure is a floor.**	Nil
P~~8~~6	Decks, swimming pools **including filling and excavation required for pool construction** and unenclosed buildings without floors. **Advice note:** **1. For the purpose of this rule, a concrete slab or similar foundation structure is a floor.**	~~Nil~~ a. **Any filling or excavation for swimming pools shall not result in a change in ground level on any part of the property outside of the footprint of the pool**.
P~~9~~7	Utilities and LPG storage tanks.	Nil
P~~10~~8	Filling or excavation for residential building platforms ~~only to the extent necessary to achieve the minimum floor levels specified for P1, P2, P3 and P4 in Rule 5.4.1.1 for new buildings and for additions to buildings~~.	~~Nil~~ **a. Filling outside the ground floor area of the proposed building is no higher than ground level.**
P~~11~~ 9	Filling or excavation associated with the maintenance of flood protection and bank erosion protection works; and the maintenance of existing drains or ponds.	Nil
P~~12~~ 10	Filling or excavation associated with utilities, or the replacement, repair or maintenance of existing utilities.	Nil

Activity		Activity specific standards
P~~13~~ **11**	Filling or excavation in zones other than commercial, industrial and rural zones that is not provided for under Rule 5.4.1.1 ~~**P10-P12 or P17-P18**~~ **P8-P10 or P15-P16**.	a. A maximum height of 0.3m of filling above ground level and 0.6m depth of excavation below ground level; and b. A maximum volume of filling above ground level of $10m^3$ per site, and a maximum cumulative volume of filling and excavation of $25m^3$ per site, in each case within any continuous period of 10 years. Or c. The excavation and filling is associated with the maintenance and/or replacement of underground petroleum storage systems and where, following reinstatement of the underground petroleum storage systems, the site will have a finished contour that is equivalent to the ground level at the commencement of the works.
P~~14~~ **12**	Filling or excavation in commercial and industrial zones that is not provided for under Rule 5.4.1.1 ~~**P10-P12 or P17**~~ **P8-P10 or P15**.	a. A maximum height of 0.3m of filling above ground level and 0.6m depth of excavation below ground level; and b. A maximum volume of filling above ground level of $20m^3$ per site, and a maximum cumulative volume of filling and excavation of $50m^3$ per site, in each case within any continuous period of 10 years. Or c. The excavation and filling is associated with the maintenance and/or replacement of underground petroleum storage systems and where, following reinstatement of the underground petroleum storage systems, the site will have a finished contour that is equivalent to the ground level at the commencement of the works.
P~~15~~ **13**	Filling or excavation in rural zones that is not provided for under Rule 5.4.1.1 ~~**P10-P12 or P17**~~ **P8-P10 pr P15**.	a. A maximum height of 0.2m of filling above ground level and 0.6m depth of excavation below ground level; and b. A maximum volume of filling above ground level of $100m^3$ per site within any continuous period of 10 years. Or c. The excavation and filling is associated with the maintenance and/or replacement of underground petroleum storage systems and where, following reinstatement of the underground petroleum storage systems, the site will have a finished contour that is equivalent to the ground level at the commencement of the works.
P~~16~~ **14**	Outdoor storage of transiting shipping containers in commercial and industrial zones.	Nil
P~~17~~ **15**	Excavation and filling within the area identified in Appendix 8.10.7(d) -	a. The excavation and filling will not result in the reduction in the existing potential storage volume of water that is able to be retained within the

Activity		Activity specific standards
	Cashmere/Worsleys Development Plan.	development plan area, prior to any residential zone development, in a 0.2% AEP event up to the existing Worsleys Road minimum centreline level of 9.51 metres (NZVD2016). The design shall also accommodate additional storage for any additional stormwater that could be discharged from the development of the residential zones and roads in a 0.2% AEP event b. All roads are filled so that the crown of the road is no lower than RL 9.32 metres (NZVD2016), except for the realigned Worsleys Road required in the Development Plan. The crown of Worsleys Road shall be no lower than RL 9.51 metres (NZVD2016). c. The side slopes of all areas filled or excavated in accordance with a. and b. above shall not exceed an angle of 1 in 5.
P~~18~~ **16**	Filling or excavation in the Specific Purpose (Ōtākaro Avon River Corridor) Zone that is not provided for under Rule 5.4.1.1 ~~**P10 P12**~~ **P8-P10**.	a. A maximum height of 0.3m of filling above ground level and 0.6m depth of excavation below ground level; and b. A maximum volume of filling above ground level of 20m^3 per site, and a maximum cumulative volume of filling and excavation of 50m^3 per site, in each case within any continuous period of 10 years.
P17	**The conversion of up to 25m^2 of non-habitable space to habitable space at ground floor level within any continuous period of 10 years.**	**Nil**
P18	**The conversion of more than 25m^2 of non-habitable space to habitable space at ground floor level within any continuous period of 10 years.**	**a. Minimum floor levels shall be set at or above the level specified in the Minimum Floor Level Certificate (refer to Rule 5.4.1.2)**

5.4.1.2 Minimum floor level certificate

a. For P~~3~~**1** and P~~4~~-**2**in Table 5.4.1.1~~**b**~~**a**, new buildings or additions to existing buildings within the **Christchurch Inundation** ~~**Flood Management**~~ Area~~**, but outside of the Fixed Minimum Floor Level Overlay**~~ shall have a floor level that is greater than or equal to that specified in a Minimum Floor Level Certificate. The Council will issue a Minimum Floor Level Certificate (which will be valid for 2 years from the date of issue) which specifies the design floor level for a building calculated as the highest of the following:

   i. **A major flood event** ~~**flooding predicted to occur in a 0.5% AEP (1 in 200 year) rainfall event concurrent with a 5% AEP (1 in 20 year) tidal event, including 1m sea level rise**~~ plus 400mm freeboard, as predicted by ~~**the most up to date Council**~~ **flood** model**ling, an allowance for vertical land movement, an allowance for wave setup (where relevant)** and any relevant field information; or

~~ii. flooding predicted to occur in a 0.5% AEP (1 in 200-year) tidal event concurrent with a 5% AEP (1 in 20-year) rainfall event, including 1.2m sea level rise plus 400mm freeboard, as predicted by the most up to date Council model and any relevant field information; or~~

iii~~i~~. ~~2.9~~ **3.3** metres above NZVD2016

5.4.1.3 Exemptions for daylight recession planes in the Christchurch Inundation ~~Flood Management~~ Area

~~a. For P1 and P2 in Rule 5.4.1.1, the applicable daylight recession plane in residential zones (other than in the Medium Density Residential Zone and High Density Residential Zone, or when rule 14A.8.1.a applies, except when the Chapter 14B pathway is applied) shall be determined as if the ground level at the relevant boundary was the minimum floor level set in the activity specific standards in Rule 5.4.1.1, or natural ground level, whichever is higher.~~

b. For ~~P3 and P4~~ **P1 and P2** in Rule 5.4.1.1, the applicable daylight recession plane in residential zones (other than in the Medium Density Residential Zone and High Density Residential Zone, or when rule 14A.8.1.a applies, except when the Chapter 14B pathway is applied) shall be determined as if the ground level at the relevant boundary was the minimum floor level specified in the Minimum Floor Level Certificate issued under Rule 5.4.1.2, or natural ground level, whichever is higher.

5.4.1.4 Exemption for buildings in certain circumstances where a PIM has been issued

a. Replacement of earthquake-damaged buildings (including partial replacement) in the Flood Management Area **(including where it is renamed the Christchurch Inundation Area)** are exempt from compliance with the requirements of P1-P4 in Rule 5.4.1.1, provided that:
   i. for Flood Management Areas made operative on 7 June 2016 or 22 February 2017, on or before the date at which those Flood Management Areas become operative, the Council has received an application for a Project Information Memorandum (PIM) for a building on a specific site; AND
   ii. in response to that application, the Council has issued a PIM that confirms the minimum floor level for the building on that site.

The PIM may be issued before or after the date at which the relevant Flood Management Area became operative, but shall be based on the requirements of the relevant district plan that was operative on the date the PIM was received, or if no rules were relevant under that plan, the New Zealand Building Code as at the date that the application was received.

b. The exemption to Rule 5.4.1.1 outlined in a. above will cease to apply if construction of the building is not commenced by 30 April 2018.

5.4.1.5 Restricted discretionary activities

a. The activities listed below are restricted discretionary activities where the activity is located in ~~an area shown on the planning maps as a~~ **the Christchurch Inundation** ~~Flood Management~~ Area.
b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion as set out in the following table.

Table 5.4.1.5a

Activity		**The Council's discretion shall be limited to the following matters:**
RD1	a. New buildings or additions to buildings which are not permitted by the activity	a. The Council's discretion is limited to the following matters:

Activity		The Council's discretion shall be limited to the following matters:
	status rules and/or activity specific standards for P1–P~~9~~**97** set out in Rule 5.4.1.1. b. Any application arising from this rule shall not be limited or publicly notified.	i. setting of minimum floor levels ii. mitigation of the effects of flooding **iii. Assessment of flood risk** **b.** These restricted discretionary activities will be assessed against the following criteria: i. The frequency at which any proposed building or addition is predicted to be flooded and the extent of damage likely to occur in such an event. ii. Whether any mitigation measures are proposed, their effectiveness and environmental effects, and any benefits to the wider area associated with flood management. iii. Whether there are any positive effects from the reduction in floor levels in relation to neighbouring buildings or streetscape.
RD2	Filling or excavation which is not a permitted activity under ~~**P10**~~, P~~**11**~~**9**, P1~~**2**~~**0**, ~~**or**~~ P1~~**7**~~**5 or P6** set out in Rule 5.4.1.1, or filling or excavation that ~~**exceeds**~~ **does not meet any one or more of** the standards in **P8,** P1~~**3**~~**1** – P1~~**5**~~**3** or P1~~**8**~~**6** set out in Rule 5.4.1.1.	a. The Council's discretion is limited to the following matters: i. timing, location, scale and nature of earthworks; ii. earthworks method; and iii. mitigation of effects as they impact flooding and surface drainage. **b.** These restricted discretionary activities will be assessed against the following criteria: i. Whether any effects arise from filling or excavation on land stability, flooding, water bodies, groundwater and natural ground levels on and/or off site, including: A. any likelihood of exacerbation of flooding, erosion, or siltation either upstream or downstream of the site; B. any likelihood of affecting the stability of adjoining land, including its susceptibility to subsidence or erosion; C. any adverse effects on other properties from disturbances to surface drainage patterns; D. effects on flood storage capacity and function in the immediate area, and any wider effects on the flood storage in the catchment including any compensatory storage proposed; and any effects on

Activity		The Council's discretion shall be limited to the following matters:
		existing stormwater and flood protection works; E. any implications for groundwater and the water table, on or off site; and F. any benefits associated with flood management. ii. Whether there are any benefits arising that enable the reasonable use of the site. iii. Whether any mitigation measures are proposed, their effectiveness and whether, and to what extent there is a transfer of adverse effects to other properties.
RD3	**The conversion of more than 25m² of non-habitable space to habitable space at ground floor level where it does not meet the activity standards in P18**	**a. The Council's discretion is limited to the following matters:** **i. Mitigation of the effects of flooding** **ii. Assessment of flood risk** **c. This restricted discretionary activity will be assessed against the following criteria:** **i. The frequency at which the affected building is predicted to be flooded and the extent of damage likely to occur in such an event.** ii. **Whether any mitigation measures are proposed, their effectiveness and environmental effects, and any benefits to the wider area associated with flood management.**

5.4.2 Activities and earthworks in the Te Waihora/Lake Ellesmere and Wairewa/Lake Forsyth Flood Management Areas

5.4.2.1 Permitted activities

a. The activities listed below are permitted activities where the activity is located within the areas shown on the planning maps as Te Waihora/Lake Ellesmere or Wairewa/Lake Forsyth Flood Management Areas (other than in a Transport Zone, where the Flood Management Area rules do not apply), if they meet the activity specific standards set out in this table.
b. Activities may also be restricted discretionary as set out in Rule 5.4.2.4.
c. For filling or excavation ~~**(before 31 December 2018)**~~ for repair of land used for residential purposes and damaged by earthquakes, see Rule 5.4.4.

Activity		Activity specific standards
P1	New buildings and additions to existing buildings unless specified in Rule 5.4.2.1 P2 – P6.	a. Minimum floor levels shall be the level specified in the Minimum Floor Level Certificate (refer to Rule 5.4.2.2).
P2	Additions to existing buildings that do not increase the ground floor area of the building.	Nil
P3	Additions, other than garages provided for in Rule 5.4.2.1 P4, which do not increase the ground floor area of an existing building by more than 25m^2 within any continuous period of 10 years.	~~Nil~~ **a. The floor level of the addition shall be set at or above the floor level of the existing building.**
P4	Garages of 40m^2 or less in area, **non-habitable** accessory buildings which are no more than 200m^2 in area, and other accessory buildings without floors. **Advice note:** **1. For the purpose of this rule, a concrete slab or similar foundation structure is a floor.**	Nil
P5	Decks, swimming pools **including filling and excavation required for pool construction,** and unenclosed buildings without floors. **Advice note:** **1. For the purpose of this rule, a concrete slab or similar foundation structure is a floor.**	**a. Any filling or excavation for swimming pools shall not result in a change in ground level on any part of the property outside of the footprint of the pool**.
P6	Utilities and LPG storage tanks.	Nil
P7	Filling or excavation for residential building platforms ~~only to the extent necessary to achieve the minimum floor levels specified for P1 in Rule 5.4.2.1 for new buildings and for additions to buildings~~.	~~Nil~~ **a. Filling outside the ground floor area of the proposed building is no higher than ground level.**
P8	**Filling** or excavation associated with the maintenance of flood protection and bank erosion protection works; and the maintenance of existing drains or ponds.	Nil
P9	Filling or excavation associated with utilities, or the replacement, repair or maintenance of existing utilities.	
P10	Filling or excavation that is not provided for under Rule 5.4.2.1 P7-P9 or P11.	a. A maximum height of 0.3 metres of filling above ground level and 0.6 metres depth of excavation below ground level; and

Activity		Activity specific standards
		b. A maximum volume of filling above ground level of $20m^3$ per site, and a maximum cumulative volume of filling and excavation of $50m^3$ per site, in each case within any continuous period of 10 years. Or c. The excavation and filling is associated with the maintenance and/or replacement of underground petroleum storage systems and where, following reinstatement of the underground petroleum storage systems, the site will have a finished contour that is equivalent to the ground level at the commencement of the works.
P11	Filling or excavation for the maintenance or upgrading of existing roads on legal road.	a. The works shall not impede the flow of surface water.
P12	**The conversion of up to $25m^2$ of non-habitable space to habitable space at ground floor level within any continuous period of 10 years.**	**Nil**
P13	**The conversion of more than $25m^2$ of non-habitable space to habitable space at ground floor level within any continuous period of 10 years.**	a. **Minimum floor levels shall be set at or above the level specified in the Minimum Floor Level Certificate (refer to Rule 5.4.2.2)**

5.4.2.2 Minimum floor level certificate

a. For Rule 5.4.2.1 P1, new buildings or additions to existing buildings within the Te Waihora/Lake Ellesmere and Wairewa/Lake Forsyth Flood Management Areas shall have a floor level that is greater than or equal to that specified in a Minimum Floor Level Certificate. The Council will issue a Minimum Floor Level Certificate (which will be valid for two years from the date of issue) which specifies the design floor level for a building calculated as the highest of the following:

i. **A major flood event** ~~**flooding predicted to occur in a 0.5% AEP (1 in 200 year) rainfall event concurrent with a 5% AEP (1 in 20 year) tidal event, including 1m sea level rise**~~ plus 400mm freeboard, as predicted by ~~**the most up to date Council**~~ **flood** model**ling**, **an allowance for vertical land movement, an allowance for wave setup (where relevant)** and any relevant field information; or

~~**ii. flooding predicted to occur in a 0.5% AEP (1 in 200 year) tidal event concurrent with a 5% AEP (1 in 20 year) rainfall event, including 1m sea level rise plus 400mm freeboard, as predicted by the most up to date Council approved model and any relevant field information; or**~~

ii~~i.~~ ~~**2.9**~~ **3.3** metres above NZVD2016.

