

Submissions on Plan Change 8 (Natural Hazards)

Volume 3

Note: This volume includes several submissions received after the closing date for submissions. Further submissions are still being sought on these submissions.

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Rotorua Lakes Council
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Rotorua 3046

8 September 2025

Submission on Rotorua District Plan proposed plan change 8: Natural Hazards Provisions

INTRODUCTION

1. Please accept this submission on behalf of the Ngati Tahu-Ngati Whaoa Runanga Trust (the Runanga) which refers to the final version of the Section 32 report on the Rotorua District Plan proposed plan change 8: Natural Hazards Provisions.
2. When Ngati Tahu-Ngati Whaoa Runanga Trust refers to "iwi" in this submission it means the people of Ngati Tahu-Ngati Whaoa
3. The Ngati Tahu-Ngati Whaoa Runanga Trust is the mandated iwi authority for the Ngati Tahu-Ngati Whaoa people
4. From Te Waiheke o Huka (Huka Falls) to the south, we extend east to our pouwhenua at Ngapuketerua beyond the Rangitaiki River, then northward across the plains of Kaingaroa to Wairapukao and further on to Pekepeke. From here we extend to our northern pouwhenua at Maunga Kakaramaea, turning west to the Paeroa Range and on to Orakei Korako on the banks of the Waikato River, the birthplace and principal papakainga of Ngati Tahu-Ngati Whaoa. From Orakei Korako we extend further west to Pohaturoa, an ancient pa site. These are the pouwhenua, the geographical marker points that describe the rohe in which Ngati Tahu-Ngati Whaoa is recognised as an iwi with mana whenua
5. Ngati Tahu-Ngati Whaoa is an affiliate to Te Arawa River Iwi Trust which is a Post-Settlement Governance Entity formed in relation to the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Act 2010.
6. Ngati Tahu-Ngati Whaoa is also an affiliate to Te Pumautanga Trust which is another Post-Settlement Governance Entity formed in relation to the Affiliate Te Arawa Iwi and Hapu Claims Settlement Act 2008.

SCOPE AND PURPOSE OF THIS SUBMISSION

7. **Flooding:** The final version of the section 32 report does not contain any detail on possible flood risks for the Reporoa catchment or the wider rural district south of the city. There have

Ka ora te iwi – Ka ora te tangata

been recent flood events in the Reporoa catchment and this needs to be modelled via the same process as has been undertaken for the city and lakes areas.

8. Also missing from the report is the flooding risk assessment under the Waikato Regional Policy Statement. Further in the flood section there is reference to consultation with BOPRC however WRC is not mentioned at all other than a reference to existing natural hazard rules based on the WRPS. The lack of modelling based on the WRPS rules and inclusion of the flood hazard risk in the rural areas south of the city is entirely inappropriate and demonstrates RLC's lack of consideration for ratepayers in the Waikato region. Without the basic understanding of the risk in the rural areas RLC will continue to apply a blanket rule that may or may not be appropriate but certainly does not encompass any effort by RLC to service these areas as they would the rest of the district. Instead there is a reliance on WRC to do the modelling work which is unlikely to prioritise the Reporoa district or any other rural areas within its catchment.
9. Fault rupture policies, rules and mapping: It is unclear in the document whether any fault rupture risk assessment under the WRPS was undertaken, however the largest fault risk lies in the Waikato region. Section 8.4 of the document states that RLC has not identified any regional plans or policy statement provisions to guide the development of the district plan for fault rupture so RLC should consider evaluating the risk to the area south of the city as this is the most likely area to be affected by fault ruptures other than those covered by other legislation such as the building Act.
10. Ground condition hazards: Yet again, an assessment of the BOPRS has been undertaken but no reference has been made of the same being done with the WRPS. This is unacceptable considering the amount of area in the Rotorua district that sits within the Waikato region. And RLC should look to do the same diligence as per the BOPRS for the whole document where this has not been done so ratepayers in these areas can be fully included in all RLC considerations.
11. Geothermal hazards: The proposal document refers heavily to Plan Change 9, the scope of which is only the Rotorua geothermal system. The Runanga requests that geothermal policies and rules are broken into two sections-the Rotorua geothermal system and all other geothermal systems within the Rotorua district. An assessment should also be undertaken for the areas outside the Rotorua system as has been done within it and within the Lakes A zone. This would provide clarification as to what rules apply to where.

RECOMMENDATIONS FROM THIS SUBMISSION

12. Management and staff from RLC must build relationships with their counterparts at WRC. It is evident throughout the Section 32 report that WRC were not engaged with in any way on the natural hazards within the RLC district outside of the BOPRC region. Approximately 10% of RLC ratepayers live within the Waikato regional boundary so building these relationships is crucial if this plan change, and any other RLC rules and regulations, accurately reflect the expectation of the Council versus the challenges of the communities in the southern and southwestern parts of the district in meeting compliance.

Naku noa, na

Ka ora te iwi – Ka ora te tangata



Michelle Phillips
Environmental Projects Manager
Ngati Tahu-Ngati Whaoa Runanga Trust



8 September 2025

Attn: Chief Executive Officer
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Submission made via email: policy.planning@rotorualc.nz

**KĀINGA ORA – HOMES AND COMMUNITIES SUBMISSION ON
A NOTIFIED PROPOSAL FOR THE ROTORUA LAKES COUNCIL
PLAN CHANGE 8 (NGĀ WHAKARITENGA MŌ NGĀ TŪRARU Ā-
TAIAO - NATURAL HAZARDS) UNDER CLAUSE 6 OF SCHEDULE 1
OF THE RESOURCE MANAGEMENT ACT 1991**

This is a submission on Plan Change 8 – Ngā Whakaritenga Mō Ngā Tūraru Ā-Taiao - Natural Hazards (“PC8”) from Rotorua Lakes Council (“the Council” or “RLC”) on the Rotorua Operative District Plan (“the Plan”):

Scope of submission:

The submission relates to PC8 in its entirety. Kāinga Ora seeks specific amendments as indicated below, and with **Appendix 1** providing the substantive detail of submission matters.

The Kāinga Ora – Homes and Communities submission is:

1. Kāinga Ora – Homes and Communities (“**Kāinga Ora**”) is a Crown Entity and is required to give effect to Government policies. Kāinga Ora has a statutory objective that requires it to contribute to sustainable, inclusive, and thriving communities that:
 - a) Provide people with good quality, affordable housing choices that meet diverse needs; and

- b) Support good access to jobs, amenities and services; and
- c) Otherwise sustain or enhance the overall economic, social, environmental and cultural well-being of current and future generations.

The Kāinga Ora submission is:

2. Kāinga Ora seeks that PC8 addresses the way in which hazards are assessed according to their level of risk and ensure the hazard rules are fit for purpose, while improving the management of actual and potential hazards in the District Plan.
3. Kāinga Ora seeks amendments to specific provisions and chapters related to PC8, as indicated below, and within **Appendix 1** providing the substantive detail of submission matters.
4. Kāinga Ora has an interest in PC8 and how it minimises barriers that constrain the ability for Kāinga Ora to deliver existing, planned and future public housing developments, whilst providing clear and transparent information relating to hazards to inform the ongoing use and development of its housing portfolio.

The amendments Kāinga Ora is seeking are:

PC8 – Planning Maps and Hazard Maps

5. Kāinga Ora supports the removal of all hazards maps from the District Plan and displaying the hazard mapping as a non-statutory layer on the Council's Geyserview maps. The interactive maps, as a non-statutory layer, that sits outside of the District Plan, provides for better management of land use in relation to hazards, as hazards are dynamic and change over time. This is reflected in the potential for the spatial extent of hazards to change from (a) mitigation of hazards, such as large-scale infrastructure improvements, (b) climate change and natural hazard events, which can change the location, extent and effects of hazards on land, and (c) the quality of information available at any given time.

PC8 – Assessing and Managing Natural Hazards

6. Policy 1 of the consultation draft version of the National Policy Statement for Natural Hazard Decision-making¹ ("NPS-NHD") notes the importance of determining the level of

¹<https://environment.govt.nz/publications/attachment-1-8-proposed-provisions-new-national-policy-statement-for-natural-hazards/>.

hazard risk as high, moderate, or low, when making decisions on natural hazards². The Section 32 report includes an assessment referring to this risk hierarchy for each natural hazard, however this is not reflected in the proposed changes under Plan Change 8. Kāinga Ora considers this to be a fundamental gap in PC8, and seek further changes to the District Plan to incorporate a risk hierarchy approach to determine how the natural hazard should be assessed and managed.

7. While the Strategic Directions Chapter includes objectives and policies on how to assess whether a hazard is to be avoided, there is no clear direction in the Natural Hazards Chapter objectives and policies that set out how a hazard should be assessed in terms of low to high risk and what the response should be to the level of risk. It is important for decision makers to understand what makes a hazard qualify as high risk and whether development should be managed or avoided entirely. Kāinga Ora consider that further changes are required, beyond what PC8 proposes, to promote more effective land use planning that accounts for the evolving nature of hazards over time.
8. It is noted that the matters of discretions across the district plan chapters have been amended to include '*The extent to which natural hazard risks are avoided or mitigated and the worsening of any hazard*', however this is not reflected in the objectives, rules or policies of the Natural Hazards chapter. It is important to note the importance of the flow of provisions beginning from the objectives and policies, then to rules and then to the matters of discretion. While Kāinga Ora support this matter of discretion, the policies and objectives, as well as the rules must reflect the wording used in the matter of discretion in order for the intended outcome to be achieved, which is for natural hazard risks to be avoided or mitigated appropriately depending on the level or risk associated with the site and/or activity proposed.

PC8 – Appendix 1: Definitions and Terms

9. Kāinga Ora considers that the definition for 'acceptable risk' reads as an assessment and is open to subjectivity. Further, PC8 does not include the use of or the definition of terms that refer to risks that would require an urgent response or have development avoided entirely as noted within point 7 above. Kāinga Ora consider that the use of the hierarchy of risk levels and therefor the terms 'tolerable', 'moderate', and 'intolerable', as described

²[https://environment.govt.nz/publications/attachment-1-8-proposed-provisions-new-national-policy-statement-for-natural-hazards/..](https://environment.govt.nz/publications/attachment-1-8-proposed-provisions-new-national-policy-statement-for-natural-hazards/)

within the consultation draft of the NPS-NHD, be incorporated into the provisions and definitions of the District Plan to better differentiate the level of risks associated with particular hazards as these provide a greater degree of transparency in the implementation of the Plan.

10. Kāinga Ora notes that the s32 mentions that there is a proposed definition for 'significant risk', however this is not shown in the annotated changes. Kāinga Ora generally support the inclusion of a term and definition that indicate whether a hazard is deemed high risk.

11. The changes sought from Kāinga Ora are made to:

- a) Ensure that Kāinga Ora can carry out its statutory obligations;
- b) Ensures that the proposed provisions are the most appropriate way to achieve the purpose of the Resource Management Act 1991, relevant national direction and regional alignment;
- c) Ensure that the s32 analysis has appropriately analysed and considered other reasonable options to justify the proposed plan provisions;
- d) Reduce interpretation and processing complications for decision makers so as to provide for plan enabled development;
- e) Provide clarity for all plan users.

12. The Kāinga Ora submission points and changes sought in more detail to PC8 can be found in **Appendix 1**.

Kāinga Ora wishes to be heard in support of their submission.

Kāinga Ora seeks to work collaboratively with the Council and wishes to discuss its submission on PC8 to address the matters raised in its submission.

We would be prepared to consider presenting our submission in a joint case with others making a similar submission at any hearings.

Kāinga Ora will not gain an advantage in trade competition through this submission.