5.4.2.3 Exemptions for daylight recession planes in the Te Waihora/Lake Ellesmere and Wairewa/Lake Forsyth Flood Management Areas

a. For Rule 5.4.2.1 P1, the applicable daylight recession plane in residential zones shall be determined as if the ground level at the relevant boundary was the minimum floor level specified in the Minimum Floor Level Certificate issued under Rule 5.4.2.2, or natural ground level, whichever is higher.
b. For the purposes of a. above, the applicable daylight recession plane in residential zones is:
   i. Rule 14.10.2.4 Daylight recession planes - Residential Small Settlement Zone

Advice Note:

1. For filling or excavation ~~**(before 31 December 2018)**~~ for repair of land used for residential purposes and damaged by earthquakes, see Rule 5.4.4.

5.4.2.4 Restricted discretionary activities

a. The activities listed below are restricted discretionary activities where the activity is located in within the areas shown on the planning maps as Te Waihora/Lake Ellesmere or Wairewa/ Lake Forsyth Flood Management Areas.
b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion as set out in the following table.

Activity		**The Council's discretion shall be limited to the following matters:**
RD1	a. New buildings or additions to buildings which are not permitted by the activity status rules and/or activity specific standards for P1– P6 set out in Rule 5.4.2.1. b. Any application arising from this rule shall not be limited or publicly notified.	a. The Council's discretion is limited to the following matters: i. setting of minimum floor levels ii. mitigation of the effects of flooding **b.** These restricted discretionary activities will be assessed against the following criteria: i. The frequency at which any proposed building or addition is predicted to be flooded and the extent of damage likely to occur in such an event. ii. Whether any mitigation measures are proposed, their effectiveness and environmental effects, and any benefits to the wider area associated with flood management. iii. Whether there are any positive effects from the reduction in floor levels in relation to neighbouring buildings or streetscape.
RD2	Filling or excavation which is not a permitted activity under **P5,** P7–P9 or P11 set out in Rule 5.4.2.1, or filling or excavation that does not meet the standards in P10 set out in Rule 5.4.2.1.	**a.** The Council's discretion is limited to the following matters: i. timing, location, scale and nature of earthworks; ii. earthworks method; and iii. mitigation of effects as they impact flooding and surface drainage.

Activity		The Council's discretion shall be limited to the following matters:
		b. These restricted discretionary activities will be assessed against the following criteria: i. Whether any effects arise from filling or excavation on land stability, flooding, water bodies, groundwater and natural ground levels on and/or off site, including: A. any likelihood of exacerbation of flooding, erosion, or siltation either upstream or downstream of the site; B. any likelihood of affecting the stability of adjoining land, including its susceptibility to subsidence or erosion; C. any adverse effects on other properties from disturbances to surface drainage patterns; D. effects on flood storage capacity and function in the immediate area, and any wider effects on the flood storage in the catchment including any compensatory storage proposed; and any effects on existing stormwater and flood protection works; E. any implications for groundwater and the water table, on or off site; and F. any benefits associated with flood management. ii. Whether there are any benefits arising that enable the reasonable use of the site. iii. Whether any mitigation measures are proposed, their effectiveness and whether, and to what extent there is a transfer of adverse effects to other properties. iv. Whether any effects arise with regard to access, character, ecology and amenity, including: A. any adverse effects or benefits for public access, natural character or ecology of water bodies and wetland areas. B. any adverse effects on amenity values including dust nuisance, visual impact, noise, vibration and traffic associated with the filling or excavation.

Activity		The Council's discretion shall be limited to the following matters:
RD3	**The conversion of more than 25m² of non-habitable space to habitable space at ground floor level where it does not meet the activity standards in P13**	**a. The Council's discretion is limited to the following matters:** **i. Mitigation of the effects of flooding** **ii. Assessment of flood risk** **b. This restricted discretionary activity will be assessed against the following criteria:** **i. The frequency at which the affected building is predicted to be flooded and the extent of damage likely to occur in such an event.** ii. **Whether any mitigation measures are proposed, their effectiveness and environmental effects, and any benefits to the wider area associated with flood management.**

5.4.3 Activities and earthworks in the Waimakariri Flood Management Area

5.4.3.1 Permitted activities

a. The activities listed below are permitted activities where the activity is located within the area shown on the planning maps as the Waimakariri Flood Management Area (other than in a Transport Zone where the **Waimakariri** Flood Management Area rules do not apply), if they meet the activity specific standards set out in this table.

b. Activities may also be **controlled,** restricted discretionary or non-complying as specified in rules **5.4.3.2,** 5.4.3.3 and 5.4.3.4.

c. For filling or excavation **~~(before 31 December 2018)~~** for repair of land used for residential purposes and damaged by earthquakes, see Rule 5.4.4.

Activity		Activity specific standards
P1	Additions to existing buildings that do not increase the ground floor area of the building.	Nil
P2	Additions other than garages provided for in P3 which do not increase the ground floor area of an existing building by more than 25m² within any continuous period of 10 years.	Nil

Activity		Activity specific standards
P3	Garages and any other accessory buildings without floors. **Advice note:** **1. For the purpose of this rule, a concrete slab or similar foundation structure is a floor.**	a. The maximum area of any garage or other accessory building shall be no greater than 200m^2 in rural zones and open space zones.
P4	Decks, swimming pools **including filling and excavation required for pool construction**, and unenclosed buildings without floors. **Advice note:** **1. For the purpose of this rule, a concrete slab or similar foundation structure is a floor.**	~~**Nil**~~ **a. Any filling or excavation for swimming pools shall not result in a change in ground level on any part of the property outside of the footprint of the pool.**
P5	Filling or excavation associated with the maintenance of flood protection and bank erosion protection works; and the maintenance of existing drains or ponds.	Nil
P6	Filling or excavation associated with utilities, or the replacement, repair or maintenance of existing utilities.	Nil
P7	Filling or excavation for post holes for fences and shade cloth structures and tunnel houses, planting holes, and excavation for approved wells.	Nil
P8	Filling or excavation for the maintenance of existing farm tracks and farm yards, or the establishment of new farm tracks and farm yards.	a. The finished ground level shall be maintained to within 200mm of the natural ground level.
P9	Application of fertiliser, lime or other plant growth enhancers such as topsoil, bark and trace elements. Advice Note: Consent may be required from Canterbury Regional Council, pursuant to section 15 of the Resource Management Act 1991, for the discharge of plant growth enhancers, including fertiliser, into or onto land.	a. For top soil, the maximum volume of filling shall be 100m^3 per site within any continuous period of 10 years.

Activity		Activity specific standards
P10	Filling or excavation for the purposes of establishing and maintaining **access** ~~**ways**~~ to a residential unit.	a. Finished ground level shall be maintained to within 200mm of the natural ground level, and b. Accessways shall be constructed so as not to impede the flow of surface water.
P11	Filling for the purposes of landscaping around a residential unit in association with domestic gardening.	a. The maximum volume of filling shall be 10m^3 per site, in each case within any continuous period of 10 years.
P12	Filling or excavation for the maintenance or upgrade of existing roads on legal road.	a. The works shall not impede the flow of surface water.
P13	Filling **or excavation** that is not provided for under Rule 5.4.3.1 P5-P12.	a. Either the maximum depth of filling shall be 200mm; and b. The maximum volume of filling shall be 100m^3 per site; and c. ~~**The**~~ ~~**f**~~**F**illing **or excavation** shall not impede the flow of surface water; or d. ~~**The**~~ ~~**f**~~**F**illing **or excavation** has been approved as part of a building consent.
P14	Excavation for farm purposes that is not provided for under Rule 5.4.3.1 P5-P12.	a. The excavated area is subsequently filled within the following year so that there is no net effect on flood storage.
~~**P15**~~	~~**New buildings unless specified in P1, P2, P3 or P4 in Rule 5.4.3.1 or RD1 or RD2 in Rule 5.4.3.3 or NC1 or NC2 in Rule 5.4.3.4.**~~	~~**a. Minimum floor levels shall be the level specified in the Minimum Floor Level Certificate (refer to Rule 5.4.3.2).**~~
~~**P16**~~	~~**Additions to existing buildings which increase the ground floor area of the building unless specified in P2, P3 or P4 in Rule 5.4.3.1 or RD1 or RD2 in Rule 5.4.3.3 or NC1 or NC2 in Rule 5.4.3.4.**~~	~~**a. Minimum floor levels shall be the level specified in the Minimum Floor Level Certificate (refer to Rule 5.4.3.2).**~~
~~**P17**~~**P15**	Utilities	Nil
P16	**Filling or excavation for residential building platforms**	**a. Filling outside the ground floor area of the proposed building is no higher than ground level.**
P17	**The conversion of up to 25m^2 of non-habitable space to habitable space at ground floor level within any continuous period of 10 years.**	**Nil**

5.4.3.2 ~~Minimum floor level certificate~~ Controlled activities

a. There are no controlled activities.

~~a. For P15 and P16 in Rule 5.4.3.1, new buildings or additions to existing buildings within the Waimakariri Flood Management Area shall have a floor level that is greater than or equal to that specified in a Minimum Floor Level Certificate. The Council will issue a Minimum Floor Level Certificate (which will be valid for 2 years from the date of issue) which specifies the design floor level for a building calculated as the highest of the following:~~

~~flooding predicted to occur in a 0.5% AEP (1 in 200 year) rainfall event concurrent with a 5% AEP (1 in 20 year) tidal event, including 1m sea level rise plus 400mm freeboard, as predicted by the most up to date Council approved model and any relevant field information; or~~

~~ii. flooding predicted to occur in a 0.5% AEP (1 in 200 year) tidal event concurrent with a 5% AEP (1 in 20 year) rainfall event, including 1m sea level rise plus 400mm freeboard, as predicted by the most up to date Council approved model and any relevant field information; or~~

~~iii.12.3 metres above Christchurch City Council Datum.~~

5.4.3.3 Restricted discretionary activities

a. The activities listed below are restricted discretionary activities where the activity is located within the area shown on the planning maps as the Waimakariri Flood Management Area**, (other than in the Transport Zone)**.

b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion as set out in the following table.

Activity		The Council's discretion shall be limited to the following matters:
RD1	**a.** New buildings **or additions to any existing building** ~~not located within the 100 metre wide Primary Stopbank Setback as shown on the planning maps and~~ which are not permitted by the activity status rules and/or activity specific standards for P1, P2, P3, ~~or~~ P4 **or P15** set out in Rule 5.4.3.1. **b. Any application arising from this rule shall not be limited or publicly notified.**	**a. The Council's discretion is limited to the following matters:** **i. setting of minimum floor levels;** **ii. mitigation of the effects of flooding; and** **iii. mitigation of effects as they impact flooding and surface drainage.** **b. These restricted discretionary activities will be assessed against the following criteria:** ~~a~~**i**. The likely effects of **any** proposed ~~filling, excavation and/or~~ building on the functioning of the Waimakariri River stopbank floodplain during and after flood events, including any likelihood of work undertaken
RD2	~~New buildings or new accessory buildings or~~	

Activity		The Council's discretion shall be limited to the following matters:
	~~additions to any accessory building not located within the 50 metre wide Secondary Stopbank Setback as shown on the planning maps and not permitted by the activity status rules and/or activity specific standards for P1, P2, P3 or P4 set out in Rule 5.4.3.1.~~ ~~Any application arising from this rule shall not be limited or publicly notified.~~ The conversion of more than 25m² of non-habitable space to habitable space at ground floor level.	exacerbating inundation, erosion, alluvion or avulsion whether upstream or downstream of the site. ~~b~~ii. The frequency at which the building or addition is predicted to be inundated by floodwaters and the extent of damage that is likely to occur in such an event. ~~c~~iii. In a major flood event, ~~W~~whether the floor level of any new building/building addition is above the predicted 0.5% Annual Exceedance Probability (AEP) or 1 in 200-year flood event level with a stopbank breach plus an allowance for freeboard not exceeding 400mm. **iv. Whether there are any positive effects from the reduction in floor levels in relation to neighbouring buildings or streetscape.** ~~d.~~v. Whether the integrity and/or function of either the upper primary or secondary stopbanks will be adversely affected by the method to achieve the floor level set out in ~~c~~b.iii. ~~e.~~vi. Where relevant, any adverse effects likely on land as a result of tidal influences during flood periods including the potential for exacerbation of those effects with potential sea level rise. ~~f.~~vii. The way in which any building is sited and constructed and its intended use. ~~g.~~viii. Any adverse effects on access for maintenance of flood protection works. ~~h.~~ix. The effectiveness and environmental impact of any measures that may be proposed to mitigate the effects of any proposed ~~filling, excavation or~~ building and any benefits to the wider area associated with flood management. ~~j.~~x. Any benefits associated with flood management, including the provision of public access, or the enhancement of the natural qualities, amenity values or ecology of water bodies and wetlands. ~~k.~~xi. The extent to which development could result in surface water ponding in the event of flooding, and hence and increased risk of birdstrike. ~~l. Any actual or potential effects on the structural integrity of either the primary or secondary stopbanks including those resulting from scour and~~
~~RD3~~	~~Filling or excavation within 50 metres of the Secondary Stopbank as shown on the planning maps unless permitted by Rule 5.4.3.1 P10.~~	

Activity		The Council's discretion shall be limited to the following matters:
		~~backwash from increased water in excavated areas during a flood.~~
~~RD4~~	~~a. New buildings or additions to buildings which are not permitted by the activity status rules and/or activity specific standards for P1 – P4 or P15 – P17 set out in Rule 5.4.3.1.~~ ~~b. Any application arising from this rule shall not be limited or publicly notified.~~	~~The Council's discretion is limited to the following matters:~~ ~~i. setting of minimum floor levels~~ ~~ii. mitigation of the effects of flooding~~ ~~c. These restricted discretionary activities will be assessed against the following criteria:~~ ~~i. The frequency at which any proposed building or addition is predicted to be flooded and the extent of damage likely to occur in such an event.~~ ~~ii. Whether any mitigation measures are proposed, their effectiveness and environmental effects, and any benefits to the wider area associated with flood management.~~ ~~iii. Whether there are any positive effects from the reduction in floor levels in relation to neighbouring buildings or streetscape.~~

Activity		The Council's discretion shall be limited to the following matters:
~~RD5~~**RD2**	Filling or excavation which is not a permitted activity under **P4,** P5-P7 set out in Rule 5.4.3.1, or filling or excavation that does not meet the standards in P8-P14 set out in Rule 5.4.3.1.	The Council's discretion is limited to the following matters: i. timing, location, scale and nature of earthworks; ii. earthworks method; and iii. mitigation of effects as they impact flooding and surface drainage. **d.** These restricted discretionary activities will be assessed against the following criteria: i. Whether any effects arise from filling or excavation on land stability, flooding, waterways, groundwater and natural ground levels on- and/or off-site, including: A. any likelihood of exacerbation of flooding, erosion, or siltation either upstream or downstream of the site; B. any likelihood of affecting the stability of adjoining land, including its susceptibility to subsidence or erosion; C. any adverse effects on other properties from disturbances to surface drainage patterns; D. effects on flood storage capacity and function in the immediate area, and any wider effects on the flood storage in the catchment including any compensatory

Activity		The Council's discretion shall be limited to the following matters:
		storage proposed; and any effects on existing stormwater and flood protection works; E. any implications for groundwater and the water table, on- or off-site; and F. any benefits associated with flood management. ii. Whether there are any benefits arising that enable the reasonable use of the site. iii. Whether any mitigation measures are proposed, their effectiveness and whether, and to what extent there is a transfer of adverse effects to other properties. iv. Whether any effects arise with regard to access, character, ecology and amenity, including: A. any adverse effects or benefits for public access, natural character or ecology of water bodies and wetlands; and B. any adverse effects on amenity values including dust nuisance, visual impact, noise, vibration and traffic associated with the filling or excavation. **v. Any actual or potential effects on the structural integrity of either the primary or secondary stopbanks including those resulting from scour and backwash from increased water in excavated areas during a flood.**

5.4.3.4 Non-complying activities

a. ~~**The activities listed below**~~ **There** are **no** non-complying activities ~~**where the activity is located within the area shown on the planning maps as Waimakariri Flood Management Area**~~.

Advice note:

1. **Rule 5.4.7.3 contains non-complying activity rules applying within the Waimakariri River stopbank setback.**

~~**Activity**~~

~~NC1~~	~~New buildings or accessory buildings or additions to existing buildings or accessory buildings located within the 100 metre wide Primary Stopbank Setback shown on the planning maps.~~
~~NC2~~	~~New buildings or new accessory buildings or additions to any existing building or existing accessory building located within the 50 metre wide Secondary Stopbank Setback shown on the planning maps.~~
~~NC3~~	~~Filling or excavation within the 100 metre wide Primary Stopbank Setback shown on the planning maps.~~

5.4.3.5 Exemptions to Rules 5.4.3.1, 5.4.3.2, 5.4.3.3 and 5.4.3.4

a (...)

5.4.4 Repair of land used for residential purposes damaged by earthquakes within the Christchurch Inundation Area and Flood Management Areas in rural and residential zones

5.4.4.1 Permitted activities

a. The activities listed below are permitted activities in **the Christchurch Inundation Area and** the area shown on the planning maps as Flood Management Area (including the Te Waihora/Lake Ellesmere and Wairewa/Lake Forsyth Flood Management Areas) provided the activity:
   i. meets all of the activity status rules and activity specific standards in Rule 5.4.4.1; and
   ii. occurs in a rural or residential zone (except for the Residential Suburban Zone on the corner of Hendersons and Sparks Road); and
   iii. ~~**is commenced prior to the expiry date of this rule on 31 December 2018.**~~ **only occurs on land that a geotechnical professional has deemed damaged as a result of earthquakes.**
b. Activities may also be restricted discretionary as specified in Rule 5.4.4.2.
c. Exemptions from the permitted activity standards are listed in Rule 5.4.4.3.

Table 5.4.4.1a

Activity		**Activity specific standards**
P1	Any filling or excavation activity undertaken to repair land used for residential purposes and damaged by the earthquakes, where any site or part of a site is located within **the Christchurch Inundation Area or** a Flood Management Area unless specified by P2 in Rule 5.4.4.1.	a. Any filling, excavation or disturbance of soil shall not exceed the standards in Tables 5.4.4.1b or 5.4.4.1c (whichever applies) under Rule 5.4.4.1. b. There shall be no filling, excavation or disturbance of soil within 5 metres from any network waterway identified on the planning maps and in Appendix 6.11.5.4; Advice note: 1. The Canterbury Regional Council manages earthworks within 10 metres of other rivers and lakes and 20 metres of the coast and land use consent may be required from that Council.

P2	Any filling or excavation activity undertaken to repair land used for residential purposes and damaged by the earthquakes involving soil mixing, aggregate piers, or grout, where any site or part of a site is located within a Flood Management Area.	c. All filling, excavation or disturbance of soil: i. is not within the dripline of a significant tree listed in Appendix 9.4.7.1; or ii. is not within any Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; or iii. is not at or within 5 metres of: A. any heritage item listed in Appendix 9.3.7.2, where the heritage item is on the same site, or B. a site of Ngāi Tahu cultural significance identified in Schedule 9.5.6. Erosion and sediment control measures are implemented and maintained in accordance with Canterbury Regional Council's Erosion and Sediment Control Guidelines for Small Sites to minimise erosion and the discharge of sediment laden water to surface water. All filling, excavation or disturbance of soil greater than 0.3m in depth shall be in accordance with New Zealand Standard NZS 4431:1989 Code of Practice for Earth Fill for Residential Development. Certification is not required except as specified at activity specific standards k and l in Table 5.4.4.1a. All land repair works are to be managed in accordance with New Zealand Standard NZS 6803:1999 Acoustics - Construction Noise and DIN 4150 1999--02 Structural Vibration. Land repair works involving mixing or insertion of grout shall not involve: mixtures with a flow time greater than 30 seconds when tested in accordance with the grout flow test at NZS 3112: Part 1:1986 (Test 3) or a flowable concrete/ grout including cement and inert additives which exceed a diameter of 300mm when tested in accordance with the inverted cone test at NZS 3112: Part 1:1986 (Test 11) except for in- situ mixing ; or injection of grout into the ground at a pressure of no more than 40 bar when measured at the pump. Where grout is deposited into land:

		using in situ mixing the grout shall be mixed evenly through the augured soil column and the percentage of grout within the augured soil column shall not exceed 20%; or where grout is deposited into land using methods other than in situ mixing, the percentage of cement in the dry grout mixture shall not exceed 30%. Land repair materials shall consist only of: soil, gravel, rocks, concrete, sand, silt (such as exists on site already), or clean, inert material; or cement and/or bentonite grout including inert additives; or timber foundation piles; and shall not include or disturb putrescible, pollutant, inflammable or hazardous components; and/or include filling which comprises more than 5% vegetation of any load by volume. Land repair works, other than dust and sediment control measures, shall not be undertaken outside of the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 17:00 on Saturday. No works shall occur on public holidays. Where the land repair and earthworks are designed, supervised or certified by a Chartered Professional Engineer with experience in geotechnical engineering, or Professional Engineering Geologist (IPENZ Registered), at least 3 working days prior to commencing any work on the site, including stockpiling and preparatory works: written notice shall be provided to the Council informing it of the location of the land repair and the name and contact details of the supervising engineer; and written notice shall be provided to any occupier of a residential unit adjoining the land repair site to inform them that the works will be taking place, the expected duration of the works and provide contact details of the site supervisor; and a sign shall be erected at the front of the property including the name and contact details of the site supervisor.

		Where the land repair and earthworks are designed, supervised or certified by a Chartered Professional Engineer with experience in geotechnical engineering, or Professional Engineering Geologist (IPENZ Registered), a statement of professional opinion completed by a Chartered Professional Engineer with experience in geotechnical engineering must be provided to the Council within 3 months of the land repair being completed to the effect that the works will meet all applicable standards and requirements and be suitable for its intended purpose. This shall include as-built plans of the works.

5.4.4.2 Restricted discretionary activities

a. The activities listed below are restricted discretionary activities in the **Christchurch inundation Area** and areas shown on the planning maps as a Flood Management Area (including the Te Waihora/Lake Ellesmere and Wairewa/Lake Forsyth Flood Management Areas).
b. Exemptions from the restricted discretionary activities are listed in Rule 5.4.4.3.
c. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

Table 5.4.4.2a

Activity		**The Council's discretion shall be limited to the following matters:**
RD1	a. Any filling or excavation undertaken to repair land used for residential purposes damaged by earthquakes that does not meet one or more of the activity specific standards for P1 or P2 set out in Rule 5.4.4.1. b. Any application arising from this rule shall not be limited or publicly notified.	a. The Council's discretion shall be limited to the following matters: i. The matters for discretion reserved for RD2 set out in Rule 5.4.1.5. b. These restricted discretionary activities will be assessed against the following criteria: i. The assessment criteria set out for RD2 in Rule 5.4.1.5

5.4.4.3 Exemptions Rule 5.4.4.1 and 5.4.4.2

a. Works involving the establishment, repair or replacement of any permitted utilities or the maintenance of existing drains or ponds by a utility operator.
b. Works permitted by or exempted from a building consent (including work forming part of foundations for a building) do not require resource consent under Rules 5.4.4.1 or 5.4.4.2 where:
   i. they meet the standards in column D of Tables 5.4.4.1b and 5.4.4.1c in Rule 5.4.4.1 controlling filling above ground level in **the Christchurch Inundation Area or** a Flood Management Area; or

ii. they are designed, supervised and certified by a Chartered Professional Engineer with experience in geotechnical engineering, including where they exceed the criteria at columns A, B, C or E of Tables 5.4.4.1b and 5.4.4.1c in Rule 5.4.4.1; or
iii. they meet activity specific standards b and c of P1 and P2 in Rule 5.4.4.1.

c. Testing or investigation preceding land repairs or remediation as a result of land damaged by earthquakes is permitted provided it meets the activity specific standards for P1 and P2 in Rule 5.4.4.1.
d. Filling or excavation associated with the maintenance of flood protection works.
e. Post holes for the erection of fences or for permitted or approved buildings and signs.
f. Planting holes for trees and plants.

Clarification of rule

a. For the purposes of this rule, the building consent platform extends to a maximum of 2.5m from the exterior wall of an enclosed structure or support structures of open structures.
b. Measurement of volume shall include only areas which have been disturbed, including by filling, excavation, soil mixing or injection of materials. Soil above or between these areas which remains undisturbed does not form part of the allowable volume, including where those undisturbed soils are compacted or otherwise altered by the works.
c. For the purposes of this rule, when land repairs are being undertaken over a number of properties at the same time and by the same contractor, the site boundary for the purpose of the setback is the outer perimeter of the properties which are subject to the land repair works.

Advice notes:

1. For the avoidance of doubt, where the earthworks are associated with the repair of land damaged by earthquakes and used for residential purposes in the zones listed in Rule 5.4.4.1, Rule 5.4.4 substitutes for all other earthworks rules in this District Plan.
2. For the purposes of this rule, “repair of land used for residential purposes damaged by earthquakes” does not include repair of land on the Port Hills or Banks Peninsula.
3. Those intending to do land repair earthworks are responsible for complying with the National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health (2011). Such persons should contact the Council or Canterbury Regional Council to find out whether their land has been used for hazardous activities which might trigger the need for compliance with the NES.
4. Any vegetation removed during land repairs should not be replaced with pest species as listed in Appendix 1 to the Infrastructure Design Standard (Part 10). The Council prefers that replanting occurs in accordance with its Streamside Planting Guideline to ensure bank stability is not compromised.
5. Information regarding the disposal of excavated material and the Standards and Guidelines referenced in the rule is available from the Council.
6. Archaeological sites are subject to a separate consent process under the Heritage New Zealand Pouhere Taonga Act 2014. The Heritage New Zealand Pouhere Taonga 2014 makes it unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site without the prior authority of the Heritage New Zealand. This is the case regardless of whether the land on which site is located is designated, or the activity is permitted under the District Plan or Regional Plan or a resource or building consent has been granted. The Heritage New Zealand Pouhere Taonga Act 2014 also provides for penalties for unauthorised destruction, damage or modification.

5.4.5 (…)

5.4.6 (…)

5.4.7 Activities and earthworks within the Waimakariri River stopbank setbacks

5.4.7.1 Permitted activities

a. The activities listed below are permitted activities if they meet the activity specific standards.

b. Activities may also be controlled, restricted discretionary or non-complying as specified in Rules 5.4.7.2, 5.4.7.3 and 5.4.7.4.

c. For filling or excavation for repair of land used for residential purposes and damaged by earthquakes, see Rule 5.4.4.

Activity		Activity specific standards
P1	Additions to existing buildings that do not increase the ground floor area of the building within the secondary stopbank setback, as shown on the planning maps.	a. Any conversion from non-habitable to habitable space at ground floor level shall not exceed 25m^2.
P2	Additions other than garages provided for in P3 which do not increase the ground floor area of an existing building by more than 25m^2 within any continuous period of 10 years within the secondary stopbank setback, as shown on the planning maps.	a. The floor level of the addition shall be set at or above the floor level of the existing building.
P3	Garages and any other accessory buildings without floors within the secondary stopbank setback, as shown on the planning maps. Advice note: 1. For the purpose of this rule, a concrete slab or similar foundation structure is a floor.	a. The maximum area of any garage or other accessory building shall be no greater than 200m^2 in rural zones and open space zones.
P4	Decks, swimming pools including filling and excavation required for pool construction, and unenclosed buildings without floors within the secondary stopbank setback, as shown on the planning maps. Advice note: 1. For the purpose of this rule, a concrete slab or similar foundation structure is a floor.	a. Any filling or excavation for swimming pools shall not result in a change in ground level on any part of the property outside of the footprint of the pool.