Brendon Liggett
Manager – Development Planning
Kāinga Ora – Homes and Communities

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Appendix 1: Decisions sought on PC8

The following table sets out the amendments sought to the PC8 and also identifies those provisions that Kāinga Ora supports.

Proposed changes are shown as ~~strikethrough~~ for deletion and underlined for proposed additional text.

Table 1

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought
<i>Proposed changes are shown as strikethrough for deletion and <u>underlined</u> for proposed additional text.</i>					
General Approach to Assessing Risk					
1.		General Approach to Assessing Risk	Oppose in part	Kāinga Ora generally opposes the approach in which the District Plan takes for assessing hazard risk and how the risk is to be managed or avoided. Specifically, Kāinga Ora consider that the consultation draft version of the NPS-NHD suggests how natural hazards should be appropriately assessed and managed in the objective and policies. Kāinga Ora recommend that these provisions, or similar, be adopted into the natural hazard provisions of the District Plan.	<ol style="list-style-type: none"> 1. Incorporate the risk hierarchy approach and definitions from the consultation draft version of the NPS-NHD³, or similar. 2. Consequential amendments may be required to give effect to the changes sought and this submission.
Mapping					
2.		Maps	Support	Kāinga Ora supports the natural hazard maps sitting outside of the district plan as a non-statutory layer. This allows the maps to be updated as new data/modelling and catchment wide mitigations are put in place and thus avoids a schedule 1 plan change.	Retain the natural hazard maps as a non-statutory GIS layer.
Definitions					
3.		acceptable risk - risk that is low, and the costs of further reducing risk are largely disproportionate to the benefits gained.	Oppose	Kāinga Ora considers that the definition includes the requirement of an assessment and is subjective. Further, Kāinga Ora seeks that the definition is deleted and replaced with definitions for low, medium and high risk which includes links to 'tolerable', 'moderate' and 'intolerable' associated to those risks.	Delete the definition of 'acceptable risk', as notified and replace with the definitions proposed in submission points 5, 6 and 7 below.
4.		overland flowpath - The land overflown by a concentrated flow of water in an intense rainfall event, as it flows towards the stormwater network, streams, rivers, or lakes. Overland flowpath includes a secondary flowpath which is activated when the primary	Support	While Kāinga Ora support the addition to the definition of overland flowpath, Kāinga Ora consider that this should also be included in the	<ol style="list-style-type: none"> 1. Retain the definition of 'overland flowpath', as notified.

³<https://environment.govt.nz/publications/attachment-1-8-proposed-provisions-new-national-policy-statement-for-natural-hazards/>..

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
		(often piped) stormwater system gets blocked or when the capacity of the piped system is exceeded. For the purposes of this definition, an overland flowpath includes, but is not limited to, an artificially designed route using formed or hard surfaces. <u>Overland flowpaths referred to in rules and performance standards shall be limited to those with a catchment of 4000m2 or more.</u>		Natural Hazards Chapter in the District Plan as an exemption note.	<i>Proposed changes are shown as strike through for deletion and <u>underlined</u> for proposed additional text.</i> 2. Add 'Overland flowpaths referred to in rules and performance standards shall be limited to those with a catchment of 4000m2 or more' as an exemption in the rules for overland flowpaths in the Natural Hazards chapter.
5.		<u>high natural hazard risk - means a risk from natural hazards that is intolerable</u>	Proposed Definition	Kāinga Ora seeks that PC8 is aligned with national policy direction to ensure a greater degree of transparency in the implementation of the Plan, particularly when assessing the level of risk that is associated with a natural hazard and the proposed activity on the site.	Include the definition of 'high natural hazard risk' from the consultation draft version of the NPS-NHD in the District Plan, or similar.
6.		<u>low natural hazard risk - means a risk from natural hazards that is generally acceptable</u>	Proposed Definition	Kāinga Ora seeks that PC8 is aligned with national policy direction to ensure a greater degree of transparency in the implementation of the Plan, particularly when assessing the level of risk that is associated with a natural hazard and the proposed activity on the site.	Include the definition of 'low natural hazard risk' from the consultation draft version of the NPS-NHD in the District Plan, or similar.
7.		<u>moderate natural hazard risk - means a risk from natural hazards that is more than a low risk, but is not intolerable</u>	Proposed Definition	Kāinga Ora seeks that PC8 is aligned with national policy direction to ensure a greater degree of transparency in the implementation of the Plan, particularly when assessing the level of risk that is associated with a natural hazard and the proposed activity on the site.	Include the definition of 'moderate natural hazard risk' from the consultation draft version of the NPS-NHD in the District Plan, or similar.
Strategic Direction					
8.	SDNH-O1	<u>The risks from natural hazards to people, property and the environment associated with land use, subdivision and development are acceptable. Minimise or reduce the level of risk to life, property and the environment from the subdivision, use and development of land in areas subject to a natural hazard.</u>	Support in part	Kāinga Ora supports the proposed amendments to SDNH insofar as updating the test to acknowledge and respond to the proposed NPS-NHD, however in line with this submission considers that the term 'acceptable' is open to interpretation and does not provide a tiered	Amend issue SDNH-O1, as follows: <u>The risks from natural hazards to people, property and the environment associated with land use, subdivision and development:</u>

ID	Section of Plan	Specific Provision	Support/Support in Part/Oppose	Reasons	Relief Sought
				management approach relevant to the degree of hazard risk	Proposed changes are shown as strike through for deletion and <u>underlined</u> for proposed additional text.
					a) <u>Within the High Hazard Areas reduce or do not increase the existing risk from natural hazards;</u> b) <u>Within the Low and Medium Hazard Areas, the risk is minimised.</u>
9.	SDNH-O2	<u>Land use, subdivision and development are resilient to the current and future effects of climate change.</u>	Support	Kāinga Ora supports the proposed amendments to SDNH insofar as updating the test to acknowledge and respond to the proposed NPS-NHD.	Retain the amendments to issue SDNH-O2, as notified.
10.	SDNH-P1	<u>When assessing whether the natural hazard risks associated with subdivision or land use are acceptable, and identifying risks that must be avoided or mitigated:</u> 1. <u>Assess the likelihood and potential consequences of natural hazards affecting the land and any potential to exacerbate risks beyond the site.</u> 2. <u>Use the best available information, including relevant national and regional guidance.</u> 3. <u>Take into account:</u> <ol style="list-style-type: none"> <u>The predicted effects of climate change, applying a precautionary approach where the extent of the impact is uncertain.</u> <u>Cumulative effects over time and across multiple activities.</u> <u>Residual risk, including the potential failure of structural hazard defences.</u> <u>For developments undertaken by tangata whenua, the cultural significance of the site or activity, which may justify acceptance of a higher level of natural hazard risk.</u> 4. <u>Promote opportunities to reduce existing natural hazard risks affecting established land uses.</u> <u>Require the design and location of activities to avoid or mitigate natural hazards to an acceptable level of risk to life, property and the environment.</u>	Support in Part	While Kāinga Ora support the inclusion of the prescribed policy pertaining how natural hazard risks should be assessed, Kāinga Ora seek an additional point that refers to the avoidance of development on sites that have been assessed and identified as very high risk. It is important that this policy is carried through the objectives, policies and rules in the Natural Hazards Chapter to provide a clearer pathway for decision making on Natural Hazards.	When assessing whether the natural hazard risks associated with subdivision or land use are acceptable, and identifying risks that must be avoided or mitigated: 1. Assess the likelihood and potential consequences of natural hazards affecting the land and any potential to exacerbate risks beyond the site. 2. Use the best available information, including relevant national and regional guidance. 3. Take into account: <ol style="list-style-type: none"> The predicted effects of climate change, applying a precautionary approach where the extent of the impact is uncertain. Cumulative effects over time and across multiple activities. Residual risk, including the potential failure of structural hazard defences. For developments undertaken by tangata whenua, the cultural significance of the site or activity, which may justify acceptance of a higher level of natural hazard risk. 4. Promote opportunities to reduce existing natural hazard risks affecting established land uses. 5. <u>Avoid development on land that is subject to very high natural hazard risk, unless the effects on properties and people can be appropriately mitigated to a standard that is deemed as an acceptable risk.</u>

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought
Proposed changes are shown as strikethrough for deletion and <u>underlined</u> for proposed additional text.					
11.	SDNH-P2	<u>Strengthen, maintain and protect natural systems and features (such as wetlands and floodplains) that contribute to reducing the risks natural hazards and the effects of climate change. Recognise that the risk of natural hazards will continue to influence the nature and location of urban development.</u>	Support	Kāinga Ora supports the proposed amendments to Policy SDNH-P2 pertaining to 'Strengthen, maintain and protect natural systems and features to recognise the requirements of the proposed NPS-NHD.	Retain the amendments to Objective SDNH-P2, as notified.
Hazards and Risks					
12.	NH-PA	<p>Manage the risks to people, property and the environment associated with development in areas susceptible to flooding by:</p> <ol style="list-style-type: none"> 1. In areas where the anticipated flood depths are low and, therefore, the likely risks to people and property are less, requiring new buildings and larger additions to existing buildings to have floor levels above the flood level for the 1% AEP event with an allowance for climate change and freeboard. 2. In areas where anticipated flood depths are higher and, therefore the potential risks to people and property are greater, requiring a flood risk assessment for new buildings and larger additions to existing buildings and their associated site works <u>and declining consent if the flood risks are not shown to be acceptable to ensure the associated flood risks are acceptable</u>. The assessment shall correspond to the nature and scale of the anticipated flooding on site and shall include assessment of: <ol style="list-style-type: none"> a . The extent to which the flood risks (including residual risks) on site are managed to an acceptable level; b. Whether the development will increase risks (including residual risks) to other people, property, infrastructure or the environment; c. Safe evacuation routes and refuges; and d. Impacts on overland flowpaths and river corridors. 	Support in part	Kāinga Ora generally supports the intention behind the proposed changes to Policy NH-PA, however, consistent with the relief sought within this submission, the policy should be reframed to include the terms 'high risk', 'moderate risk' and 'low risk' to clearly set out the parameters of management versus avoidance of the risk.	<p>Amend the policy to clearly set out the parameters for assessing flood risk on a site and what the response will be for the level of risk including low, medium and high risk as follows:</p> <p>Manage the risks to people, property and the environment associated with development in areas susceptible to flooding by:</p> <ol style="list-style-type: none"> 1. In areas where the anticipated flooding <u>is depths are low or medium risk low</u> and, therefore, the likely risks to people and property are less, requiring new buildings and larger additions to existing buildings to have floor levels above the flood level for the 1% AEP event with an allowance for climate change and freeboard. 2. In areas where anticipated flooding <u>is depths are higher and high risk</u>, therefore the potential risks to people and property are greater, requiring a flood risk assessment for new buildings and larger additions to existing buildings and their associated site works and declining consent if the <u>mitigated</u> flood risks are not shown to be <u>tolerable acceptable</u> to ensure the associated flood risks are <u>acceptable</u>. The assessment shall correspond to the nature and scale of the anticipated flooding on site and shall include assessment of: <ol style="list-style-type: none"> a . The extent to which the flood risks (including residual risks) on site are managed to an acceptable level; b. Whether the development will increase risks (including residual risks) to other people, property, infrastructure or the environment; c. Safe evacuation routes and refuges; and d. Impacts on overland flowpaths and river corridors.

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought
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13.	NH-R5	<p><u>1. Activity Status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>a. The building or structure results in a change to the entry or exit point of an overland flowpath on a site, pipes or reduces the capacity of the overland flowpath; and</u></p> <p><u>b. The activity is not authorised by a stormwater discharge permit granted by the regional council.</u></p> <p><u>Matters of Discretion</u></p> <p><u>a. The extent to which natural hazard risks are avoided or mitigated and the worsening of any hazard.</u></p>	Support	Kāinga Ora supports the proposed rule as it enables development on a site that has an overland flow path, however, protects the neighbouring properties and people by requiring consent if the entry and exit points of the overland flow path change as a result of development on the site.	Retain rule NH-R5, as notified.