Activity		Activity specific standards
P5	Filling or excavation associated with the maintenance of flood protection and bank erosion protection works undertaken by or on behalf of a local authority, the crown, or their chosen contractor within the upper primary, lower primary, and secondary stopbank setback, as shown on the planning maps.	Nil
P6	Filling or excavation associated with the maintenance of existing drains or ponds within the lower primary and secondary stopbank setback, as shown on the planning maps.	
P7	Filling or excavation associated with utilities, or the replacement, repair or maintenance of existing utilities within the lower primary and secondary stopbank setback, as shown on the planning maps.	
P8	Filling or excavation for post holes for fences and shade cloth structures and tunnel houses, planting holes, and excavation for approved wells within the lower primary and secondary stopbank setback, as shown on the planning maps.	
P9	Filling or excavation for the maintenance of existing farm tracks and farm yards, or the establishment of new farm tracks and farm yards within the lower primary and secondary stopbank setback, as shown on the planning maps.	a. The finished ground level shall be maintained to within 200mm of the original ground level.
P10	Application of fertiliser, lime or other plant growth enhancers such as topsoil, bark and trace elements within the lower primary and secondary stopbank setback, as shown on the planning maps. Advice Note: 1. Consent may be required from Canterbury Regional Council, pursuant to section 15 of the Resource Management Act 1991, for the discharge of plant growth	a. For top soil, the maximum volume of filling shall be 100m^3 per site within any continuous period of 10 years.

Activity		Activity specific standards
	enhancers, including fertiliser, into or onto land.	
P11	Filling or excavation for the purposes of establishing and maintaining access to a residential unit within the lower primary and secondary stopbank setback, as shown on the planning maps.	a. Finished ground level shall be maintained to within 200mm of the natural ground level, and b. Access ways shall be constructed so as not to impede the flow of surface water.
P12	Filling for the purposes of landscaping around a residential unit in association with domestic gardening within the lower primary and secondary stopbank setback, as shown on the planning maps.	a. The maximum volume of filling shall be 10m^3 per site, in each case within any continuous period of 10 years.
P13	Filling or excavation for the maintenance or upgrade of existing roads on legal road within the lower primary and secondary stopbank setback, as shown on the planning maps.	a. The works shall not impede the flow of surface water.
P14	Filling within the lower primary and secondary stopbank setbacks, as shown on the planning maps, that is not provided for under Rule 5.4.7.1 P5-P13.	a. Either the maximum depth of filling shall be 200mm; and b. The maximum volume of filling shall be 100m^3 per site; and c. The filling shall not impede the flow of surface water; or d. The filling has been approved as part of a building consent.
P15	Excavation, within the lower primary and secondary stopbank setbacks, as shown on the planning maps, for farm purposes that is not provided for under Rule 5.4.7.1 P5-P13. Advice Note: 1. Consent may be required from the Canterbury Regional Council for excavation associated with farm offal pits or rubbish pits as set out in the Canterbury Land and Water Regional Plan.	a. The excavated area is subsequently filled within 12 months of the date of excavation so that there is no net effect on flood storage.
P16	Utilities within the lower primary, and secondary stopbank setback, as shown on the planning maps.	Nil

Activity		Activity specific standards
P17	New buildings or additions to any existing buildings within the lower primary stopbank setback, as shown on the planning maps.	Nil
P18	Decks, swimming pools including filling and excavation required for pool construction within the lower primary stopbank setback, as shown on the planning maps.	Any filling or excavation for swimming pools shall not result in a change in ground level on any part of the property outside of the footprint of the pool.
P17	Utilities, excluding buildings, within the upper primary stopbank setback, as shown on the planning maps.	Nil

5.4.7.2 Controlled activities

a. There are no controlled activities.

5.4.7.3 Restricted discretionary activities

a. The activities listed below are restricted discretionary activities.

b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion as set out in the following table.

Activity		The Council's discretion shall be limited to the following matters:
RD1	a. New buildings or additions to any existing building within the secondary stopbank setback, as shown on the planning maps unless permitted by Rule 5.4.7.1 P1-P4 or P16. b. Any application arising from this rule shall not be limited or publicly notified.	a. The Council's discretion is limited to the following matters: i. setting of minimum floor levels ii. mitigation of the effects of flooding iii. timing, location, scale and nature of earthworks; iv. earthworks method; v. mitigation of effects as they impact flooding and surface drainage.
RD2	Filling or excavation within the secondary stopbank setback, as shown on the planning	

Activity		The Council's discretion shall be limited to the following matters:
	maps, which is not a permitted activity under Rule 5.4.7.1 P5-P8, or does not meet the standards in Rule 5.4.7.1 P9-P15.	b. These restricted discretionary activities will be assessed against the following criteria: i. The likely effects of proposed filling, excavation and/or building on the functioning of the Waimakariri River stopbank floodplain during and after flood events, including any likelihood of work undertaken exacerbating inundation, erosion, alluvion or avulsion whether upstream or downstream of the site. ii. The frequency at which the building or addition is predicted to be inundated by floodwaters and the extent of damage that is likely to occur in such an event. iii. In a major flood event, whether the floor level of any new building/building addition is above the predicted 0.5% Annual Exceedance Probability (AEP) or 1 in 200 year flood event level with a stopbank breach plus an allowance for freeboard not exceeding 400mm. iv. Whether there are any positive effects from the reduction in floor levels in relation to neighbouring buildings or streetscape. v. Whether the integrity and/or function of either the secondary stopbank will be adversely affected by the method to achieve the floor level set out in b.iii above. vi. Where relevant, any adverse effects likely on land as a result of tidal influences during flood periods including the potential for exacerbation of those effects with potential sea level rise. vii. The way in which any building is sited and/or constructed and its intended use. viii. Any adverse effects on access for maintenance of flood protection works.

Activity		The Council's discretion shall be limited to the following matters:
		ix. The effectiveness and environmental impact of any measures that may be proposed to mitigate the effects of filling, excavation or building on flood management. x. The extent to which other properties will be adversely affected as a result of disturbances to surface drainage patterns. xi. Any benefits associated with flood management, including the provision of public access, or the enhancement of the natural qualities, amenity values or ecology of water bodies and wetlands. xii. The extent to which development could result in surface water ponding in the event of flooding, and hence and increased risk of birdstrike. xiii. Any actual or potential effects on the structural integrity of the secondary stopbank, including those resulting from scour and backwash from increased water in excavated areas during a flood.
RD3	Filling or excavation within the lower primary stopbank setback, as shown on the planning maps, which is not a permitted activity under Rule 5.4.7.1 P5-P8, or does not meet the standards in Rule 5.4.7.1 P9-P15.	a. The Council's discretion is limited to the following matters: i. timing, location, scale and nature of earthworks; ii. earthworks method; and iii. mitigation of effects as they impact flooding and surface drainage. b. These restricted discretionary activities will be assessed against the following criteria: i. Whether any effects arise from filling or excavation on land stability, flooding, waterways, groundwater and natural ground levels on and/or off site, including: A. Any likelihood of exacerbation of flooding, erosion, or siltation either upstream or downstream of the site;

Activity		The Council's discretion shall be limited to the following matters:
		B. Any likelihood of affecting the stability of adjoining land, including its susceptibility to subsidence of erosion; C. Any adverse effects on other properties from disturbances to surface drainage patterns; D. Any effects on existing stormwater and flood protection works; E. Any implications for groundwater and the water table, on or off site; and F. Any benefits associated with flood management. ii. Whether any mitigation measures are proposed, their effectiveness and whether, and to what extent there is a transfer of adverse effects to other properties. iii. Any actual or potential effects on the structural integrity of the lower primary stopbank, including those resulting from scour and backwash from increased water in excavated areas during a flood. iv. Where relevant, any adverse effects likely on land as a result of tidal influences during flood periods including the potential for exacerbation of those effects with potential sea level rise. v. Any adverse effects on access for maintenance of flood protection works. vi. Any implications for groundwater and the water table, on- or off-site; vii. Any benefits associated with flood management, including the provision of public access, or the enhancement of the natural qualities, amenity values or ecology of water bodies and wetlands. viii. The extent to which development could result in surface water ponding in the event of flooding, and hence an increased risk of birdstrike. ix. The effectiveness and environmental impact of any measures that may be proposed to mitigate the effects of filling, excavation, and to what extent there is a transfer of adverse effects to other properties as a result of disturbances to surface drainage patterns.

Activity		The Council's discretion shall be limited to the following matters:
		x. Whether any effects arise with regard to access, character, ecology and amenity, including: A. any adverse effects or benefits for public access, natural character or ecology of water bodies and wetlands; and B. any adverse effects on amenity values including dust nuisance, visual impact, noise, vibration and traffic associated with the filling or excavation.

5.4.7.4 Non-complying activities

a. The activities listed below are non-complying activities.

Activity	
NC1	New buildings or additions to any existing buildings, other than utilities, located within the upper primary stopbank setback, as shown on the planning maps.
NC2	Filling or excavation within the upper primary stopbank setback, as shown on the planning maps unless permitted by Rule 5.4.7.1 P5.

5.4.7.5 Exemptions

a. The following are exemptions to Rules 5.4.7.1, 5.4.7.2, 5.4.7.3 and 5.4.7.4

i. activities within the Clearwater Golf Resort, because Rule 13.9.4.3.2 Flood Protection – Ground levels at Clearwater Golf Resort, within the Specific Purpose (Golf Resort) Zone, makes provision for ground levels and building floor levels;

ii. activities within the Rural Quarry Zone (McLeans Island area) provided for in Rules 17.8.1, 17.8.2 and 17.8.3, provided that no excavation shall cut below a surface with a gradient of 3 (horizontal) to 1 (vertical) measured from a point commencing 10 metres from the toe of any existing or consented stopbank (see Appendix 5.8.1 Gradient for excavation near stopbank for Rule 5.4.3.5.a.ii); and

iii. any earthworks subject to an approved building consent where they occur wholly within the footprint of the building. For the purposes of this rule, the footprint of the building extends 1.8m

from the outer edge of the wall. This exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the principal building on the site or adjoining site.

Chapter 6 General Rules and Procedures

6.6.7.1 Natural hazards

All activities

a. [….]
b. [….]
c. [….]
d. [….]
e. [….]
f. [….]
g. [….]

Additional within **the Christchurch Inundation Area or** a Flood Management Area:

h. Matters of discretion that apply to buildings and/or filling and excavation in **the Christchurch Inundation Area or** a Flood Management Area (Rules 5.4.1.5, 5.4.2.4 and 5.4.3.3, as relevant to the **Christchurch Inundation Area or** Flood Management Area).

Chapter 8 Subdivision, Development and Earthworks

8.6 Activity Standards

8.6.1 Minimum net site area and dimension

i. (…)
j. (…)
(…)

Table 1. Minimum net site area – residential zones

	Zone	Minimum net site area	Additional standards
l.	Residential Small Settlement Kainga Overlay Area 1 and 2	450m²	a. Additional allotments shall not be created within ~~**100m of the centre line of**~~ the **Waimakariri River lower** primary stopbank **setback,** as shown on the planning maps.

Planning Maps (see attached planning maps)

a. Removal of the Fixed Minimum Floor Level Overlay and Flood Management Area
   - Planning Map Legend
   - Planning Maps – 1B, 2B, 5B, 6B, 11B, 12B, 13B, 18B, 19B, 20B, 23B, 24B, 25B, 26B, 27B, 30B, 31B, 32B, 33B, 34B, 38B, 39B, 40B, 41B, 44B, 45B, 46B, 47B, 48B, 49B, 50B, 51B, 53B, 55B, 56B, CC

b. Waimakariri River Stopbank Setback
   - Planning Map Legend
   - Planning Maps - 1B, 2B, 5B, 9B, 11B, 12B, 15B, 16B, and 17B

Chapter 8 - Subdivision, Development and Earthworks

8.2 Objectives and Policies

8.2.4 Objective - Earthworks

a. Earthworks facilitate subdivision, use and development, the provision of utilities, hazard mitigation and the recovery of the district **while being managed in a way that avoids, remedies or mitigates adverse effects on water bodies**.

8.2.5.1 Policy – Land stability

a. Avoid earthworks that will create a significant risk to people and property through subsidence, rockfall, cliff collapse, erosion, inundation, siltation ~~**or ,**~~ overland flows **or other flooding**.

8.2.5.4 Policy - Earthworks design

a. Ensure that earthworks over identified thresholds are designed to enable the anticipated land use.
b. Ensure that natural hazards are considered in earthworks design.

8.5.1.3 Restricted discretionary activities

Activity		Relevant standards	Matters of discretion for the purpose of imposing conditions	Matters of discretion for the purpose of granting or declining consent and imposing conditions
RD1	….	….		
RD2	**….**	….		
RD3	….	….		

RD4	a. Subdivision in a Flood Management Area **or the Christchurch Inundation Area** except as otherwise specified in: b. Rule 8.5.1.4 D1 to D5; and c. Rule 8.5.1.5 NC1 to NC6 and NC8.	…	….	….

8.8.7 Christchurch Inundation Area and Flood Management Area

8.9 Rules — Earthworks

The activity status tables and standards in the following chapters also apply to earthworks activities:

4 Hazardous Substances and Contaminated Land;

5 Natural Hazards;

6 General Rules and Procedures;

7 Transport;

9 Natural and Cultural Heritage; and

11 Utilities and Energy.

8.9.1 Notification

a. Any application arising from non-compliance with standards in Rule 8.9.2 may be limited notified but shall not be publicly notified. Applications arising from Rule 8.9.2.5 NC1 will be notified to Transpower New Zealand Limited or Orion New Zealand Limited (where relevant) (~~**absent**~~ **unless their** written approval **is provided**).

Advice notes:

1. The consent of the Regional Council may be required for earthworks activities, including those in, on, under or over the bed of a river, as well as vegetation clearance, **excavation and** deposition over an aquifer and earthworks in erosion prone areas.

~~**2. The Council's Cleanfill Licensing Bylaw 2008 includes requirements for the disposal of soils.**~~

~~**3.** **2**. The Council's ~~**Water, Wastewater and Stormwater Bylaw 201**~~ **Stormwater and Land Drainage Bylaw 2022** ~~**includes requirements for the protection of waterways**~~ **may apply**.

~~**4.** **3**. Part I of the Heritage NewZealand Pouhere Taonga Act 2014 states that no work may be

undertaken on an archaeological site (whether recorded or unrecorded) until an archaeological authority to destroy, damage or modify a site has been granted by the Heritage New Zealand Pouhere Taonga in accordance with that Act.

4. If an archaeological site is located during any earthworks:

a. **The earthworks must cease immediately in the vicinity of the site;**

b. **Heritage New Zealand Pouhere Taonga must be notified and application must be made for the appropriate archaeological authority if required;**

c. **Rūnanga must be notified of the discovery and site access must be provided to enable appropriate procedures and tikanga to be undertaken;**

d. **If human remains (koiwi) are uncovered then the NZ police must also be notified.**

e. **Works affecting the archaeological site shall not resume until Heritage New Zealand Pouhere Taonga, the Police (if human remains are involved) and Rūnanga have each given the necessary approval for work to continue; and**

f. **Evidence of archaeological sites can include oven stones, charcoal, shell middens, ditches, banks, and pits, building foundations, artefacts of Māori and Non-Māori origin or human burials.**

5. Attention is drawn to the Mahaanui Iwi Management Plan 2013 (including the Accidental Discovery Protocol), Te Whakatau Kaupapa, and the Ngai Tahu Freshwater Policy. **Part 5.8 of the Mahaanui Iwi Management Plan identifies a WĀHI TAPU ME WĀHI TAONGA Issue CL3: Identification, protection and management of wāhi tapu and wāhi taonga. Under that issue, Kaupapa/Policy CL3.1 states "*All taonga within the takiwā of Ngāi Tahu, accidental discovery or otherwise, belong to the Papatipu Rūnanga/ Te Rūnanga o Ngāi Tahu*".**

6. Resource consent may be required for earthworks under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 **(the NES)**. In particular the NES applies to earthworks ~~associated with the removal or replacement of fuel storage tanks earthworks associated with sampling or disturbance of~~ on land **on which an activity described in the Hazardous Industries and Activities List is being undertaken, has been undertaken or is more likely than not to have been undertaken. These sites are often** identified in the Listed Land Use Register held by Canterbury Regional Council. ~~**In these instances the NES applies instead of the District Plan provisions.**~~

7. These rules do not apply to any activity undertaken under the Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009.

8. These rules do not apply to any activity undertaken under the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017 (NESCF) or the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF), except that Rule 8.9.2.1 P1 standards k-m apply to earthworks permitted under subpart 3 of the NESCF and subpart 6 of the NESTF regulations and Rule 8.9.2.3 RD1 applies if these standards are not met.

8.9.2 Activity status tables

8.9.2.1 Permitted activities - earthworks

a. The activities listed below are permitted activities if they meet the activity standards set out in the following table.

b. Activities may also be controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in Rules 8.9.2.2, 8.9.2.3, 8.9.2.4, 8.9.2.5 and 8.9.2.6.

Activity		Activity Standard
P1	Earthworks: **a. other than those controlled by P2.** ~~**a.**~~ **b.** not for the purpose of the repair of land used for residential purposes and damaged by earthquakes; and ~~**b.**~~ **c.** if in the Industrial General Zone (North Belfast), greater than 20 metres from: i. the surveyed point of the spring identified on the Outline Development Plan in Appendix 16.8.5; or ii. any spring not identified on the Outline Development Plan in Appendix 16.8.5, and which is within the area identified as Stormwater Management Area 1 on the Outline Development Plan but not within Lots 5, 6 and 7 DP 71209, in which case the setback shall be measured from the head or heads of the spring where visible. Advice note: 1. Chapter 5 contains additional requirements for earthworks within **the**	a. Earthworks shall not exceed the volumes in Table 9 over any 12 month time period; and b. Earthworks in zones listed in Table 9 shall not exceed a maximum depth of 0.6m, other than in relation to farming, quarrying activities or permitted education activities, **and any fill within 1m of a boundary shall not exceed a maximum depth of 0.3m; and** **Advice note:** **1. If groundwater is or may be intercepted consent may be required under the Canterbury Land and Water Regional Plan.** c. Earthworks shall not occur on land which has a gradient that is steeper than 1 in 6. d. Earthworks involving soil compaction methods which create vibration shall comply with DIN 4150 1999-02 and compliance shall be certified through a statement of professional opinion provided to the Council from a suitably qualified and experienced chartered or registered engineer. e. Earthworks involving mechanical or illuminating equipment shall not be undertaken outside the hours of 07:00 – 19:00 in a Residential Zone. **Advice note**: 1. Between the hours 07:00 and 19:00, the noise standards in Chapter 6 Rule 6.1.5.2 and the light spill standards at Chapter 6 Rule 6.3.6 both apply. f. Earthworks involving mechanical equipment, other than in residential zones, shall not occur outside the hours of 07:00 and 22:00 except where compliant with NZS6803:1999. **Advice note**:

Activity		Activity Standard
	Christchurch Inundation Area and Flood Management Areas and Flood Ponding Management Areas. 2. Refer to ~~**P2**~~ **P4** for earthworks for the purpose of the repair of land used for residential purposes and damaged by earthquakes	1. Between the hours of 07:00 and 22:00, the noise standards in Chapter 6 Rule 6.1.5.2 apply except where NZS6803.1999 is complied with, and the light spill standards in Chapter 6 Rule 6.3.6 apply. g. Filling shall consist of clean fill. h. The activity standards listed in Rule 8.9.2.1 P~~**3, P4 and P5**~~, **P5, P6 and P7**. i. Where earthworks occur: A. in a heritage item; or B. within 5 metres of a heritage item, or: C. above the volumes contained in Table 9 within a heritage setting; details of temporary protection measures to be put in place to mitigate potential physical effects on the heritage item must be provided to Council's Heritage team for comment at least 5 working days prior to the works commencing. j. In the Industrial General Zone (North Belfast): Activity Standards in Rule 8.6.14. **k. All earthworks shall at all times be carried out in accordance with a site specific Erosion and Sediment Control Plan (ESCP), which follows the best practice principles, techniques, inspections and monitoring for erosion and sediment control contained in Environment Canterbury's Erosion and Sediment Control Toolbox for Canterbury. The ESCP must be held on site at all times and made available to the Council on request.** **l. Run-off must be controlled to prevent water with a total suspended solid content above 50mg/L flowing, or earth slipping, onto neighbouring properties, legal road (including kerb and channel), or into a river, stream, drain or wetland. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. All water must be treated, using at a minimum the erosion and sediment control measures detailed in the site specific Erosion and Sediment Control Plan, to reduce sediment loading to below 50mg/L prior to discharge to the Council's stormwater system.** **m. No earthworks shall commence until the ESCP has**

Activity		Activity Standard
		been implemented on site. The ESCP measures shall be maintained until the site is stabilised (i.e. no longer producing dust or water-borne sediment). The ESCP shall be improved if initial and/or standard measures are found to be inadequate to achieve standard l. **n. Any change in ground levels shall not cause a ponding or drainage nuisance to neighbouring properties. Existing drainage paths on to the site from neighbouring properties shall be maintained.** **Advice note: Where practicable all filled land shall be shaped to fall to the road boundary.** **o. Where earthworks occurs on land which is a piece of land as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 controls to minimize contaminated materials migrating from site must:** **i. be in place when the activity begins:** **ii. be effective while the activity is done:** **iii. be effective until the soil is reinstated to an erosion-resistant state.** **Advice notes:** ~~**1. The Erosion and Sediment Control Guidelines (prepared by Environment Canterbury) may be of assistance in terms of the design and location of any filter.**~~ **1. Sites that do not drain into the Council stormwater network may require consent to discharge under the Land and Water Regional Plan.** 2. The ~~**Natural Resources Regional Plan and**~~ Land and Water Regional Plan include**s** provisions for earthworks in riparian margins and the Port Hills respectively and provisions in relation to dust control. 3. The Council's ~~**Water, Wastewater and Stormwater Bylaw 2014**~~ **Water Supply and Wastewater Bylaw 2022 and, Stormwater and Land Drainage Bylaw**

Activity		Activity Standard
		2022 applies.
P2	a. Any earthworks subject to an approved building consent where they occur wholly within the footprint of the building. For the purposes of this rule, the footprint of the building extends 1.8m from the outer edge of the wall. This rule does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the principal building on the site or adjoining site.	a. Earthworks shall not occur on land which has a gradient that is steeper than 1 in 6. b. The activity standards listed in Rule 8.9.2.1 P5, P6 and P7. c. All earthworks shall be carried out in accordance with a site specific Erosion and Sediment Control Plan (ESCP), which follows the best practice principles, techniques, inspections and monitoring for erosion and sediment control contained in Environment Canterbury's Erosion and Sediment Control Toolbox for Canterbury http://esccanterbury.co.nz/. The ESCP must be held on site at all times and made available to the Council on request. d. Run-off must be controlled to prevent water with a suspended solid content above 50mg/L flowing, or earth slipping, onto neighbouring properties, legal road (including kerb and channel), or into a river, stream, drain or wetland. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. All water must be treated, using at a minimum the erosion and sediment control measures detailed in the site specific Erosion and Sediment Control Plan, to reduced total suspended solid content to below 50mg/L prior to discharge to the Council's stormwater system. e. No earthworks shall commence until the ESCP has been implemented on site. The ESCP measures shall be maintained over the period of the construction phase, until the site is stabilised (i.e. no longer producing dust or water-borne sediment). The ESCP shall be improved if initial and/or standard measures are found to be inadequate to achieve standard d. f. Any change in ground levels shall not cause a ponding or drainage nuisance to neighbouring properties. Existing drainage paths from neighbouring properties shall be maintained. Advice note: Where practicable all filled land shall be shaped to fall to the road boundary.

Activity		Activity Standard
		g. Where earthworks occurs on land which is a piece of land as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 controls to minimize contaminated materials migrating from site must: **i. be in place when the activity begins:** **ii. be effective while the activity is done:** **iii. be effective until the soil is reinstated to an erosion-resistant state.** **h. The Christchurch City Council shall be notified of intended earthworks no less than five working days before earthworks commencing on site.** **Advice notes:** **1. Sites that do not drain into the Council stormwater network may require consent to discharge under the Land and Water Regional Plan.** **2. The Land and Water Regional Plan includes provisions for earthworks in riparian margins and the Port Hills respectively and provisions in relation to dust control.** **3. The Council's Water Supply and Wastewater Bylaw 2022 and Stormwater and Land Drainage Bylaw 2022 apply.**
P3	**Earthworks for the purpose of forming an access for a single residential unit on a site where P2 applies.**	a. **All earthworks must be undertaken before the final building inspection is complete.** b. **Earthworks shall not exceed a maximum depth of 0.6m. Fill within 1m of a boundary may not exceed a maximum depth of 0.3m.** c. **Earthworks shall not exceed a maximum volume of 40m^3.** d. **All activity standards listed in P2.**
~~**P2**~~**P4**	a. Earthworks for the purpose of the repair of land used for residential	a. The earthworks shall: i. only occur in a zone listed in Table 10 Earthworks for the purpose of land repair;

Activity		Activity Standard
	purposes and damaged by earthquakes: i. outside **the Christchurch Inundation Area and thea** ~~-~~ Flood Management Area**s** (including outside the Te Waihora/Lake Ellesmere and Wairewa/Lake Forsyth Flood Management Areas); and ii. outside of the Port Hills and Banks Peninsula; but iii. including all other residential land whether or not an EQC payment has been made and residential land which was unimproved when damage occurred. Advice note: 1. Rule 5.4.4 in Chapter 5 applies to earthworks for the repair of land used for residential purposes damaged by earthquakes within **the Christchurch Inundation Area and** Flood Management Areas in rural and residential zones.	and **ii. ~~be commenced prior to the expiry of this rule on 31 December 2018.~~ only occur on land that a geotechnical professional has confirmed as having been damaged as a result of earthquakes.** b. Where the land repair and earthworks are not designed, supervised or certified by a Chartered Professional Engineer with experience in geotechnical engineering or Professional Engineering Geologist (IPENZ Registered), any filling, excavation or disturbance of soils shall not exceed the requirements of Table 10. c. Where the land repair and earthworks are designed, supervised and certified by a Chartered Professional Engineer with experience in geotechnical engineering or Professional Engineering Geologist (IPENZ Registered), any earthworks shall meet the following requirements: i. The site or part of the site shall not be located within a Site of Ngāi Tahu Cultural Significance identified in Schedule 9.5.6.1. ii. Not more than 80m³ of grout shall be used per site. iii. Land repair works involving soil mixing, aggregate piers, or grout shall not occur within 1.0m of a boundary. iv. At least 3 working days prior to commencing any work on the site (including stockpiling and preparatory works): A. written notice shall be provided to the Council informing of the location of the land repair and the name and contact details of the supervising engineer; B. written notice shall be provided to any occupier of a residential unit adjoining the land repair site to inform the occupier that the works will be taking place, the expected duration of the works and of the contact details of the site supervisor; and C. a sign shall be erected at the front of the property which includes the name and

Activity		Activity Standard
		contact details of the site supervisor. v. A statement of professional opinion completed by a suitably qualified and experienced Chartered Professional Engineer with experience in geotechnical engineering or Professional Engineering Geologist (IPENZ Registered) shall be provided to the Council within 3 months of the land repair being completed to the effect that the works meet all applicable standards and requirements and are suitable for their intended purpose. The statement will include as-built plans of the works. vi. Depth of filling above ground level shall meet the requirements for the repair of land damaged by earthquakes within **the Christchurch Inundation Area and** Flood Management Areas as specified in Chapter 5 (Natural Hazards). d. General standards: i. There shall be no earthworks within 5m of any network waterway. **Advice note**: 1. Consent may be required from Canterbury Regional Council for earthworks within 10m of other rivers and lakes and 20m of the coast. Refer to the Land and Water Regional Plan, Rules 8.5.2, 9.5.6 and 11.5.1. ii. Earthworks shall not occur: A. within the dripline of a significant tree listed in Appendix 9.4.7.1; B. within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; or C. at or within 5 metres of a heritage item listed in Appendix 9.3.7.2. e. All filling greater than 0.3m in depth shall be in accordance with New Zealand Standard NZS 4431:1989 Code of Practice for Earth Fill for Residential Development. Certification is not required except as specified in (c)(v) above. f. All land repair works are to be managed in accordance with New Zealand Standard NZS