Fonterra Limited Submission – Rotorua Lakes Council Plan Change 8 (Natural Hazards)

8 September 2025

To: Rotorua Lakes Council
Email: policy.planning@rotorualc.nz

From: Fonterra Limited

Contact: Suzanne O'Rourke
National Environmental Policy Manager

Address for Service: Fonterra Limited
Mitchell Daysh Ltd
PO Box 1307
Hamilton 3240
Attention: Graeme Mathieson

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I confirm that I am authorised to make these comments on behalf of Fonterra Limited.

1. Introduction

Fonterra Limited ("**Fonterra**") welcomes the opportunity to submit on Rotorua Lakes Council ("**RLC**") Proposed Plan Change 8 (Natural Hazards) ("**PC8**") to the Rotorua District Plan ("**District Plan**").

Fonterra wishes to be heard in support of its submission.

This submission contains the following sections:

- Section 1:** Is this introduction.
- Section 2:** Provides background information on Fonterra's interests in Rotorua District.
- Section 3:** Details the general reasons for the submission.

Section 4: Refers to the specific submission points in **Attachment A**.

Section 5: Is a concluding statement.

Attachment A: Fonterra's specific submission points on PC8.

2. Background

- 2.1 Fonterra is a global leader in dairy nutrition and is the preferred supplier of dairy ingredients to many of the world's leading food companies. Fonterra is New Zealand's largest company, and a significant employer, with more than 12,000 New Zealand-based staff and more than 5,800 employees based overseas.
- 2.2 Fonterra is a farmer-owned co-operative and is currently the seventh largest dairy company in the world.¹ It is one of the world's largest investors in dairy research and innovation drawing on generations of dairy expertise to produce more than 2.5 million tonnes annually of dairy ingredients, value added dairy ingredients, specialty ingredients and consumer products. These products are exported to over 130 markets worldwide. Annually, Fonterra collects more than 16 billion litres of milk from its 8,000 shareholders, who are a mix of family-owned farms and corporate entities. Fonterra has 24 manufacturing sites, five brands site and three logistics/distribution sites in New Zealand. The operation of the existing dairy manufacturing facilities and associated distribution centres is an integral part of the Fonterra business and essential to maintain the success of the company internationally.
- 2.3 Within the Rotorua Lakes District, Fonterra owns and / or operates a number of sites, including one of the largest Heavy Industrial activities within the Rotorua Lakes District, the Reporoa Dairy Manufacturing Site ("**Reporoa Site**"). Fonterra's interests within Rotorua Lakes District include:
 - The Reporoa Site (and associated irrigation farms) at 3542 State Highway 5, Reporoa;
 - Farm Source at 40 Marguerita Street, Rotorua ("**Farm Source Rotorua**"); and
 - Fonterra Brands NZ at Wahanga-A-Rangi Crescent, Owhata, Rotorua 3074.
- 2.4 The Reporoa Site processes 2.5 million litres of milk each day during peak season and manufactures products used for a variety of purposes, including sodium caseinate an ingredient in food products such as coffee whiteners, nutritional drinks and nutritional bars. Casein produced at the site is used as an ingredient in food and beverage products as well as in some paints, glues, paper and plastic type products. The Reporoa Site is the only Fonterra site that produces Total Milk Proteinate which is used in bakery products, and specialised nutrition bars and drinks. The site also manufactures ethanol for New Zealand's largest producer of ethanol – Anchor Ethanol. This is used in a wide range of applications including fuel, drinks, sanitisers, cosmetics, and laboratory products.
- 2.5 Products manufactured at the Reporoa Site are exported all over the world, and include the main markets of China, Japan, Southeast Asia, America and Australia. The domestic market is also a major destination for the site's products.

Lucas Fuess and Tom Booiijink, "[Global Dairy Top 20: Subtle shifts for 2025, but a shake-up expected for 2026 \(August 2025\)](#)" Rabobank <[Global Dairy Top 20: Subtle shifts for 2025, but a shake-up expected for 2026RaboResearch Global-Dairy-Top-20 2024.pdf](#)> at p 1.

- 2.6 The Reporoa Site is a critical asset for Fonterra, and is a regionally significant industrial operation, employing over 180 full time equivalent staff.
- 2.7 The Reporoa Site spreads its wastewater on local farmland as a natural substitute for conventional fertilisers. The site is also undergoing a range of sustainability initiatives including boiler efficiency improvements, water removal projects and reduction of solid waste to landfill.

3. Reason for the Submission

- 3.1 Fonterra supports the intent of PC8 to increase resilience in relation to natural hazards. However, Fonterra is mindful that the provisions as set out in PC8 will create the need for further site assessment (e.g. in relation to flooding) and introduces more restrictive consenting requirements (e.g. substantially reducing the permitted volume of earthworks within the Reporoa Site).
- 3.2 Fonterra supports that the proposed new overland flowpath rules do not require resource consent for buildings, structures and earthworks that adversely affect an overland flowpath if the activity is authorised by a stormwater discharge permit granted by the Waikato Regional Council (“**WRC**”).²
- 3.3 Fonterra has concerns that the Flooding Maps and Overland Flowpath Maps are separate to the District Plan and that the maps (and any updates) are not subject to the process and scrutiny associated with a Schedule 1 Resource Management Act 1991 (“**RMA**”) process (including the requirements for consultation, notification and submissions under that schedule). In this regard, Fonterra has concerns about the site-specific accuracy of the new online Flooding Maps (including in relation to Farm Source Rotorua), and the resultant resource consenting implications. Further, RLC are still in the process of developing Overland Flowpath Maps, so it is not possible to assess whether specific properties are directly affected by the proposed new overland flowpath rules introduced by PC8. Accordingly, Fonterra is seeking to retain the Flooding Maps and Overland Flowpath Maps within the District Plan to ensure that the maps (and any future updates) are required to go through a Schedule 1 RMA process. Alternatively, Fonterra seeks introduction of a clear, flexible, user friendly pathway where property owners can apply to the RLC to request a review of Flooding or Overland Flowpath hazard data for a specific property (to consider site specific features or characteristics that may not be captured, provided for or considered in the respective modelling).

4. Specific Submission Points

Fonterra’s specific submission points and relief sought are provided in **Attachment A**.

5. Overall Conclusion

Fonterra considers that PC8, with the amendments set out in Attachment A of this submission will:

- promote sustainable management of resources, and will achieve the purpose of the RMA;
- reflect Part 2 and other provisions of the RMA;
- enable the social and economic well-being of the community;

² Fonterra holds a site-wide WRC stormwater discharge permit for the Reporoa Site (AUTH122692.01.01)).

- meet the reasonably foreseeable needs of future generations;
- achieve integrated management of the effects of use, development or protection of land and associated resources of Rotorua Lakes District; and
- enable the efficient use and development of Fonterra's assets and operations, and of those resources.



Dated: 8 September 2025

Suzanne O'Rourke

National Environmental Policy Manager, Water & Environment

FONTERRA LIMITED

Attachment A: Fonterra Limited's Submission

Ref	Provision	Support Oppose	Fonterra Submission	Relief Sought
1	Flooding Maps and Overland Flowpath Maps	Oppose in part	<p>Fonterra has concerns that the Flooding Maps and Overland Flowpath Maps are separate to the District Plan and that the maps (and any updates) are not subject to the process and scrutiny associated with a Schedule 1 RMA process (including the requirements for consultation, notification and submissions under that schedule). The Executive Summary from the Section 32 Report states that PC8 proposes to retain Flood Maps outside the District Plan <i>“to enable the best consideration of the best available information in consenting decisions”</i>.</p> <p>There are currently no Overland Flowpath Maps available, so it is not possible for the public to assess whether specific properties are directly affected by the proposed new overland flowpath rules introduced by PC8. Section 6.2 of the Section 32 Report states the following in relation to the development of Overland Flowpath Maps:</p> <p><i>RLC is developing a GIS-based analysis of overland flowpaths and areas vulnerable to stormwater blockages. Initial comparison to urban catchment modelling suggests most flowpaths and possible detention areas vulnerable to stormwater blockages overlap with those identified in the catchment models but some additional areas are also affected.”</i></p> <p>PC8 refers to a new online Flooding Map (outside of the District Plan) based on recent Western Rotorua Flood Modelling undertaken by Tonkin + Taylor (which includes most of the Rotorua urban area). Flood modelling has not yet been undertaken for the area that contains the Reporoa Site and its associated irrigation farms, or the Fonterra Brands NZ site (n.b. the Section 32 Report notes National and Waikato Regional Flood Models are underway, although of a lesser quality than the recent Western Rotorua Flood Modelling).</p> <p>Fonterra has concerns with the accuracy of the recent Western Rotorua Flood Modelling and the resultant resource consenting implications. The new Flood Maps</p>	<ol style="list-style-type: none"> 1. Review the accuracy of the predicted flooding areas Farm Source Rotorua within RLC's online Flooding Map to confirm the “puddles” of predicted flooding areas can be removed. 2. Retain Flooding Maps and Overland Flowpath Maps within the District Plan to ensure that the maps (and any future updates) are required to go through a Schedule 1 RMA process. Alternatively introduce a clear, flexible, user friendly pathway where property owners can apply to RLC to request a review of Flooding or Overland Flowpath hazard data for a specific property (to consider site specific features or characteristics that may not be captured, provided for or considered in the respective modelling).

Ref	Provision	Support Oppose	Fonterra Submission	Relief Sought
			<p>show Farm Source Rotorua being partially affected by “puddles” of predicted flooding (of a depth between 0.1-0.3m) based on 1% AEP 2130 RCP8.5 flood modelling (see light blue areas on Flooding Map in Appendix A). The flood modelling appears to be inaccurate because the subject outdoor area for Farm Source Rotorua is a completely flat concrete manoeuvring and parking area. In this regard, RLC's website notes the Western Rotorua Flood Modelling has limitations including:</p> <ul style="list-style-type: none"> <i>The models are indicative for general catchments, not property specific</i> <i>Fine features like kerbs, fences and walls aren't included</i> <i>Some drainage works might not be considered</i> <i>Limited real-world data was available for validation</i> <i>Use caution interpreting in and around building footprints. Buildings might be treated as elevated land or removed, which may not accurately reflect flooding.</i> <p>Similarly, Section 2 of the Tonkin + Taylor report supporting the Western Rotorua Flood Modelling notes the following model limitation:</p> <p><i>A direct rainfall approach has been applied to this model, which can highlight accuracy deficiencies in input data by showing small “puddles” in predicted flooding. It is usual for flood depth results to be “cleaned” by removing puddles before publication or further analysis. T+T has presented cleaned model results in this report.</i></p> <p>The above statement suggests that the “puddles” of predicted flooding areas within Farm Source Rotorua should have been removed as part of Tonkin + Taylor presenting “cleaned” model results in their report.</p> <p>PC8 relies on the existing Flooding rules under NH-R4 (New buildings and additions to existing buildings in areas susceptible to flooding) that were recently developed under Plan Change 9). Of relevance to Farm Source Rotorua is Rule NH-R4(2) which for the predicted flooding depth of 0.1-0.3m would permit new buildings (not permitted as “buildings of low importance”) and additions of 20m² or more to existing buildings, subject to compliance with a minimum floor level above the anticipated flood level (allowing for freeboard that addresses a range of specified matters). Otherwise, a</p>	

Ref	Provision	Support Oppose	Fonterra Submission	Relief Sought
			restricted discretionary activity resource consent is required under Rule NH-R4(2). To avoid the need for the required minimum floor levels (and retain a permitted activity status), it appears that Fonterra would need to commission site specific flood modelling to demonstrate to RLC that the property is not subject to potential flooding based on 1% AEP 2130 RCP8.5 flood modelling (or the most recent national or regional guidance), potentially resulting in unnecessary bureaucracy, costs and delays.	
2	NH-R5 Buildings and Structures in an Overland Flowpath	Support	PC8 introduces Rule NH-R5 which requires a restricted discretionary activity resource consent if a <i>“building or structure results in a change to the entry or exit point of an overland flowpath on a site, pipes or reduces the capacity of the overland flowpath”</i> and <i>“The activity is not authorised by a stormwater discharge permit granted by the regional council”</i> . Fonterra supports that Rule NH-R5 does not require resource consent for buildings and structures that affect an overland flowpath if the activity is authorised by a stormwater discharge permit granted by the WRC (n.b. Fonterra holds a site-wide WRC stormwater discharge permit for the Reporoa Site (AUTH122692.01.01)).	Retain Rule NH-R5
3	EW-S1(1) General earthworks performance standards	Oppose in part	In terms of the existing general earthworks performance standards in EW-S1(1), PC8 retains the 1000m ³ permitted volume for “earthworks” in the Rural 1 Zone but proposes to reduce the permitted volume from 1000m ³ to 100m ³ (in any 12 month period) within Industrial Zones (and Business and Innovation Zones). In Industrial, Business and Innovation and Rural 1 zones, PC8 also reduces the permitted cut face threshold for earthworks from 3m to 1.5m, and the permitted cleanfill depth from 5m to 450mm (consistent with the existing permitted thresholds for all other zones). Section 10.7 of the Section 32 Report justifies the changes by stating <i>“Permitted activity thresholds for earthworks in some zones (particularly Industrial, Business and Innovation, and Rural 1 Zones) are set too high to adequately manage risks to slope stability. Current thresholds may allow landform modifications that exacerbate slope instability without triggering resource consent.”</i> .	<p>Amend performance standard EW-S1(1)(d) as follows:</p> <p>a. <i>The volume shall not exceed the following in any 12 month period:</i></p> <ul style="list-style-type: none"> i. <i>Rural 1 Zone and the Reporoa Dairy Manufacturing Site (shown as the Industrial 2 Zone on Planning Maps 395 and 546):</i> 1000m³ ii. <i>Other Zones: 100m³.</i> <p>Retain performance standard EW-S1(1)(g).</p>

Ref	Provision	Support Oppose	Fonterra Submission	Relief Sought
			<p>The proposed permitted volume reduction for earthworks from 1,000m³ to 100m³ is relevant to the Reporoa Site (being zoned Industrial 2). Fonterra considers the proposed reduction is not justified for the Reporoa Site and would trigger resource consent for relatively small volumes of earthworks resulting in unnecessary bureaucracy, costs and delays. As reflected in the Contour Maps in Geyserview, the Reporoa Site is relatively flat (except along the banks of the adjacent stream). Similarly, the Landslide Susceptibility Maps in Geyserview show that the Reporoa Site has a “Very Low” risk for Landslide Susceptibility (except along parts of the bank of the adjacent stream). In terms of earthworks in the vicinity of the adjacent stream, performance standard EW-S1(3)(d) triggers the need for resource consent for earthworks within 25m of any lake, wetland, river or stream. Further, the Waikato Regional Plan has rules controlling earthworks within “<i>high risk erosion areas</i>” (where slope and proximity to waterways are a consideration). Further, the Waikato Regional Plan includes specific conditions and performance standards for permitted earthworks³. Finally, the Industrial 2 zoning of the Reporoa Site is relatively unique in that it is not located in an urban area but is located within a rural area surrounded by Rural 1 zoned farmland (where the permitted volume of earthworks remains at 1000m³).</p> <p>PC8 introduces a new performance standard (g) requiring that earthworks within any Residential, City Centre, Commercial, Industrial or Business and Innovation Zones “<i>shall not result in a change to the entry or exit point on a site of an overland flowpath, or the catchment size of an overland flowpath, except where the earthworks are for an activity authorised by a stormwater discharge permit granted by the regional council</i>”. Fonterra supports that resource consent is not required for earthworks impacting an overland flowpath if the activity is authorised by a stormwater discharge permit granted by the WRC (n.b. Fonterra holds a site-wide WRC stormwater discharge permit for the Reporoa Site (AUTH122692.01.01)).</p>	

³ Rule 5.1.5 of the Waikato Regional Plan.

Ref	Provision	Support Oppose	Fonterra Submission	Relief Sought
4	EW-S1(2) General earthworks performance standards	Support in part	<p>Fonterra supports that the proposed amendments to EW-S1(2)(a)(i) more clearly provide an “Exception” from the general earthworks performance standards for <i>“Earthworks for the construction of a building platform for a building for which building consent has been issued”</i>.</p> <p>Fonterra periodically needs to undertake relatively minor earthworks associated with the maintenance, renewal and upgrade of existing underground infrastructure (e.g. underground pipelines). Accordingly, Fonterra seeks that any such earthworks are added as an “Exception” to the general earthworks performance standards in EW-S1(2)(a). This would be consistent with and comparable to several existing “Exceptions” within EW-S1(2)(a) including:</p> <ul style="list-style-type: none"> <i>iii. Earthworks associated with the operation, maintenance, and upgrading of existing electricity generation infrastructure within Electricity Generation Core Sites, including any new boreholes, trenches, access tracks, fence lines and erosion protection works...</i> <i>iv. Earthworks associated with the construction of permitted network utilities and the maintenance, renewal and upgrade of existing network utilities.</i> <i>x. The maintenance of walking tracks, farm and forestry tracks, driveways and roads and tracks and drains associated with existing infrastructure and normal farming practices.</i> 	<p>Retain EW-S1(2)(a)(i).</p> <p>Add the following “Exception” to EW-S1(2)(a):</p> <p><u>xv. <i>Earthworks associated with maintenance, renewal and upgrade of existing underground infrastructure.</i></u></p>

Appendix A: RLC Western Rotorua Flood Modelling Map - Predicted Flooding within Farm Source Rotorua (40 Marguerita Street, Lot 1 DP 469347)



Q1 Which parts of Plan Change 8 are you submitting on?

Multi Choice

Flooding
Fault Rupture

Q2 My submission is:

Long Text

Flooding Hazard

I oppose Flooding Hazard in Okareka – Council is Proposing to use flood levels from a 2022 Bay of Plenty Regional Council report.
Fault Rupture Hazard

I oppose "Fault Rupture Hazard Area" that affects properties, in particular those along Acacia and Pryce Road, where no hazard was previously identified. This would place restrictions on building and development and be noted on our property's LIM report.

Q3 What changes do you want made to the District Plan?

Long Text

Flooding Hazard: The Rotorua Lakes Council reject the BOPRC 2022 report for Lake Ōkāreka. New flood levels must be calculated using a proper water balance model that accurately accounts for the full capacity of our upgraded outlet.

Fault Rupture Hazard :Council to pause the application of these rules. Instead, the area should be designated an "Area of Geological Investigation" for a set period. This will allow for proper scientific study.

Q4 Tukuatu he puka wea ki konei | Upload a submission

File Upload

https://participate.rotorualakescouncil.nz/download_file/2259**Q5 Tō Ingoa | Name**

Short Text

Darren Huston

Q8 Do you wish to present your submission publicly at a hearing?

Multi Choice

No

Q9 If others make a similar submission, we will consider presenting a joint case with them at a hearing.

Multi Choice

Yes

Q10 We could gain an advantage in trade competition through this submission.

Multi Choice

No

My submission is for: Plan Change 8 **Flooding Hazard & Fault Rupture Hazard**

1. Flooding Hazard

I oppose Flooding Hazard in Okareka – Council is Proposing to use flood levels from a 2022 Bay of Plenty Regional Council report. This report is fundamentally flawed. It uses historical lake level data from 1971-2020 and completely ignores the multi-million-dollar upgrade to our lake outlet completed in 2021. That upgrade was specifically designed to prevent future flooding. Using data from before the fix was put in place is illogical and ignores the best and most current information.

What changes do you want made to the District Plan?

The Rotorua Lakes Council reject the BOPRC 2022 report for Lake Ōkāreka. New flood levels must be calculated using a proper water balance model that accurately accounts for the full capacity of our upgraded outlet.

2. Fault Rupture Hazard

I oppose "Fault Rupture Hazard Area" that affects properties, in particular those along Acacia and Pryce Road, where no hazard was previously identified. This would place restrictions on building and development and be noted on our property's LIM report. The science behind this is highly uncertain. A detailed geological report (the Berryman Report) states that the exact location of the fault is difficult to determine, and its level of activity is unknown. It is unfair to impose definite and costly restrictions on landowners based on uncertain evidence.

What changes do you want made to the District Plan?

Council to pause the application of these rules. Instead, the area should be designated an "Area of Geological Investigation" for a set period. This will allow for proper scientific study.

Submission from Bay of Plenty Regional Council on proposed Plan Change 8 to the Rotorua District Plan

Introduction

1. Bay of Plenty Regional Council (Regional Council) is generally supportive of the overall direction of proposed Plan Change 8: *Natural Hazards*, which seeks to improve the way natural hazard risks are managed across the Rotorua District.
2. This submission is in two parts. Below, we provide some general comments and reasons, followed by specific comments on the proposed plan change provisions in the submission table.

General comments

Assessment of natural hazard risk at plan development stage

3. The Section 32 report for proposed Plan Change 8 (PC8) provides a summary of the natural hazard risk assessments under each of the hazard sections, as required by the Bay of Plenty Regional Policy Statement (RPS). Regional Council supports the mostly qualitative approach based on the scope and stage of the plan change, the best information available and the limitations of scale when assessing risk for geotechnical type hazards.
4. The results of the mostly qualitative risk assessments support the need for a land use planning response to achieve the requirements of RPS Policy NH 4B for new development (low risk onsite and not increasing risk offsite).
5. More detailed natural hazard risk assessments will most likely be required at a local scale for existing areas that require an integrated risk management approach. For example, areas of existing development located close to rivers that rely on community wide infrastructure (e.g. stopbanks or other mitigations structures). These areas are likely to require a range of risk reduction interventions over the long term including land use planning, adaptation planning, evacuation planning, alongside any planned or constructed structures. These local scale risk assessments should also be supported by further modelling efforts to consider the range of climate change impacts and residual risk scenarios of over design events and structure failure.

Rotorua Urban Area Comprehensive Stormwater Consent

6. Regional Council granted Rotorua Lakes Council (RLC) a Rotorua Urban Area Comprehensive Stormwater Consent in January 2025 (Rotorua CSC). Two aspects related to the Rotorua CSC are relevant to natural hazards matters.
7. The first is that, under the resource consent, catchment management plans are required to be developed within six years for the seven main catchments encompassing the Rotorua Urban Area.
8. The second (and related) is that certain steps to better regulate flooding effects that arise through land development (such as stormwater attenuation measures) could not be included in the Rotorua CSC itself. This was because entities that could control such issues (e.g. developers) were not a party to that consent. It was therefore anticipated this sort of matter would be addressed through the District Plan.

9. The Section 32 report for PC8 states that stormwater management is out of scope and standards for subdivisions and developments are excluded from PC8 pending policy development alongside each catchment management plan (which are required under this resource consent).
10. Regional Council acknowledges that it may be preliminary to incorporate such standards into the District Plan via PC8 at this time (e.g. in lieu of finalised catchment management plans). However Regional Council encourages RLC to develop these stormwater management provisions as soon as the catchment management plans are finalised. This is required to give effect to the Rotorua CSC and to manage cumulative stormwater effects on flood hazard.
11. In the interim, it is sought that RLC include an explanation in the introduction section of the Natural Hazards chapter of the District Plan advising plan users that stormwater management provisions will be incorporated into the District Plan once catchment management plans have been finalised.