Activity		Activity Standard
		6803:1999 Acoustics – Construction Noise and DIN 4150 1999-02 Structural Vibration. g. Land repair works involving mixing or insertion of grout: i. shall not involve: A. mixtures with a flow time that is greater than 30 seconds when tested in accordance with the grout flow test at NZS 3112: Part 1: 1986 (Test 3) or a flowable concrete/grout including cement and inert additives which exceed a diameter of 300mm when tested in accordance with inverted cone test in NZS 3112: Part 1: 1986 (Test 11) except for in situ mixing; or B. injection of grout into the ground at a pressure of more than 40 bar when measured at the pump. ii. Where grout is deposited into land using in situ mixing the grout shall be mixed evenly through the augured soil column and the percentage of grout within the augured soil column shall not exceed 20%; or iii. Where grout is deposited into land using methods other than in situ mixing, the percentage of cement in the dry grout mixture shall not exceed 30%. h. Land repair materials: i. shall consist only of: A. soil, gravel, rocks, concrete, sand, silt (such as exists on site already), or clean, inert material; B. cement and/or bentonite grout including inert additives; or C. timber foundation piles; and ii. shall not: A. include or disturb putrescible, pollutant, inflammable or hazardous components; and/or B. include filling which comprises more than

Activity		Activity Standard
		5% vegetation of any load by volume. i. Land repair works, other than dust and sediment control measures, shall not be undertaken outside of the hours of 07.30am to 18.00 Monday to Friday and 08:00 to 17:00 on Saturday. No works shall occur on public holidays. j. The activity standards listed in Rule 8.9.2.1 P~~3~~ **~~P4~~**P5**, P6 and P7** **k. All earthworks shall be carried out in accordance with a site specific Erosion and Sediment Control Plan (ESCP), which follows the best practice principles, techniques, inspections and monitoring for erosion and sediment control contained in Environment Canterbury's Erosion and Sediment Control Toolbox for Canterbury http://esccanterbury.co.nz/. The ESCP must be held on site at all times and made available to the Council on request.** **l. Run-off must be controlled to prevent water with a total suspended solid content above 50mg/L flowing, or earth slipping, onto neighbouring properties, legal road (including kerb and channel), or into a river, stream, drain or wetland. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. All water must be treated, using at a minimum the erosion and sediment control measures detailed in the site specific Erosion and Sediment Control Plan, to reduce total suspended solid content to below 50mg/L prior to discharge to the Council's stormwater system.** **m. No earthworks shall commence until the ESCP has been implemented on site. The ESCP measures shall be maintained, until the site is stabilised (i.e. no longer producing dust or water-borne sediment). The ESCP shall be improved if initial and/or standard measures are found to be inadequate to achieve standard l.** **Advice note:** 1. The Erosion and Sediment Control Guidelines (prepared by Environment Canterbury) may be of

Activity		Activity Standard
		assistance in terms of the design and location of any filter. **2. Sites that do not drain into the Council stormwater network may require consent to discharge under the Land and Water Regional Plan.** ~~**2.**~~ **3.** The ~~**Natural Resources Regional Plan and**~~ Land and Water Regional Plan include provisions for earthworks in riparian margins and the Port Hills respectively and also provisions in relation to dust control. 3. **4.** The Council's ~~**Water Supply, Wastewater and**~~ Stormwater **and Land Drainage** Bylaw ~~**2014**~~ **2022** ~~**is applicable**~~ **apply**. ~~**k**~~**n**. In addition to the exemptions in Rule 8.9.3, the following earthworks are exempt from compliance with the Standards for P~~**2**~~: i. Works involving the establishment, repair or replacement of any permitted utilities or the maintenance of existing drains or ponds by a utility operator. ii. Works permitted by or exempted from a building consent (including works forming part of foundations for a building) where: A. they meet the standards in Table 10 and (c)(vi) controlling depth of filling above ground level in **the Christchurch Inundation Area and the** Flood Management Areas (Chapter 5 Natural Hazards); and B. they are designed, supervised and certified by a suitably qualified and experienced chartered geotechnical engineer, and C. they meet General standards (f)(i) and (f)(ii). iii. Testing or investigation preceding land repairs or remediation as a result of land damaged by earthquakes provided it meets activity standard P~~**2**~~**3** (a): A. Filling or excavation associated with the maintenance of flood protection works.

Activity		Activity Standard
		B. In the Central City, filling or excavation associated with the repair, maintenance, upgrade or construction of flood protection works undertaken or authorized by the Council or the Crown. 2. For the avoidance of doubt, where the earthworks are associated with the repair of land used for residential purposes and damaged by earthquakes. Rule 8.9.2.1 P~~2~~**4** applies alone and instead of other earthworks rules in Rules 8.9.2.1 – 8.9.2.3 (other than RD~~2~~**4** if the activity standards for P~~2~~**4** are not complied with). ~~**m.**~~ **o.** Measurement of volume shall include only areas which have been disturbed, including by filling, excavation, soil mixing or injection of materials. Soil above or between these areas which remains undisturbed does not form part of the allowable volume, including where those undisturbed soils are compacted or are otherwise altered by the works. ~~**n.**~~ **p.** For the purposes of this rule, the building consent platform extends to a maximum of 2.5m from the exterior wall of enclosed structures or from support structures of open structures. ~~**o.**~~ **q.** For the purposes of this rule, when land repairs are being undertaken over a number of properties at the same time and by the same contractor, the site boundary for the purpose of the setback is the outer perimeter of the properties that are the subject of the land repair works. Advice note: 1. ~~People intending to do land repair earthworks are responsible for complying with the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. People should contact the Council or Canterbury Regional Council to find out whether their land has been used for hazardous activities which might trigger the need for compliance with the NES.~~ ~~2~~ **1.** Any vegetation removed during land repairs should not be replaced with pest species which are listed in Appendix 1 to the Christchurch City Council Infrastructure Design Standard (Part 10).

Activity		Activity Standard
~~P3~~P5	a. Earthworks in the vicinity of the National Grid, except as otherwise specified in: i. Rule 8.9.2.2 C1; and ii. Rule 8.9.2.3 RD1, RD~~3~~5, RD~~4~~6 and RD~~5~~7.	a. Earthworks within 12 metres of the centre line of a 110kV or a 220kV National Grid transmission line or within 10 metres of the centre line of a 66kV National Grid transmission line shall: i. be no deeper than 300mm within 6m of a foundation of a National grid transmission line support structure; and ii. be no deeper than 3m: A. between 6 and 12 metres from the foundation of a 110kV or a 220kV National Grid transmission line support structure; or B. between 6 and 10 metres from the foundation of a 66kV National Grid transmission line support structure; and iii. not destabilise a National Grid transmission line support structure; and iv. not result in a reduction in the ground to conductor clearing distances below what is required by Table 4 in New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001), unless the requirements of Clause 2.2.3 of NZECP34:2001 are met. **b.** Activity standard a.i (above) shall not apply to: i. earthworks for a network utility as part of an electricity transmission activity; ii. earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track.
~~P4~~P6	a. Earthworks in the vicinity of a 66kV electricity distribution line, except as otherwise specified in: i. Rule 8.9.2.2 C1; and ii. Rule 8.9.2.3 RD1, ~~RD3, RD4 and~~ RD5~~,~~ **RD6 and RD7**.	a. Earthworks within 10 metres of the centre line of a 66kV electricity distribution line shall: i. meet the requirements of Clause 2.2.1 and/or 2.2.3 (as applicable) of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34: 2001); or ii. meet the following requirements: A. be no deeper than 300mm within 6 metres of a foundation of a 66kV electricity distribution line support structure; and B. be no deeper than 3m between 6 and 10

Activity		Activity Standard
		metres from the foundation of a 66kV electricity distribution line support structure; and C. not destabilise an electricity distribution line support structure; and D. not result in a reduction in the ground to conductor clearing distances below what is required by Table 4 in the NZECP 34:2001. **b.** Activity standard a.ii.A (above) shall not apply to: i. Earthworks for a network utility, as part of an electricity distribution activity; ii. Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, drive or farm track.
~~**P5**~~**P7**	Earthworks in the vicinity of a 33kV electricity distribution line or the 11kV (Heathcote to Lyttelton) electricity distribution line, except as otherwise specified in Rule 8.9.2.3 RD1, ~~**RD4 and RD5**~~ **RD6 and RD7**.	a. Earthworks within 5 metres of the centre line of a 33kV electricity distribution line or the 11kV (Heathcote to Lyttelton) electricity distribution line shall: i. meet the requirements of Clause 2.2.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34: 2001); or ii. meet the following requirements: A. be no deeper than 300mm within 2.2 metres of a foundation of a 33kV and 11kV Heathcote to Lyttelton support structure; and B. be no deeper than 0.75m between 2.2 and 5 metres from the foundation of a 33kV and 11kV Heathcote to Lyttelton electricity distribution line support structure; and C. not destabilise an electricity distribution line support structure; and D. not result in a reduction in the ground to conductor clearing distances below what is required by Table 4 in the NZECP 34:2001. **c.** Activity standard a.ii.A (above) shall not apply to: i. Earthworks for a network utility, as part of an electricity distribution activity; ii. Earthworks undertaken as part of agricultural or

Activity		Activity Standard
		domestic cultivation, or repair, sealing or resealing of a road, footpath, drive or farm track.

Table 9: Maximum volumes – earthworks

a. The volume thresholds contained in Table 9 apply to both the amount of filling and the amount of excavation.

b. Where a volume threshold in Table 9 is stated in m^3/ha this shall be applied as a ratio. **The m^3/ha volume threshold applies only to a given hectare of land and cannot be accumulated and/or transferred to any other hectare of land. For the avoidance of doubt an unused volume cannot be transferred from one specific hectare of land to increase the volume on another hectare of land.**

c. Where zone and overlay thresholds differ, the lower volume threshold shall apply.

Zone / Overlay		Volume
d. Residential and Papakāinga/Kāinga Nohoanga	i. All residential zones. ii. Māori land within the Papakāinga/Kāinga Nohoanga zone where sites have an area of 2000m2 or less.	20m^3/site
e. Commercial / Industrial	i. Commercial Local, and Commercial Banks Peninsula Zones.	20m^3/site
	ii. Commercial Core, Commercial Office, Commercial Mixed use, Central City Mixed Use, Mixed Use (South Frame), Large Format Retail Industrial General, Industrial Heavy and Industrial Park Zones.	1000m^3/ha
	iii. Commercial Central City Business Zone	200m^3/ha
f. Rural and Papakāinga/Kāinga Nohoanga	i. All rural zones and non-Māori land within the Papakāinga/Kāinga Nohoanga zone (excluding excavation and filling associated with quarrying activities) ii. Māori land within the Papakāinga/Kāinga Nohoanga zone where sites have an area	100m^3/ha

	of more than 2000m2.	
g. Open Space	i. Open Space Metropolitan Facilities and Open Space McLeans Island Zones.	500m³/ha
	ii. Open Space Community Park Zones.	20m³/site
	iii. Open Space Natural and Open Space Water and Margins Zones (Refer to Rules 6.6.4 - 6.6.6 of Chapter 6 in relation to earthworks adjoining water bodies).	50m³/ha
	iv. Open Space Water and Margins Zone at Lake Ellesmere / Te Waihora and Lake Forsyth / Wairewa (Refer to Rules 6.6.4 - 6.6.6 of Chapter 6 in relation to earthworks adjoining water bodies).	10m³/ha
	v. Open Space Coastal Zone.	50m³/ha
	vi. Open Space Avon River Precinct (Te Papa Ōtākaro) Zone. Advice note: 1. This volume threshold applies outside the water body setback provided in Chapter 6.	50m³/ha
h. Specific Purpose	i. Specific Purpose (Hospital) Zone and Specific Purpose (Tertiary Education) Zone.	150m³/ha
	ii. Specific Purpose (Airport) Zone.	5000m³/ha
	iii. Specific Purpose (Cemetery) Zone.	20m³/site
	iv. Specific Purpose (Golf Resort) Zone.	20m³/site
	v. Specific Purpose (Flat Land Recovery) Zone.	50m³/ha
	vi. All other Specific Purpose Zones.	100m³/ha
i. Transport	i. Transport zone	No limit.
j. Overlays	i. Outstanding Natural Landscapes identified in Appendix 9.2.9.2.2	25m³/ha
	ii. Outstanding Natural Features identified in Appendix 9.2.9.2.1	Nil
	iii. Areas of Outstanding, or High and Very High, Natural Character in the Coastal Environment identified in Appendices 9.2.9.2.7 and 9.2.9.2.8	25m³/ha

	iv. Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1	Nil
	v. Important Ridgelines identified on the planning maps	Nil
	vi. Significant Feature SF8.1 Otākaro / Avon River - East	Nil

Advice note:

1. Chapter 5 manages earthworks within identified hazard areas. Chapter 4 contains provisions relating to contaminated land. Chapter 6 manages earthworks within water body setbacks and within, and adjacent to Ngā Wai.

Table 10: Earthworks for the purpose of land repair

	Column A Max. Volume (Cumulative)	Column B Max. depth (m)	Column C Max. depth of filling (m) [below ground level]	Column D Filling above ground level	Column E Setback from site boundary
a. Central City Mixed Use and Residential Zones (except the Residential Hills and Residential Large Lot Zones, the Residential Hills Overlay when applying the Chapter 14B pathway, and the Stormwater Capacity Constraint Overlay), where a site or part of a site is not located in a Flood Management Area or a Flood Ponding Area as shown on the planning maps, **or in the Christchurch Inundation Area.**	50m³/site	0.6	0.6	0.3m max. depth;	Setback from site boundary must be equivalent to or greater than the depth of earthworks.
b. Rural Zones (except the Rural Banks Peninsula Zone), where a site or part of a site is not located in a Flood Management Area or Flood Ponding Area as shown on the planning maps~~,~~ **or in the Christchurch Inundation Area.**	2000m³/site	0.6	0.6	0.3m max. depth;	

c. Land repair works in any zone listed in this table involving soil mixing, aggregate piers, or grout.	Not more than 10m³ of grout per site	1.0	1.0	0.3m max. depth.	

8.9.2.2 Controlled activities

a. The activities listed below are controlled activities if they meet the relevant standards set out in the following table.

b. Discretion to impose conditions is restricted to the matters over which control is reserved, as set out in the following table.