Removal of hazard mapping from the District Plan

12. Regional Council supports the removal of the specified hazard mapping from the Rotorua District Plan to enable the best information to be used to support decision making as and when it becomes available.
13. This approach is consistent with Regional Policy Statement Method 23A (review hazard and risk information), which requires Councils to review and update hazard and risk information held by local authorities whenever relevant research is released and, in any case, at the time of plan review or relevant plan change.

Geothermal hazards and mapping

14. Regional Council supports the general approach to the PC8 provisions as it relates to extending the provisions for the Rotorua Geothermal System to the rest of the geothermal systems across the Rotorua District.
15. Regional Council is continuing to update its geothermal systems mapping. Regional Council is satisfied that no alternative geothermal mapping (to that included in the District Plan) has been identified that will be more effective or efficient for targeting the management of natural geothermal hazards. Therefore, it supports retaining the existing District Plan geothermal mapping.
16. This is a pragmatic approach in this instance, with the areas of highest risk well-covered by the existing District Plan mapping. However, Regional Council seeks that the geothermal development guidelines document *Identifying and Designing for Geothermal Hazards, Guidelines for Buildings and Associated Site Works in Rotorua District* (RLC, 2024) be updated to replace the Regional Council mapping used with the District Plan mapping to avoid confusion.
17. Regional Council also notes that RLC have requested our Significant Geothermal Features mapping layer to display on their GIS viewer: *GeyserView* to support these provisions and confirm that this is currently being arranged.

General reasons and consequential relief and trade competition

18. The Regional Council's specific submission points are set out in the attached table. In addition to these points, the following general reasons support the changes sought:
- a. The relief will better support the sustainable management of natural and physical resources;
 - b. The relief will better achieve the purpose of the Resource Management Act 1991 and Part 2; and
 - c. The relief is more consistent with the Bay of Plenty Regional Policy Statement.
19. In addition to the relief sought in the table, Regional Council also seeks any alternative, similar or consequential amendments necessary to give effect to its relief sought.

Trade competition and submitter details

20. The Regional Council could not gain an advantage in trade competition from this submission.
21. The submitter details for the Regional Council are as follows

Bay of Plenty Regional Council

Contact:

Sharlene Pardy (

PO Box 364

Whakatane 3158

Bay of Plenty Regional Council – specific submission points on Proposed Plan Change 8 (Natural Hazards) to the Rotorua District Plan

Please note in relation to relief sought, wording as proposed by Rotorua Lakes Council that is not supported is struck-through and additional text as suggested by Regional Council is underlined and *italicised*.

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
Definitions			
Acceptable risk	Amend	<p>While Regional Council supports defining 'acceptable risk' in the District Plan as it relates to natural hazards, a matter of national importance, the notified definition is not clear.</p> <p><u>Low risk</u></p> <p>Requiring a low level of risk would give effect to the Bay of Plenty Regional Policy Statement Policy NH 4B. However, it is not clear as to whether a low risk is to be achieved onsite, offsite, or both. RPS Policy NH 4B requires a low level of risk to be achieved on the development site without increasing risk outside of the development site. Therefore, Regional Council seeks that the definition be amended to more clearly give effect to RPS Policy NH 4B.</p> <p><u>Cost-benefit approach</u></p> <p>Regional Council considers introducing a cost benefit approach in the definition of acceptable risk ('the costs of further reducing risk are largely disproportionate to the benefits gained') could be difficult to implement because there is no guidance on quantifying the benefits or what an acceptable cost benefit ratio may be. Therefore, Regional Council seeks that the cost benefit approach is removed from the definition of 'acceptable risk'.</p> <p>If this wording is pursued, practical guidance or specific references within rules should be developed to give clarity in implementing this approach. This is because assessing whether a risk is proportionate is</p>	<p><u>Low risk</u></p> <p>Amend the definition of 'acceptable risk' to: <u><i>onsite risk that is low and where risk is not increased offsite, and the costs of further reducing risk are largely disproportionate to the benefits gained</i></u>.</p> <p><u>Cost-benefit approach</u></p> <p>Either:</p> <p>Delete the cost-benefit approach from the definition of 'acceptable risk' to be consistent with national direction on natural hazards, which is based on a risk-based approach;</p> <p>Or:</p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
		<p>a complex matter that would benefit from guidance and / or specific rules.</p> <p><u>Applicability of definition elsewhere in the District Plan</u></p> <p>The term ‘acceptable risk’ is only used in the Interpretation section of the District Plan, so its applicability to assessing resource consent applications is limited. Similar terms such as ‘acceptable’ and ‘acceptable level of risk’ are used elsewhere in the District Plan. The National Planning Standards require that if a term is defined, its definition must be applied and councils should not substitute synonyms or similar terms.</p>	<p>Develop guidance or specific rules to be used with the definition of ‘acceptable risk’ on what an acceptable cost benefit ratio is.</p> <p><u>Applicability of definition</u></p> <p>Use one term for ‘acceptable risk’ throughout the District Plan – either ‘acceptable risk’ or ‘acceptable level of risk’. Align the Interpretation section with the term used throughout the Plan.</p>
Fault Rupture Hazard Area	Amend	<p>PC8 replaces reference to Fault Avoidance Zones with ‘Fault Rupture Hazard Area’.</p> <p>Further, PC8 proposes to remove the mapping of fault traces and the Fault Avoidance Zones overlay and rely on GNS Science’s (now Earth Sciences NZ) NZ Active Faults Database, which maps Fault Avoidance Zones and Fault Awareness Areas.</p> <p>GNS Science (at the request of RLC) provided an update to active fault mapping in the Rotorua District titled ‘<i>Active fault mapping and Fault Avoidance Zones for Rotorua Lakes District: an update</i>’, dated 14 March 2025.</p> <p>In the update, GNS Science defines a Fault Avoidance Zones as ‘<i>the sum of the ‘deformation width’ plus the 20m setback zone in metres</i>’.</p>	<p>Add to the definition of ‘Fault Rupture Hazard Area’ that this area is the same area as Fault Avoidance Zones, and potentially Fault Awareness Areas, when referring to the mapping in the New Zealand Active Fault Database.</p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
		<p>This is the same area that is proposed to be renamed 'Fault Rupture Hazard Area' in PC8 and, which is still reliant on Fault Avoidance Zones in the New Zealand Active Fault Database to determine the location of these areas.</p> <p>Therefore, to avoid confusion for plan users, the definition should include clarification that the 'Fault Rupture Hazard Area' is the same area as the Fault Avoidance Zones (and potentially Fault Awareness Areas) when referring to the New Zealand Active Fault Database.</p> <p>This approach will avoid ambiguity and is consistent with the National Planning Standards, which require national consistency in plan structure, form and definitions.</p> <p>The section 32 report includes proposed wording similar to this approach in the proposed definition: <i>'Note: The Fault Avoidance Zones identified in the New Zealand Active Fault Database to assist to identify the Fault Rupture Hazard Area but may be supplemented with other information'</i>. However, this part of the definition was not carried over to the annotated text despite Option 2 being the preferred option in the section 32 analysis.</p>	
Overland flowpath and section 10.0 definitions in the Lakes A zone – Overland flowpath	Amend	<p>Regional Council supports defining 'overland flowpath' in both the main part of the District Plan and the Lakes A zone definitions, particularly in the absence of current mapping.</p> <p>The definition includes new wording limiting overland flowpaths in rules and performance standards to 4,000m² or more, however does not define 'major overland flowpaths'. This term is used throughout the District Plan and therefore should either be defined or removed to avoid confusion.</p>	<p>Define 'major overland flowpaths' or remove the references to 'major overland flowpaths' throughout the District Plan to avoid confusion. Regional Council's preference is that the term is defined in the District Plan (in addition to defining 'overland flowpath').</p> <p>Amend the definition to:</p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
		When referring to catchment, it is clearer to state ' <u>contributing</u> catchment' than 'catchment' to reduce confusion as to what constitutes the 'catchment'. This aligns with Tauranga City Council's recently operative plan change 27: <i>flooding from intense rainfall</i> .	"Overland flowpaths referred to in rules and performance standards shall be limited to those with a <u>contributing</u> catchment of 4000m ² or more".
Wildfire	Support	Regional Council supports the proposed definition of 'wildfire'. The proposed definition gives effect to RPS Policy IR 2B, which requires Councils to have regard to the likely effects of climate change.	Retain as notified.
Part 2: District Wide Matters – Strategic Direction – SDNH – Natural Hazards and Climate Change resilience			
SDNH-O1 (risks from natural hazards are acceptable)	Amend	Regional Council supports the intent of SDNH-O1, however it is unclear whether this Objective only relates to new land use and development or whether it is also intended to capture both existing and new land use and development, such as building extensions. For consistency, it is recommended that the wording be changed from ' <i>land use, subdivision and development</i> ' to ' <i>subdivision, land use and/or development</i> '.	Clarify whether SDNH-O1 will capture both new and existing land use and development. Amend SDNH-O1 to state: ... associated with land use, subdivision and development <u>subdivision, land use and/or development</u> are acceptable.
SDNH-O2 (climate change)	Amend	Regional Council supports the proposed Objective on resilience to climate change, particularly as it is consistent with RPS Policy IR 2B, which requires regard be had to the likely effects of climate change. As per above for SDNH-O1, for consistency, it is recommended that the wording be changed from ' <i>land use, subdivision and development</i> ' to ' <i>subdivision, land use and/or development</i> '.	Amend SDNH-O1 to state: ... associated with land use, subdivision and development <u>subdivision, land use and/or development</u> are acceptable.
SDNH-P1 (assessing	Amend	Regional Council requests amendments to SDNH-P1 and points of clarification as follows:	1. Amend SDNH-P1 to state the following:

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
natural hazard risks)		<ol style="list-style-type: none"> SDNH-O2 refers to 'land use, subdivision and development' whereas SDNH-P1 only refers to 'subdivision or land-use'. As SDNH-P1 is intended to give effect to SDNH-O2, the inconsistent terminology should be clarified. Regional Council recommends consistent terminology is used throughout the District Plan. Consideration of acceptable risk for new development proposals must include assessment of feasible mitigation measures. Regional Council suggests this item is included in the list of matters under clause 3. SDNH-P1(3)(d) as notified does not give effect to the RPS. It is unclear in SDNH-P1(3)(d) what constitutes a 'higher level of natural hazard risk', particularly as there are no corresponding rules and performance standards proposed to give effect to this policy (other than Policy NH-P3 - which pertains to geothermal areas only) and/or detailed analysis of this particular policy for consideration as per section 32 RMA. <p>RPS Policy NH 4B requires a low level of risk to be achieved on development sites without increasing risk outside the development site as it relates to natural hazards. RPS Policy IW 1B requires the enabling of development of papakāinga, marae and community facilities associated with housing, however the policy still requires active protection...from the adverse effects of subdivision, use and development, in the vicinity of a marae. RPS Policy UG 17B requires the protection of marae and papakāinga from adverse effects of new or expanded subdivision, use or development that constrains their continued use.</p>	<p>When assessing whether the natural hazard risks associated with subdivision or land use <u>subdivision, land use and/or development</u> are acceptable, and identifying risks that must be avoided or mitigated:</p> <ol style="list-style-type: none"> Add to SDNH-P1: e. Risk mitigation measures Amend SDNH-P1(3)(d) to state: <p>For developments undertaken by tangata whenua, the cultural significance of the site or activity, which may justify acceptance of a higher of natural hazard risk.</p> <p>Should the wording be retained, Regional Council seeks clarification on how this policy will be assessed through the rules and other relevant planning provisions.</p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
		Therefore, the proposed policy as notified does not give effect to the RPS and on this basis, Regional Council recommends removing the reference to 'accepting a higher level of natural hazard risk' as proposed in the relief sought, as well as providing clarity on how the policy is proposed to be assessed through the rules and other relevant planning provisions should the wording be retained.	
SDNH-P2 (natural systems and features)	Amend	Regional Council supports this policy. It is consistent with the direction of the National Adaptation Plan (NAP). For example, the NAP states that nature based solutions – such as wetlands...can be effective against flood risk (refer to page 142). However there is a typographical error in the sentence that should be amended to ensure that the policy reads as intended as proposed in the relief sought.	Amend SDNH-P2 to state: ...that contribute to reducing the risks <u>of</u> natural hazards and the effects of climate change.
SDNH-AER1 (anticipated environmental result – acceptable level of risk)	Amend	For consistency, it is recommended that the wording be changed from ' <i>land use activities and subdivision</i> ' to ' <i>subdivision, land use and/or development activities</i> '. The sentence also appears to be incomplete and therefore it is also recommended to add ' <u>achieve</u> an acceptable level of risk. It is also unclear whether SDNH-AER1 is seeking to achieve 'acceptable risk' as defined in the proposed definition or an 'acceptable level of risk' as it relates to NH-MD1.2.	Amend SDNH-AER1 for clarity and consistency: The design and management of land use activities and subdivision <u>subdivision, land use and/or development activities</u> to <u>achieve</u> an acceptable level of risk. Clarify whether the anticipated environmental result is 'acceptable risk' as per the proposed definition or acceptable levels of risk as it relates to NH-MD1.2
Natural hazards and risks			