	Activity	Activity specific standards	Matters of control
C1	Earthworks in the Industrial General Zone (North Belfast) that are between 10 and 20 metres from: **a.** the surveyed point of the spring identified on the Outline Development Plan in Appendix 16.8.5; or **b.** any spring not identified on the Outline Development Plan in Appendix 16.8.5, and which is within the area identified as Stormwater Management Area 1 on the outline development plan but not within Lots 5, 6 and 7 DP 71209, in which case the setback shall be measured from the head or heads of the spring where visible.	**a.** Activity specific standards for P1 earthworks in Rule 8.9.2.1.	a. Where the following are listed as matters of discretion, they are to be treated as matters of control: i. All matters in Rule 8.9.4, except for Rule 8.9.4.9; ii. Rule 8.7.4.6 (i); and iii. Rule 16.4.6.2.4

8.9.2.3 Restricted discretionary activities

a. The activities listed below are restricted discretionary activities.

b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in Rule 8.9.4, as set out in the following table.

Activity		Matters of discretion
RD1	Any activity listed in Rule 8.9.2.1 P1 or Rule 8.9.2.2 C1 that does not meet any one or more of the activity standards.	a. Rule 8.9.4; b. Except that in the Industrial General Zone (North Belfast), Rule 8.9.4.9; shall not apply, and Rule 8.8.14 shall apply. **c. Rule 8.9.4.11**
RD2	**Any activity listed in Rule 8.9.2.1 P2 that does not meet any one or more of the activity standards.**	**a. Rule 8.9.4.1 a. and c.** **b. Rule 8.9.4.11**
RD3	**Any activity listed in Rule 8.9.2.1 P3 that does not meet any one or more of the activity standards.**	**a. Rule 8.9.4.1 a. and c.** **b. Rule 8.9.4.3** **c. Rule 8.9.4.6** **d. Rule 8.9.4.11**
RD~~2~~4	d. Any activity listed in Rule 8.9.2.1 P~~2~~4 that does not meet any one or more of the activity standards. e. Any applications arising from this rule shall not be publicly or limited notified.	a. Rule 8.9.4, b. Rule 8.9.4.3, and c. Rule 8.9.4.9.
RD~~3~~5	Earthworks within the Stormwater Capacity Constraint Overlay	a. Rule 8.9.4.1. b. Rule 8.9.4.3, and c. Rule 8.9.4.9.
~~RD4~~RD6	Earthworks within 20m of coastal hazard mitigation works	a. Rule 8.9.4.1, b. Rule 8.9.4.3, c. Rule 8.9.4.4, d. Rule 8.9.4.5, and e. Rule 8.9.4.9.
RD~~5~~7	**a.** Earthworks within: i. a Site of Ngāi Tahu Cultural Significance identified in Schedule 9.5.6.1; or ii. Kaitōrete Spit (ID 64) identified in Schedule 9.5.6.2; b. except where listed as an exemption in Rule 8.9.3 b. c. RD~~5~~7 does not apply to land in the Industrial General Zone (North Belfast). d. Any application arising from this rule need not be publicly notified, but shall be limited notified to the relevant rūnanga, and Heritage New Zealand Pouhere Taonga in respect of sites on the Heritage New Zealand List / Rārangi Korero (absent their written approval).	a. Rule 9.5.5.1

RD~~6~~8	Within the Central City, any earthworks within an 'Overlay' identified in Table 9 to Rule 8.9.2.1 that exceeds the specified volume limit.	a. Rule 8.9.4.1, b. Rule 8.9.4.3, c. Rule 8.9.4.6, d. Rule 8.9.4.7, e. Rule 8.9.4.8, and f. Rule 8.9.4.9.
RD~~7~~9	**a.** Any earthworks in the Industrial General Zone (North Belfast) within 10 metres of: i. the surveyed point of the spring identified on the Outline Development Plan in Appendix 16.8.5; or ii. any spring not identified on the Outline Development Plan in Appendix 16.8.5, and which is within the area identified as Stormwater Management Area 1 on the outline development plan but not within Lots 5, 6 and 7 DP 71209, in which case the setback shall be measured from the head or heads of the spring where visible.	a. All matters in Rule 8.9.4, except for Rule 8.9.4.9; b. Rule 8.8.14; and **c.** Rule 16.4.6.2.4.

8.9.2.4 Discretionary activities - earthworks

a. The activities listed below are discretionary activities.

D1	Other than in the Central City, any earthworks within an Overlay identified in Table 9 to Rule 8.9.2.1 that exceeds the specified volume limit.

8.9.2.5 Non-complying activities - earthworks

a. The activities listed below are non-complying activities.

NC1	Any activity that does not meet any one or more of the activity standards in Rule 8.9.2.1 ~~**P3, P4, or**~~ P5**, P6 or P7**.
NC2	The modification, alteration or removal of sand dunes and vegetation on sand dunes within 50 metres of Mean High Water Springs.

8.9.2.6 Prohibited activities — earthworks

a. The activities listed below are prohibited activities.

PR1	Quarrying activities within the Central City

8.9.3 Exemptions

a. The following earthworks are exempt from the activity standards set out in Rule 8.9.2.1 P1**, P2,** P~~2~~**3 and P4**:

i. Holes for posts, trees or other plants;

ii. Excavation for any wells where any necessary resource consents or building consents have been obtained;

iii. Deposition of spoil from drain clearance work within the site the drain crosses; or

~~**iv. Any earthworks subject to an approved building consent where they occur wholly within the footprint of the building. For the purposes of this rule, the footprint of the building extends 1.8m from the outer edge of the wall. This exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the principal building on the site or adjoining site. Where the building is a heritage item, or earthworks occur within 5 metres of a heritage item, the activity standard in 8.9.2.1 P1 i. applies.**~~

~~**v.**~~ **iv.** Earthworks associated with the maintenance, upgrade or construction of hazard mitigation and protection works where undertaken by the Council, the Canterbury Regional Council, the Crown or undertaken in accordance with a rule in Chapter 5.

~~**vi.**~~ **v.** Any earthworks involving:

A. the establishment, repair or replacement of any utility permitted in Chapter 11 of this Plan (apart from the establishment of stormwater management utilities which are permitted by Chapter 11 Utilities and Energy and not undertaken by the Council or a network utility operator); or

B. established and/or consented utilities; or

C. the maintenance of existing drains or ponds, including within road reserves.

~~**vii.**~~ **vi.** Any test pits or boreholes necessary as part of a geotechnical assessment ~~**or contaminated land assessment**~~ where the ground is reinstated to existing levels within 48 hours.

~~**viii.**~~ **vii.** Outside the Central City, any excavation for interment within the Special Purpose (Cemetery) zone, urupa, or any legally established private cemetery or pet cemetery.

~~**ix.**~~ **viii.** Cultivation and cropping activities in Rural zones, including in relation to the erection of structures not requiring building consent.

~~**x.**~~ **ix.** Maintenance and operational earthworks at Bromley Sewage Ponds.

~~**xi.**~~ **x.** The construction of fire ponds~~**,**~~ **and** stock tracks ~~**and vehicle access tracks**~~ in Rural zones. Rule 9.1.4.1 - 9.1.4.**4** **5**of Chapter 9 are of particular relevance.

~~**xii.**~~ **xi.** Earthworks undertaken by Council or Canterbury Regional Council to maintain or upgrade their own parks and reserves. Where earthworks in public spaces occur within 5 metres of a heritage item or above the volumes contained in Table 9 in a heritage setting the activity standard 8.9.2.1 P1 i. applies.

~~xiii.~~ **xii.** Any filling or excavation for the maintenance or establishment of farm access tracks provided the finished ground level is maintained within 200mm of natural ground level, and that filling and excavation is limited to a total of not more than 100m³/ha (measured as a ratio).

~~xiv.~~ **xiii.** Outside the Central City, composting or silage making.

~~xv. Earthworks that are required for the removal of contaminants regulated by the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.~~

~~xvi.~~ **xiv.** Within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, earthworks associated with indigenous vegetation clearance, that meets activity specific standard a. i. for Rule 9.1.4.1 P1, are exempt only from meeting the specified volume limit for the relevant 'Overlay' identified in Table 9 to Rule 8.9.2.1.

~~xvii.~~ **xv.** Earthworks to a depth no greater than 0.6 metres in the Industrial General Zone (North Belfast).

b. The following earthworks are exempt from the provisions of Rule 8.9.2.3 RD~~5~~**7**:

i. earthworks for ~~post holes for fencing,~~ planting holes for trees and plants, the maintenance of existing farm tracks and existing farm ponds, the cultivation of existing pasture, or cropping; or

ii. earthworks for offal pits within Kaitōrete Spit (ID 64) identified in Schedule 9.5.6.2 which do not exceed dimensions of 2 metres x 2 metres x 1.5 metres.

8.9.4 Matters of discretion

8.9.4.1 Nuisance

a. The extent to which any potential dust nuisance, sedimentation and water or wind erosion effects can be avoided or mitigated.

b. The extent to which effects on neighbouring properties, and on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks can be avoided or mitigated.

c. The extent to which any potential changes to the patterns of surface drainage or subsoil drains can be avoided or mitigated if those changes would put the site or adjoining land at higher risk of drainage problems, inundation run-off, flooding, or raise that site's or adjoining land's water table.

d. Whether any change in ground level would be likely to impact on trees in terms of access to water and drainage.

e. The extent of any potential adverse effects on the quality of groundwater and whether any such can be avoided or mitigated.

f. The extent to which any adverse effects from noise and vibration associated with earthworks and land improvement can be avoided or mitigated, and the effectiveness of any methods to mitigate such effects.

g. The extent to which earthworks in the Open Space Avon River Precinct (Te Papa Ōtākaro) Zone have an adverse effect on the Avon River and its margins.

8.9.4.2 Resources and assets

a. Whether versatile soils would be lost to production, or have their physical and biochemical qualities compromised.

b. In relation to National grid transmission lines and electricity distribution lines

   i. the risk to the structural integrity of the National grid or electricity distribution lines;

   ii. compliance with NZECP 34:2001;

   iii. any implications arising from technical advice provided by the utility operator;

   iv. the effects on the ability of the utility operator to operate and upgrade and develop the National grid and/or electricity distribution lines, including on-going safe and direct access; and

   v. the effects on the ability of the utility operator to operate, upgrade and develop its utility, including on-going safe and direct access.

8.9.4.3 Land stability

a. Whether the earthworks affect the stability of adjoining land and its susceptibility to subsidence or erosion upon excavation taking place.

b. The extent of any alteration to natural ground levels in the vicinity and, consequently, to the height and bulk of buildings that may be erected on the site.

c. Whether the earthworks affect the future development potential of land for permitted activities, taking account of the nature of filling material proposed and the degree of compaction.

8.9.4.4 Coastal hazard

a. Whether the earthworks affect the risk to life, property and the environment posed by coastal hazards.

b. The extent to which earthworks would remedy or mitigate coastal hazard or be compatible with existing mitigation works or structures.

c. Whether or not the work would be carried out under the supervision of either a Chartered Professional Engineer with experience in coastal processes or a professional Engineering Geologist (IPENZ registered).

d. The extent to which the earthworks would protect structures, buildings and their occupants.

e. The extent to which the proposed earthworks will protect the sandy beach, dunes or rocky shore from further damage, such as from coastal erosion or seawater inundation in a storm event, or remediate it from previous damage.

f. The extent to which the earthworks will affect the nature, form and resilience of the sandy beach, dunes or rocky shoreline.

g. Whether the earthworks will result in increased erosion of the sand dunes and land to the landward side of the dunes.

8.9.4.5 Quarries

a. Whether the final rehabilitated landform is appropriate having particular regard to:

   i. the location, gradient and depth of the quarry pit;

   ii. the availability of clean fill material and consequent timeframes for rehabilitation;

   iii. any other adverse effects of rehabilitation including traffic, dust, risk to groundwater, drainage and landscape effects.

8.9.4.6 Amenity

a. The level of alteration to existing ground levels and the degree to which the resultant levels are consistent with the surrounding environment.

b. ~~**Relevant to the location of the site/s or whether a Chapter 14B pathway is being applied:**~~

   i. ~~**Outside Urban Intensification Areas, or within an Urban Intensification Area when the Chapter 14B pathway is being applied: The resultant effects that result from the earthworks in terms of visual amenity, landscape context and character, views, outlook, overlooking and privacy;**~~

   ii. ~~**Within Urban Intensification Areas when the Chapter 14B pathway is being applied:**~~ The effects that result from the earthworks in terms of visual amenity, landscape context and character, heritage values, views, outlook, overlooking and privacy.

8.9.4.7 Indigenous biodiversity, natural character, and landscape features.

a. The relevant matters of discretion in Rules 9.1.5.2, 9.2.8.1, 9.2.8.3 and 6.6.7.

8.9.4.8 Historic Heritage

a. The relevant matters of discretion in Rule 9.3.6.1.

8.9.4.9 Sites of Ngāi Tahu Cultural Significance

a. Where the earthworks are within a Site of Ngāi Tahu Cultural Significance identified in Appendix 9.5.6, the matters set out in Rule 9.5.5 as relevant to the site classification:

   i. Rule 9.5.5.1 - Wāhi Tapu / Wāhi Taonga, Mahaanui Iwi Management Plan Silent Files and Kaitōrete Spit;

   ii. Rule 9.5.5.2 - Ngā Tūranga Tūpuna; and

   iii. Rule 9.5.5.3 - Ngā Wai.

8.9.4.10 Coastal environment

a. The relevant matters of discretion in Rule 9.6.3.1 – Effects of activities on the coastal environment.

8.9.4.11 Natural Hazards

a. Whether the earthworks affect the risk to life, property and the environment posed by natural hazards, including flooding from any source.

Chapter 10 Designations and Heritage Orders

L Minister of Education

State Schools Designation Schedule – Minister of Education

L122 Redcliffs School

Conditions

Built Form

1. [….]
2. [….]
3. [….]
4. a. [….]
   b. Where a minimum floor level has been raised to comply with the Christchurch District Plan requirements related to the ~~**Flood Management Area**~~ **Christchurch Inundation Area**, condition 4 (a) above shall not apply. In such cases, no part of any building shall project beyond a building envelope contained by a recession plane measured at any point 2.3m above the minimum floor level required by the Christchurch District Plan in accordance with the diagrams in Appendix 18.11.3, except for poles/light support structures and that part of the school building adjacent to the internal site boundary with 19 Main Road (Pt Lot 52, DP 1178) constructed in accordance with plan NR1.200 A and NR1.201 A (see attachments below),
   that would otherwise project beyond the recession plane.
5. All buildings within the **Christchurch Inundation Area** ~~**Flood Management Area identified in the Christchurch District Plan**~~ shall have finished floor levels of at least 2.97 metres relative to the NZVD2016. This condition does not relate to non-occupied ancillary buildings less than 20m2 in area, play structures, shading structures and fencing.