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
NH-PAA (manage risks from fault rupture)	Amend	<p>It is unclear whether this policy is also intended to relate to existing development, such as building extensions and/or other sensitive activities, including Low Impact Buildings, which are subsequently converted to residential use, and which may not be captured by the term 'new buildings'.</p> <p>Further, Rule NH-R2 suggests that building extensions (that are not replacement buildings) are relevant to this policy and therefore NH-PAA should be amended to include building extensions (that are not replacement buildings), as well as Low Impact Buildings, which are subsequently converted to residential use, for example.</p>	Clarify whether other sensitive activities in Fault Rupture Hazard Areas are intended to be captured by this policy (e.g. building extensions and conversions of Low Impact Buildings to residential use for example). For those activities which are also intended to be captured by this policy, amend NH-PAA to include these activities to avoid confusion.
NH-PA Clause 2. (declining consent if flood risks are not acceptable)	Amend	Regional Council supports the strengthening of this policy as proposed in NH-PA clause 2. However Regional Council considers that the policy could be further strengthened by stating that consent can be declined if the flood risks are not shown to be acceptable <u>both onsite and offsite</u> . This approach is consistent with RPS Policy NH 4B (managing natural hazard risk on land subject to urban development) and the definition of 'acceptable risk' as proposed earlier in Regional Council's submission.	<p>Amend NH-PA clause 2 to state:</p> <p>...and declining consent if the <u>flood risk onsite and offsite</u> are not shown to be acceptable.</p>
NH-PB Clause 5 (legal protection of overland flowpaths)	Amend	Regional Council supports the intent of this policy, however recommends a minor drafting change to improve the readability of the policy.	<p>Amend NH-PB as follows:</p> <p>...</p> <p>3. Restricting activities that may obstruct an overland flowpath; and</p> <p>4. Assessing the impact of any changes to the entry of exit points of overland flowpaths on</p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
			<p>a site that impact on other sites and infrastructure; <u>and</u></p> <p>5. Considering legal protection of overland flowpaths at the time of subdivision through methods such as consent notices, easements or vesting of land in Council.</p>
NH-P2 (land stability)	Amend	<p>Regional Council is concerned that this policy has been limited to 'sites proposed to be subdivided for development', and therefore potentially excludes land that has already been subdivided and/or involves earthworks where development is not intended for example.</p> <p>Therefore, Regional Council seeks amendments to this policy to refer to 'subdivision, land use and/or development', which in turn will provide consistency with similar terminology used throughout PC8 and the District Plan.</p>	<p>Amend NH-P2 to state:</p> <p>...</p> <p>And mitigation options for sites proposed to be subdivided for development <u>proposed to be used for subdivision, land use and/or development</u>. The assessment shall be undertaken by a suitably qualified and experienced person and appropriate to the sites hazard susceptibility and risks.</p>
NH-P3 (geothermal hazards)	Amend	<p>Regional Council understands the intention of broadening this policy and supports its application to areas beyond Ōhinemutu and Whakarewarewa.</p> <p>However the existing policy also seems to clearly distinguish between existing development and new development, although the proposed new policy only refers to new development, leaving a gap regarding policy intent for existing development.</p>	<p>Amend NH-P3 to have stronger wording and include reference to existing and proposed development as follows:</p> <p>Take into account the cultural significance of co-existing with geothermal activity in any</p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
			assessment of geothermal hazard risk associated with <u>existing and proposed</u> development...
NH-P4 (geothermal hazards)	Amend	This existing policy does not reflect the 'new' scenario for buildings that do not require building consent (see comments against NH-R8(4) below)). NH-P4(3) needs to be clarified so it is the risks associated with the building and development of the site that need to be mitigated, to be more consistent with the wording in NH-R8(2).	Amend policy NH-P4(3) to ensure it covers all scenarios: 3. Requiring site-specific geothermal assessments to be submitted at the time of application for building consent <u>or project information memorandum (PIM)</u> to identify the hazards and how risks are being mitigated <u>for the development of the site</u> ; and...
NH-P5 (Mitigate the risks of wildfire associated with development)	Support	Both Regional Council and RLC are core members of the Bay of Plenty Civil Defence Emergency Management (CDEM) Group. Wildfire is defined as a hazard under the CDEM Act 2002 (CDEM Act). Regional Council considers that new policy NH-P5 is consistent with s17 of the CDEM Act, which states: <i>(1) The functions of a Civil Defence Emergency Management Group, and of each member, are to—</i> <ul style="list-style-type: none"> <i>(a) in relation to relevant hazards and risks,—</i> <ul style="list-style-type: none"> <i>(i) identify, assess, and manage those hazards and risks:</i> <i>(ii) consult and communicate about risks:</i> <i>(iii) identify and implement cost-effective risk reduction:</i> Further, Objective 2 of the BOPCDEM Group Plan 2024-29 states:	Retain as notified.

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
		<p>2. Identify gaps in risk reduction policies at the regional and local levels and:</p> <ul style="list-style-type: none"> • where responsible, make changes that decrease exposure to hazards • advocate with responsible agencies for change that decreases exposure to hazards. 	
Rules: Natural Hazards			
NH-R1(2)(a), NH-R3(1)(a) and NH-R6(2)(a) 'The extent to which natural hazard risks are avoided and remedied and the worsening of any hazard identified'	Amend	<p>NH-R1(2)(a), NH-R3(1)(a) and NH-R6(2)(a) have been amended from '...the worsening of any hazard identified on the planning maps are managed' to '...the worsening of any hazard identified'.</p> <p>It is unclear why there is any need to identify the worsening of any hazard when the natural hazard risk has already been avoided, remedied or mitigated. Regional Council considers that this should be clarified.</p>	Clarify why there is a need to identify the worsening of any hazard if the natural risks are required to be avoided, remedied or mitigated.
NH-R4(2)	Amend	<p><u>Overland flowpaths</u></p> <p>PC8 introduces a new rule (NH-R5) for buildings and structures in an overland flowpath. However, it appears that there is a missing connection between this new rule (detailed further below) and the existing permitted activity rule, which currently has no mention of overland flowpaths (NH-R4 (2)).</p> <p>Therefore, the permitted activity rule should be amended to include an additional clause that states: the building and structures <i>do not</i> result</p>	<p>Amend NH-R4(2) as follows:</p> <p><u>c. The building and structures do not result in a change to the entry or exit point of an overland flowpath on a site, pipes or it reduces the capacity of the overland flowpath.</u></p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
		<p>in a change to the entry or exit point of an overland flowpath on the site...</p> <p>This then brings attention to plan users that there is another more stringent rule to consider if the entry or exit point changes as a result of the proposed buildings and structures being located in the overland flowpaths.</p> <p><u>Conversions of existing buildings from non-habitable to habitable spaces</u></p> <p>NH-R4, being the permitted activity rule linked to new Rule NH-R5, does not capture conversions of existing buildings from non-habitable to habitable spaces, and therefore will not be subject to new Rule NH-R5. On this basis, Regional Council considers that the heading for NH-R4 should be amended to capture these situations or similar relief.</p>	<p>Amend the heading of NH-R4 as follows:</p> <p><i>New buildings, and additions to existing buildings <u>and conversions of existing buildings from non-habitable to habitable buildings in areas susceptible to flooding</u></i></p>
NH-R1(2) and NH-R3(1) (New buildings in FRHA))	Amend	Regional Council supports consistent terminology to be used throughout the District Plan. However, it is unclear why the wording 'avoided or remedied' has been used without the option to mitigate. Therefore Regional Council recommends that NH-R1(2)(a) and NH-R3(1)(a) be amended to include the option to 'mitigate'. The phrase 'avoided, remedied or mitigated' is a widely used concept throughout the District Plan.	Amend NH-R1(2)(a) and NH-R3(1)(a) to state:...risks are avoided, remedied <u>or mitigated</u> and...
NH-R5 (buildings and structures in overland flowpaths)	Amend	<p>Regional Council supports the intent of this new rule, however does seek further improvements as outlined below.</p> <p><u>Reference to stormwater discharge permits granted by the regional council</u></p> <p>As outlined above, Regional Council supports the intention of this proposed rule. However, considers that there will likely be implementation issues as it relates to reliance on whether or not the</p>	<p>Amend NH-R5(1)(b) to state:</p> <p>...</p> <p><i>b. <u>The activity is not authorised by a consent or permit granted by the regional council that specifically authorises the</u></i></p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
		<p>activity has been authorised by a regional council stormwater discharge permit.</p> <p>For instance, the assessment of an overland flowpath is more directly related to a regional earthworks consent than a regional stormwater discharge consent. This may be confusing for plan users as to which consents are required for the activity. It also complicates the activity status for buildings and structures if a regional earthworks consent is also required for the activity. Additional consents may also be required for ancillary activities, such as culverts (thereby negating the efficiencies that the proposed rule seeks to achieve).</p> <p>The thresholds for regional consents are also different to those in district plans (and further complicating this, is that in this case, regional stormwater discharge consent thresholds are based on rate of discharge for example (e.g. discharge more or less than 125 litres per second) whereas NH-R5 is effects based – changes to entry and exit points of overland flowpaths). This means that small scale developments may trigger resource consent under the District Plan but not require a stormwater discharge consent (and/or earthworks consent) from the Regional Council, resulting in further confusion.</p> <p>Notwithstanding this, these are two separate consenting processes under the RMA with different criteria and technical assessments. Therefore, this approach may result in RLC relying on Regional Council to authorise activities, however due to overland flowpaths not being the primary trigger for regional council stormwater discharge permits (e.g. discharge to land soakage), NH-R5 as currently proposed may result in unintended flood risks on neighbouring properties.</p>	<p><u>modification of an overland flowpath.</u></p> <p>Amend NH-R5 applicable spatial layers to include Rural Zones.</p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
		<p>On this basis, Regional Council seeks to remove specific reference to stormwater discharge permits and replace with reference to a consent that specifically authorises the modification of an overland flowpath.</p> <p><u>Include Rural zones in NH-R5 applicable spatial layers</u></p> <p>While less intensely developed, Rural zones contain many overland flow paths and therefore changing the entry and exit points of overland flowpaths in the Rural zone, including lifestyle zones, which are becoming increasingly dense, could still pose a natural hazard risk to people and their property. On this basis, Regional Council recommends that Rural zones, including lifestyle zones be included as relevant zones subject to NH-R5.</p>	
NH-R6(2)(a) (buildings erected within 5m of the edge of a geothermal surface feature or bore)	Support in part	<p>NH-R6(2)(a) should be amended as it refers to 'natural hazard risks' but also applies to setbacks from bores, which are not considered a natural hazard.</p> <p>Regional Council recommends that the phrase 'avoided or remedied' used in NH-R6(2)(a) be amended to 'avoided, remedied or mitigated' for consistency throughout the District Plan, or that risk levels are more directly referred to e.g. acceptable risk.</p>	<p>Remove the word 'natural' from NH-R6(2)(a) to ensure it applies to both natural and man-made hazard risks (bores).</p> <p><u>Either</u> amend NH-R6(2)(a) to read:</p> <p>a. The extent to which natural hazard risks are avoided, or remedied <u>or mitigated</u> and...,</p> <p><u>or</u>:</p> <p>amend NH-R6(2)(a) to more directly refer to acceptable risk.</p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
NH-R8(1) (building additions no more than 20m ² in size)	Oppose	<p>Regional Council is unclear as to why NH-R8(1) has been separated from NH-R8(2). It causes confusion as to whether building additions erected within 5m of the edge of a geothermal surface feature or bore are a permitted activity or not.</p> <p>It could also result in a perverse outcome where a 20m² addition is a permitted activity, with no geothermal hazard assessment required, but a standalone 20m² sleepout would either require a site-specific assessment to be undertaken under NH-R8(2) if it needed building consent, or it would need resource consent under NH-R8(4) if it did not need building consent. The level of risk between those two scenarios is unlikely to be different.</p> <p>It is understood that the intention of the 20m² addition exception was to address those additions that were unlikely to require a Geotechnical report (which the geothermal hazards assessment could be addressed in). However, now that the geothermal development guidelines <i>Identifying and Designing for Geothermal Hazards, Guidelines for Buildings and Associated Site Works in Rotorua District</i> (RLC, 2024) exist, which provide a permitted pathway for lower risk areas/development, such additions can be included in NH-R8(2), as otherwise risks may not be avoided, remedied or mitigated.</p> <p>Example scenario:</p> <p>New dwelling, site-specific assessment undertaken under NH-R8(2). Then a year later, add another room (5m x 4m) which, as proposed, does not require a geothermal hazard assessment under NH-R8(1). If the first assessment had stated that a lower site coverage was necessary to ensure geothermal hazard mitigation, there would then be no catch for this for a permitted addition 20m² or under.</p>	<p>Amend NH-R8 title: ...Additions to Buildings...</p> <p>Delete NH-R8(1) and include additions 20m² or less under NH-R8(2).</p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
NH-R8(2)	Amend	While the section 32 Report discusses the impact of law changes for small standalone dwellings (at p 108), it is not clear why the specific words proposed for inclusion have been suggested. The use of the word 'sought' in NH-R8(2) makes the rule based on whether someone seeks a building consent, not whether one is required. It is also not clear on the face of things why the wording focuses on any building consent actually being sought (a building consent can be sought <i>and is sought</i>). That uncertainty aside, Regional Council recommends that the first reference to 'sought' be changed to 'required' and the second reference to 'sought' be changed to 'lodged for processing by Council'.	Amend NH-R8(2) to state: ... Where: A building consent can be sought <u>is required</u> for the activity and is sought <u>lodged for processing by Council</u> .
NH-R8(4)	Oppose	While the intent of proposed rule NH-R8(4) is understood, these changes could result in an unintended consequence, where a granny flat for example, is subject to more onerous resource consenting requirements than a new building (that is also larger in size and scale) under NH-R8(2). This is because granny flats are proposed to be captured through Project Information Memorandums rather than the building consent process. As a result, a building consent will not be 'sought' for a granny flat, thereby requiring a restricted discretionary consent under NH-R8(4). To avoid this outcome, it is recommended that NH-R8(4) should be checked through the Project Information Memorandum process as a permitted activity, subject to a site-specific assessment. Otherwise, it could be included in one simpler version of NH-R8(2) to cover all buildings and additions e.g. "[Site-specific assessment] shall be submitted at time of Project Important Memorandum (for those buildings not requiring building consent) or building consent". This is considered very important now that Central Government has confirmed that single storey buildings under 10m ² require no setback from a boundary, and single-storey buildings between 10m ² and 30m ² only need to be 1m from boundaries. Geothermal gas can settle in	Amend NH-R8(4) to provide one rule that applies to Project Information Memorandums and buildings consents to capture both scenarios so that they can be treated equally as follows: NH-R8(2) Activity Status: Permitted Performance Standards: a. A report by a suitably qualified and experienced person shall be submitted at the time of application for <u>a Project Information Memorandum (for those buildings not requiring building consent) or at time of application for</u> building consent...