L125 Te Kura Kaupapa Maori o Te Whanau Tahi

Conditions

1. [….]
2. [….]
3. [….]
4. [….]
5. [….]
6. [….]
7. [….]
8. All buildings within the **Christchurch Inundation Area** ~~**Flood Management Area**~~ on site shall have a finished floor level a minimum of 400mm above the 200-year Average Recurrence Interval flood level. This condition does not apply to non-occupied ancillary buildings less than 20m2 in area, play structures, shading structures and fencing within the Flood Management Area.

Chapter 13 Specific Purpose Zones

13.12.4 Rules – Specific Purpose (Burwood Landfill and Resource Recovery Park) Zone

13.12.4.1 Activity Status Tables

13.12.4.1.1 Permitted Activities

[….]

Activity		Activity specific standards
P1	Disposal of earthquake waste	a. [….] - q.[….] *Flood Management Areas* ***and the Christchurch Inundation Area*** r. Disposal of earthquake waste shall not take place within a Flood Management Area **or the Christchurch Inundation Area**

Chapter 14 Residential

14.4. Rules – Residential Suburban Zone and Residential Suburban Density Transition Zone

14.4.1 Activity Status Table

14.4.1.1 Permitted Activities

[….]

Activity		Activity specific standards
P1 – P9	[….]	[….]
P10	Conversion of a residential unit (within, or as an extension to, a residential unit) into two residential units	a. [….] b. [….] c. [….] iii. Any Flood Management Areas **and the Christchurch Inundation Area**
P11	Replacement of a residential unit with two residential units	a. [….] b. [….] ii. Any Flood Management Areas **and the Christchurch Inundation Area**
P12	Construction of two residential units on a site that was vacant prior to the Canterbury earthquakes of 2010 and 2011	a. [….] iii. Any Flood Management Areas **and the Christchurch Inundation Area**

14.4 Rules - Residential Suburban Zone and Residential Suburban Density Transition Zone

14.4.2 Built form standards

14.4.2.6 Daylight recession planes

a. [….]
b. [….]
c. Where the building is located in **the Christchurch Inundation Area** ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

14.5 Rules - Residential Medium Density Zone

14.5.2 Built form standards

14.5.2.6 Daylight recession planes

a. [….]
b. [….]
c. Where the building is located in **the Christchurch Inundation Area** ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

14.7 Rules - Residential Hills Zone

14.7.2 Built form standards

14.7.2.4 Daylight recession planes

a. [….]
b. [….]
c. Where the building is located in **the Christchurch Inundation Area** ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

14.8. Residential Banks Peninsula

14.8.2 Built form standards

14.8.2.5 Daylight recession planes

a. [….]
b. Where the building is located in **the Christchurch Inundation Area or** a Flood Management Area, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

14.9 Rules - Residential Large Lot Zone

14.9.2 Built form standards

14.9.2.4 Daylight recession planes

a. [….]
b. [….]
c. [….]
d. Where the building is located in **the Christchurch Inundation Area** ~~**a Flood Management Area**~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

14.10 Rules - Residential Small Settlement Zone

14.10.2 Built form standards

14.10.2.4 Daylight recession planes

a. [….]
b. [….]
c. Where the building is located in **the Christchurch Inundation Area** ~~**a Flood Management Area,**~~ the exemptions below apply:
   i. In the **Christchurch Inundation Area** ~~**a Flood Management Area**~~, Rule 5.4.1.3 (for activities P1-P4 in Table 5.4.1.1b); or

14.11 Rules - Residential Large Lot Zone

14.11.2 Built form standards

14.11.2.6 Daylight recession planes

a. [….]
b. Where the building is located in **the Christchurch Inundation Area** ~~**a Flood Management Area**~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

Advice note:

1. Refer to Appendix 14.16.2 for permitted intrusions.

14.12 Rules - Residential New Neighbourhood Zone

14.12.2 Built form standards

14.12.2.4 Daylight recession planes

a. [….]
b. [….]
c. Where the building is located in **the Christchurch Inundation Area** ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities in P1-P4 in Table 5.4.1.1b).

Advice note:

1. Refer to Appendix 14.16.2 for permitted intrusions.

14.13 Rules - Enhanced Development Mechanism

14.13.3 Built form standards

14.13.3.2 Daylight recession planes

a. Buildings shall not project beyond a building envelope constructed by recession planes from points 2.3 metres above boundaries with other sites as shown in Appendix 14.16.2, diagram C except that:
   i. [….]
   ii. [….]
   iii. Where the building is located in **the Christchurch Inundation Area** ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

14.14 Rules - Community Housing Redevelopment Mechanism

14.14.2 Built form standards

14.14.2.2 Daylight recession planes

a. Buildings shall not project beyond a building envelope constructed by recession planes from points 2.3 metres above boundaries with other sites as shown in Appendix 14.16.2, diagram C, except that:
   i. [….]
   ii. [….]
   iii. Where the building is located in **the Christchurch Inundation Area** ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

14.15 Rules - Matters of control and discretion

14.15.3 Impacts on neighbouring property

a. Whether the increased height, reduced setbacks, or recession plane intrusion would result in buildings that do not compromise the amenity of adjacent properties taking into account:
   i. [….]
   ii. [….]
   iii. [….]
   iv. [….]

v. within **the** Christchurch Inundation Area ~~a Flood Management Area~~, whether the recession plane infringement is the minimum necessary in order to achieve the required minimum floor level.

Chapter 14A Residential (Urban Intensification Areas)

14A.4 Rules - Residential Suburban Zone and Residential Suburban Density Transition Zone

14A.4.1 Activity status tables

14A.4.1.1 Permitted activities

[….]

Activity		Activity specific standards
[…..]	[…..]	[…..]
P10	Conversion of a residential unit (within, or as an extension to, a residential unit) into two residential units	s. […..] t. […..] u. The residential unit to be converted shall be outside: i. **the** Christchurch Inundation Area **or** any Flood Management Area.
P11	Replacement of a residential unit with two residential units	a. […..] b. The existing site shall be outside: i. **the** Christchurch Inundation Area **or** any Flood Management Area.
P12	Construction of two residential units on a site that was vacant prior to the Canterbury earthquakes of 2010 and 2011	a. The existing site shall be outside: i. **the** Christchurch Inundation Area **or** any Flood Management Area.

14A.4.2 Built form standards

14A.4.2.6 Daylight recession planes

a. […..]
b. […..]
c. Where the building is located in **the** Christchurch Inundation Are ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

Advice note:

1. Refer to Appendix 14A.12.2 for permitted intrusions.

14A.7 Rules – Residential Hills Zone

14A.7.2 Built form standards

14A.7.2.4 Daylight recession planes

a. [….]
b. [….]
c. Where the building is located in **the Christchurch Inundation Are** ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

Advice note:

Refer to Appendix 14A.12.2 for permitted intrusions.

14A.8 Rules - Residential Medium Density Zone

14A.8.2 Built form standards

14A.8.2.6 Daily recession planes

a. [….]
b. [….]
c. Where the building is located in **the Christchurch Inundation Area** ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

14A.10 Rules - Enhanced Development Mechanism

14A.10.3 Built form standards

14A.10.3.2 Daily recession planes

a. Buildings shall not project beyond a building envelope constructed by recession planes from points 4.0 metres above boundaries with other sites as shown in Appendix 14A.12.2, diagram C except that:
   i. [….]
   ii. [….]
   iii. Where the building is located in **the Christchurch Inundation Area** ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

Chapter 14B Residential (Residential Pathways)

14B.4 Rules - Residential Suburban Overlay and Residential Suburban Density Transition Overlay

14B.4.2 Built form standards

14B.4.2.6 Daylight recession planes

a. [….]
b. [….]
c. Where the building is located in **the Christchurch Inundation Area** ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

Advice note:

1. Refer to Appendix 14B.13.2 for permitted intrusions.

14B.5 Rules - Residential Medium Density Overlay

14B.5.2 Built form standards

14B.5.2.6 Daylight recession planes

a. [….]
b. [….]
c. Where the building is located in **the** Christchurch Inundation Area ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

14B.6 Rules - Residential Central City Overlay

14B.6.2 Built form standards

14B.6.2.2 Daylight recession planes

a. [….]
b. Where the building is located in **the** Christchurch Inundation Area ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

14B.7 Rules - Residential Hills Overlay

14B.7.2 Built form standards

14B.7.2.4 Daylight recession planes

a. [….]
b. [….]
c. Where the building is located in **the** Christchurch Inundation Area ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b only as applicable to a Chapter 14B pathway).

14B.8 Rules - Residential Banks Peninsula Overlay

14B.8.2 Built form standards

14B.8.2.5 Daylight recession planes

a. [….]
b. Where the building is located in **the** Christchurch Inundation Area ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b only as applicable to a Chapter 14B pathway).

14B.9 Rules - Residential New Neighbourhood Overlay

14B.9.2 Built form standards

14B.9.2.4 Daylight recession planes

a. [….]
b. [….]

c. Where the building is located in **the Christchurch Inundation Area** ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b) as applicable to the Chapter 14B pathway.

14B.10 Rules - Enhanced Development Mechanism

14B.10.3 Built form standards

14B.10.3.2 Daylight recession planes

a. Buildings shall not project beyond a building envelope constructed by recession planes from points 2.3 metres above boundaries with other sites as shown in Appendix 14B.13.2, diagram C except that:
   i. [….]
   ii. [….]
   iii. Where the building is located in **the Christchurch Inundation Area** ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b) as applicable to a Chapter 14B pathway.

14B.11 Rules - Community Housing Redevelopment Mechanism

14B.11.2 Built form standards

14B.11.2.2 Daylight recession planes

a. Buildings shall not project beyond a building envelope constructed by recession planes from points 2.3 metres above boundaries with other sites as shown in Appendix 14.16.2, diagram C, except that:
   i. [….]
   ii. [….]
   iii. Where the building is located in **the Christchurch Inundation Area** ~~a Flood Management Area~~, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b) as relevant to applying a Chapter 14B pathway.

14B.12 Rules - Matters of control and discretion

14B.12.3 Impacts on neighbouring property

a. Whether the increased height, reduced setbacks, or recession plane intrusion would result in buildings that do not compromise the amenity of adjacent properties taking into account:
   i. [….]
   ii. [….]
   iii. [….]
   iv. [….]
   v. Where the building is located in **the Christchurch Inundation Area** ~~a Flood Management Area~~, whether the recession plane infringement is the minimum necessary in order to achieve the required minimum floor level.

Chapter 15 Commercial

15.7 Rules – Commercial Banks Peninsula Zone

15.7.2 Built form standards – Commercial Banks Peninsula Zone

15.7.2.5 Sunlight and outlook at boundary with a residential zone or any public space

a. [….]

b. Outside Lyttelton, where sites are located within a Flood Management Area **or the Christchurch Inundation Area**, recession plane breaches created by the need to raise floor levels shallnot be limited or publicly notified

Chapter 16 Industrial

16.4 Rules - Industrial General Zone

16.4.2 Built form standards - Industrial General Zone

16.4.2.4 Sunlight and outlook at boundary with a residential zone and road

a. [….]

b. [….]

c. Where sites are located within **the Christchurch Inundation Area or** a Flood Management Area, recession plane breaches created by the need to raise floor levels shall not be publicly or limited notified.

16.5 Rules - Industrial Heavy Zone

16.5.2 Built form standards - Industrial Heavy Zone

16.5.2.4 Sunlight and outlook at boundary with a residential zone

a. [….]

b. Where sites are located within **the Christchurch Inundation Area or** a Flood Management Area, recession plane breaches created by the need to raise floor levels shall not be publicly or limited notified.

16.6 Rules - Industrial Park Zone

16.6.2 Built form standards - Industrial Park Zone

16.6.2.5 Sunlight and outlook at boundary with a residential zone

a. [….]

b. Where sites are located within **the Christchurch Inundation Area or** a Flood Management Area, recession plane breaches created by the need to raise floor levels shall not be publicly or limited notified.

16.6.5 Area Specific Rules - Industrial Park Zone (Wairakei Road)

16.6.5.2.5 Boundary with residential properties within the zone

a. [….]

i. [….]

ii. [….]

iii. Where sites are located within **the Christchurch Inundation Area ~~a Flood Management Area~~**, recession plane breaches created by the need to raise floor levels shall not be publicly or limited notified; and

iv. [….]

Chapter 17 Rural

17.11 Rules – Matters of Discretion

17.11.1 Matters of Discretion for built form standards

17.11.11.1.6 Site coverage and building footprint

a. [….]

iv. the extent to which increased site coverage will adversely affect groundwater**, the** Christchurch Inundation Area and flood management areas; and

Chapter 18 Open Space

18.4 Rules - Open Space Community Parks Zone

18.4.2 Built form standards - Open Space Community Parks Zone

18.4.2.5 Recession planes

a. [….]
b. Where sites are located within **the** Christchurch Inundation Area **or** a Flood Management Area, recession plane breaches created by the need to raise floor levels will not require written approvals and shall not be limited or publicly notified.

18.5 Rules - Open Space Metropolitan Facilities Zone

18.5.2 Built form standards - Open Space Metropolitan Facilities Zone

18.5.2.5 Recession planes

a. [….]
b. Where sites are located within **the** Christchurch Inundation Area **or** a Flood Management Area, recession plane breaches created by the need to raise floor levels will not require written approvals and shall not be limited or publicly notified.

18.5.4 Area-specific rules - Open Space Metropolitan Facilities Zone (Temporary Christchurch Stadium)

18.5.4.2.4 Recession planes

a. [….]
b. [….]
c. Where sites are located within **the** Christchurch Inundation Area **or** a flood Management Area, recession plane breaches created by the need to raise floor levels will not require written approvals and shall not be limited or publicly notified.

18.7 Rules Open Space Natural Zone

18.7.2 Built Form Standards – Open Space Natural Zone

18.7.2.4 Recession planes

a. [….]

b. Where sites are located within **the Christchurch Inundation Area or** a flood Management Area, recession plane breaches created by the need to raise floor levels will not require written approvals and shall not be limited or publicly notified.

18.8 Rules Open Space Water and Margins zone and Avon River precinct/ Te Papa Otakoro Zone

18.8.2 Built form standards - Open Space Water and Margins zone and Avon River precinct/ Te Papa Otakoro Zone

18.8.2.4 Recession planes

a. [….]

b. Where sites are located within **the Christchurch Inundation Area or** a flood Management Area, recession plane breaches created by the need to raise floor levels will not require written approvals and shall not be limited or publicly notified.