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
		<p>confined spaces and these reduced setbacks could result in increased geothermal hazard risk on certain sites.</p> <p>As per NH-R8(2) above, the word 'sought' should not be used in NHR8(2) as this makes the rule based on whether someone seeks a building consent, not whether it is required. Therefore, Regional Council recommends that the first reference to 'sought' is changed to 'required' and the second reference to 'sought' is changed to 'lodged for processing by Council'.</p> <p>If NH-R8(4) is retained, Regional Council is concerned that the rule does not capture buildings (that are not residential units) and non-habitable building conversions to habitable spaces that do not require building consent. Regional Council considers this is a gap and is not consistent with the heading of NH-R8. Further the heading of NH-R8 should include conversions for consistency.</p>	<p>Alternatively if NH-R8 (4) is retained:</p> <ul style="list-style-type: none"> • Amend NH-R2 to state: ... • Where: • A building consent can be sought <u>required</u> for the activity and is sought <u>lodged for processing by Council</u>. • Amend NH-R8(4)(a) to state: • The activity is: • <u>a new building; or</u> • <u>a non-habitable building that is being converted to residential use; or</u> • a new or residential unit; or • an addition to a residential unit that increases the building footprint by more than 20m²; and

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
			Amend the heading of NH-R8 to state: <u>New Buildings, <i>Conversions from non-habitable to habitable buildings</i>, and Additions to Buildings in the Geothermal Systems Overlay</u>
NH-AER1 (anticipated environmental result)	Amend	It is unclear whether SDNH-AE1 is seeking to achieve 'acceptable risk' as defined in the proposed definition or an 'acceptable level of risk' as it relates to NH-MD1.2.	Clarify whether the anticipated environmental result is 'acceptable risk' as per the proposed definition or acceptable levels of risk as it relates to NH-MD1.2.
References to 'the extent to which natural hazard risks are avoided or mitigated and the worsening of any hazard' in matters of control and discretion across all relevant zones and General District Wide	Amend	PC8 proposes to add references to <i>'the extent to which natural hazard risks are avoided or mitigated and the worsening of any hazard'</i> in matters of control and discretion across all relevant zones, the General District Wide Matters chapter (earthworks), and the Lakes A zone. Regional Council supports the intent of including this change to matters of control and discretion across all relevant zones and chapters given that natural hazards are a matter of national importance. However, the reference to <i>'and the worsening of any hazard'</i> needs clarification and appears to be inconsistent with other similar wording in PC8, which requires the worsening of any hazard to be 'identified'.	Clarify the expectation in regard to 'the worsening of any hazard' (e.g. avoid, remedy or mitigate), and the difference between this wording and other similar wording in PC8, which requires the 'worsening of any hazard' to be identified.

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
Matters chapter (earthworks) and Lakes A zone			
NATC-R3 Clause 7 and 8 (non-compliant buildings and structures adjacent to water bodies)	Amend	<p><u>Streams not identified for esplanade acquisition on the Planning Maps</u></p> <p>Regional Council supports the intent of this rule, however not all potentially relevant streams are identified as areas for esplanade reserve acquisition (refer to NATC-R3(7)(c)), and therefore there is potential that these streams will not be captured by this proposed change.</p> <p>Therefore, it is recommended that the reference to areas identified for esplanade reserve acquisition is removed from NATC-R3(7)(c) to ensure all potentially relevant streams are subject to new clause f.</p> <p>NATC-R3(8) also refers to areas identified in the Planning Maps as being an area identified for esplanade acquisition, and therefore the existing intent of NATC-R3(7) will remain, particularly as it relates to residential and rural zones. Regional Council's suggested amendments to NATC-R3(7) will therefore allow for more streams to be captured by the rules and assessed in relation to potential adverse natural hazard effects, such as when buildings are proposed to be constructed adjacent to streams.</p> <p><u>New matter of discretion clause (g) to provide for access and maintenance to the streams to manage flood risk</u></p> <p>Connected to new clause f., is also the requirement to provide for access to, and maintenance of, streams to manage flood risk. For instance, where a new building is proposed to be constructed adjacent</p>	<p>Amend NATC-R3(7)(c) to state:</p> <p>Located within 25m of a lake, or from the bank or a river or stream shown in the Planning Maps <i>(e.g. District Plan Map 203)</i> as being an area identified for esplanade reserve acquisition unless otherwise specified.</p> <p>Amend NATC-R3(7)(f) to state:</p> <p>f. The extent to which natural hazard risks are avoided, remedied <i>or mitigated</i> and the worsening of any hazard <i>as well as providing for access and maintenance to the stream to manage flood risk.</i></p> <p>Alternatively include new clause NATC-R3(7)(g) to state:</p> <p>g. <i>The extent to which access and maintenance to the stream</i></p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
		<p>to a stream that is reliant on protection works (such as stopbanks), it is imperative that continued access and maintenance to streams is provided for when assessing resource consent applications for these activities.</p> <p>Regional Council seeks that either clause f. is amended to include provision for access and maintenance to streams to manage flood risk or new clause g. is included in the matters of discretion to provide for access and maintenance to streams as it relates to managing flood risk.</p>	<p><u>is provided to manage flood risk.</u></p>
NATC-R3(8)	Amend	<p><u>Streams with an average width less than 3m as it relates to the Industrial zone</u></p> <p>The Industrial zone is not an applicable spatial layer for NATC-R3(7), which pertains to permitted activities and therefore is included in NATC-R3(8) as a restricted discretionary activity. Given that the main purpose of NATC-R3(8) pertains to esplanade reserves and strips, the rule (e.g. for the Industrial zone) is only intended to cover lakes and rivers with areas specified in s230 RMA (requirement for esplanade reserves or esplanade strips).</p> <p>This means that other potentially relevant streams may not be captured by the proposed natural hazards matter of discretion in PC8 as it relates to the Industrial zone.</p> <p>Therefore, Regional Council suggests amendments to NATC-R3(8)(c) to mitigate this issue akin with the proposed wording changes to NATC-R3(7) for consistency.</p> <p><u>New matter of discretion clause (g) to provide for access and maintenance to the streams to manage flood risk</u></p>	<p>Amend NATC-R3(8):</p> <p>Where:</p> <p>(c) Industrial zones:</p> <p>The activity is the erection of a building, with the exception of water intake and outfall structures, within 25m of any stream with an average width of 3m or more, or lake of 8ha or more, <u>or any stream on identified in the Planning Maps (e.g. District Plan Map 203)...</u></p> <p>Amend NATC-R3(8) Matters of Discretion (f) to state:</p> <p>f. The extent to which natural hazard risks are avoided, remedied <u>or mitigated</u> and the</p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
		<p>Connected to new clause f., is also the requirement to provide for access to, and maintenance of, streams to manage flood risk. For instance, where a new building is proposed to be constructed adjacent to a stream that is reliant on protection works (such as stopbanks), it is imperative that continued access and maintenance to streams is provided for when assessing resource consent applications for these activities.</p> <p>Regional Council seeks that either clause f. is amended to include provision for access and maintenance to streams to manage flood risk or new clause g. is included in the matters of discretion to provide for access and maintenance to streams as it relates to managing flood risk.</p>	<p>worsening of any hazard <u>as well as providing for access and maintenance to the streams to manage flood risk.</u></p> <p>Alternatively include new clause NATC-R3(8) Matters of Discretion (g) to state:</p> <p>g. <u>The extent to which access and maintenance to the stream is provided to manage flood risk.</u></p>
SUB-R42 (subdivision of sites subject to geothermal hazards)	Support in part	<p>Regional Council supports the widening of the provisions to clearly apply to all geothermal systems.</p> <p>However, Regional Council considers that the words 'geothermal activity' shouldn't be removed as the rule will become too vague. Given that geothermal system boundaries are only ever indicative, it is considered appropriate to retain the wording of... 'affected by geothermal activity' to ensure that potential geothermal hazards are avoided, remedied or mitigated. 'Geothermal activity' is also used consistently in other provisions in the District Plan, including SUB-S8(2) and is specifically defined in the Interpretation section of the District Plan.</p> <p>Regional Council also seeks clarity as to whether SUB-S8(2) applies when assessing SUB-R42 as the Assessment Criteria only list SUB-AC1. The linkage between these provisions should be improved for clarity purposes.</p>	<p>Retain 'geothermal activity' in SUB-R42.</p> <p>Add linkage to SUB-S8(2) in SUB-R42.</p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
SUB-S8 Clause 3.a.	Amend	Regional Council supports SUB-S8 Clause 3.a., however the last five words of the clause seem to be ordered incorrectly as a result of RLC amending the sentence.	Reorder the last five words of SUB-S8 Clause 3.a. as follows: ...and that it will not worsen the effects <u>of any land stability hazard</u> on other property.
EW-S1.1	Amend	<p>Regional Council supports the intent of the performance standard however suggests further improvements below.</p> <p><u>Different use of terminology between NH-R5 and EWS1(1)(g)</u></p> <p>EWS1(1)(g) uses the phrasing 'shall not result in a change to ...the catchment size of an overland flowpath', which differs from NH-R5's 'reduces the capacity of the overland flowpath'. Regional council prefers the wording of NH-R5 as EWS1(1)(g) wording as drafted may be more permissive in allowing fill within an overland flow path as long as the catchment size is not modified.</p> <p><u>Reference to stormwater discharge permits granted by the regional council</u></p> <p>Regional Council supports the intention of this performance standard. However, considers that there will likely be implementation issues as it relates to reliance on the authorisation of Regional Council stormwater discharge permits (and as already outlined above in regard to proposed rule NH-R5).</p> <p>For instance, the assessment of overland flowpaths for regional consents are more directly relevant to earthworks consents than stormwater discharge consents.</p>	<p>Amend EWS1(1)(g) to align with the terminology used in NH-R5 as follows:</p> <p>...</p> <p>it shall not result in a change to the entry or exit point on a site of an overland flowpath, or the catchment size <u>reduce the capacity</u> of an overland flowpath...</p> <p>Amend EWS1(1)(g) as follows: ...except where the earthworks are for an activity authorised by a stormwater discharge permit granted by the regional council <u>are granted consent or permit by the regional council that specifically authorises the modification of an overland flowpath.</u></p> <p>Amend EWS1(1)(g) to include Rural Zones as relevant zones</p>

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
		<p>Therefore, EW-S1(1)(g) may result in RLC relying on Regional Council to authorise activities (which may result in the change entry or exit point of an overland flowpath or change in catchment size) through Regional Council stormwater discharge permits that are not consented for the purpose of specifically enabling the modification of an overland flowpath. As such, EWS1(1)(g) as currently proposed may result in unintended flood risks on neighbouring properties. On this basis, Regional Council seeks amendments to this performance standard as proposed in the relief sought.</p> <p><u>Include Rural zones as an applicable zone for EW-S1(1)(g)</u></p> <p>While less intensely developed, Rural zones contain many overland flow paths and therefore changing the entry and exit points of overland flowpaths in the Rural zone, including lifestyle zones, which are becoming increasingly dense, could still pose a natural hazard risk to people and their property. On this basis, Regional Council recommends that Rural zones, including lifestyle zones be included as relevant zones subject to this performance standard.</p>	subject to this performance standard.
EW-S1.2a.i	Support in part	Regional Council supports the requirement for activities to still meet EW-S1(1)(g) to mitigate flood risk on neighbouring properties.	Retain as notified.
Removal of reference to flood risk assessments in matters of control and discretion across all relevant zones	Oppose	It appears that the intention of removing the references to flood risk assessments is due to duplication issues given that PC9 (Housing for Everyone) introduced NH-R4, which requires flood risk assessments where anticipated flood depths are higher. However, Regional Council is concerned that there may be unintended consequences associated with the removal of these matters of control and discretion given that NH-R4 only pertains to buildings in floodable areas and not other relevant site design factors including land modification, utilities and access. It is also unclear why the flood risk assessment requirement has been retained for the Rural zone (RURZ-MC4), which is also	Clarify whether or not there are any unintended consequences associated with removing the reference to flood risk assessment in the matters of control and discretion across all relevant zones (that are not covered by NH-R4, which pertains to new buildings) and why the requirement for a flood risk assessment has been

Plan reference or subject	Position (e.g. support/oppose/amend)	Submission	Relief Sought
		<p>subject to NH-R4, and therefore both these matters should be clarified for consistency of approach across the relevant zones.</p> <p>This approach is consistent with RPS NH 4B.</p>	retained for the Rural zone (RURZ-MC4) but not other zones, which are also subject to NH-R4.
Lakes A Zone			
S1.1 and S3.1 and Section 8.1.1	Support	Regional Council supports extending the applicable natural hazard related chapters to the Lakes A zone to ensure consistency across the District.	Retain as notified.
A5.1.1.7 and C5.1.1.8	Amend	Regional Council supports the intent of the condition however, for consistency, use the same wording as used in the main part of the District Plan as in the Lakes A zone (refer to Regional Council's comments on performance standard EW-S1.1 above for explanation).	<p>Amend these permitted activity rules as follows:</p> <p>...the earthworks shall not result in a change to the entry or exit point on a site of an overland flowpath, or the catchment size <u>reduce the capacity</u> of an overland flowpath, except where the earthworks are for an activity authorised by a stormwater discharge permit granted by the regional council <u>are granted consent by the regional council that specifically authorises the modification of an overland flowpath.</u></p>
A6.1.1.2, B6.1.1.1 and RD6.1.1	Support	Regional Council supports the reliance on the Natural Hazards Chapter, which refers to the 1%AEP lake flood level, and the removal of references to the 2%AEP lake flood level.	Retain as notified.

Submission (4 pages) to:
Rotorua Lakes Council
1061 Haupapa Street
Rotorua, New Zealand
info@rotorualc.nz
planning.policy@rotorualc.nz

RE: Rotorua District Plan Change 8 - Submission

From:
Christine Caughey

Postal Address

[REDACTED]

[REDACTED]

[REDACTED]

Proposed Plan Change 8

I am an affected party in Proposed Plan Change 8 as a Trustee of the family trust that owns 9 - 15 Pryce Road Lake Okareka. My family has owned the properties for more than 80 years.

I am not represented by the submission of the Lake Okareka Community Association.

This submission relates to the proposed provisions as outlined below, of Plan Change 8 (the Plan)

- NH-PAA; and supporting rules
- SDNH-P1
- Reliance on GNS Active Faults Database maps for Acacia Road and Pryce Road.
- Plan Change Hazard Maps pertaining to Lake Okareka and to Acacia Road and Pryce Road;

- Use of Bay of Plenty Regional Council Rotorua Lakes Design Levels Technical Report 2022 as the basis for flood hazard rules.
- Section 32 analysis.

Oppose:

- a) Objectives Fault Ruptures – Oppose policy NH_PAA and supporting rules:

Manage the risks to people and property associated with fault rupture by requiring an

assessment of fault rupture risk and mitigation options for:

Subdivision to facilitate building on land susceptible to fault rupture.

New buildings on land susceptible to fault rupture.

Reasons

There is inadequate scientific evidence to support valid assessments of fault rupture risk. Assessments against what standard? Accordingly, risk management and mitigation is not appropriate in this manner, representing unnecessary regulation and costs to landowners, in particular as it relates to Pryce Road and Acacia Road.

Existing building code regulation and other options provide for risk mitigation.

Request: Delete in its entirety or modify to remove application to Pryce Road and Acacia Road and Lake Okareka

b) Maps:

1. The mapping of areas of natural hazard at Lake Okareka Rotorua.

Reason:

- The relevant National Policy Statement is in draft and open for consultation
- There is no regional direction by way of a regional plan or a regional policy statement regarding fault rupture provisions
- The proposed provisions of Policy SDNH-P1 are not complied with in the proposed controls.

- Neither the fault rupture zone nor fault recurrence has not been defined; the risk is in the return period. This is unknown
- There is limited data on the probability of fault rupture
- Mapping faults has limitations
- There are other options to manage risk
- It is premature to introduce a plan change of this nature, when higher level bodies do not yet have strategic measures in place both at central and regional level and when supporting scientific evidence is absent.
- The suggested Fault has not been dated. This is a key missing piece of information that would link to what government documents do exist, that would help categorise the risk.
- Existing building code regulation and other options provide risk mitigation.
- Mapping of inadequately identified Fault Ruptures places significant burden on property owners in terms of potential loss of value, ability to insure and at what cost, new development.
- The proposed rules cannot be justified in terms of the analysis under Section 32 of the RMA.

b) **Flood risks** - The identification of flood areas in the planning Maps is opposed–

- The Plan has utilized an outdated Bay of Plenty Regional Council. Rotorua Lakes Design Level Technical Report (2022) , to inform its mapping.
- The identified flood line in the map, extends the level of risk beyond necessity and is not supported by scientific evidence.
- The engineering work undertaken in 2021 increases the lake outflow, to reduce flooding risk. This, together with the natural artesian outflow into the Waitangi Stream, should have been considered to inform the Plan Change.
- The proposed provisions of Policy SDNH-P1 are not complied with in the proposed flood controls. The best available information/evidence has not been obtained.
- Existing building code regulation and other options provide risk mitigation.

Plan Change 8 is unnecessary and overregulates the unsubstantiated risk factors of land activity. The operative plan adequately covers

natural hazard risks, until further technical reporting has been undertaken in both Fault and Flood identification and management. At this point, the relevance of mapping and rules can be reevaluated. Residential building should remain a permitted activity subject to satisfactory geotechnical site assessment.

Wider risk factors include volcanic eruption and thermal activity. The entire volcanic plateau presents risks many of which cannot be mitigated by regulation.

Request:

- Remove reference in the Strategy, Objectives, Policies and Rules of the Plan Change, relating to the risks of Faults Rupture Hazard and to Flooding.
- Remove reference to the proposed FAZ on Acacia Road and Pryce Road and to Lake Okareka.
- Remove proposed Rules NH-R1 to NH-R3
- The removal of the identification of Faults Rupture Hazard areas from the mapping in the plan change as applied to Lake Okareka
- The removal of the identification of Flood risk areas from the mapping in the Plan Change.
- Recognition that there is currently inadequate evidence to support such mapping that places unnecessary burden and cost on landowners.
- Recognition that there are already adequate controls in place to address the above risks, until new evidence proves otherwise.
- There are alternative options to be considered in the management of risk in relation to faults and flooding, including the Building Code.

I wish to be heard in support of this submission. I would be prepared to consider a joint presentation at a hearing.

Christine Caughey,
Trustee of the Christine Caughey Trust

[REDACTED]

Auckland 1050

8 September 2025

Submission on Plan Change 8 (Natural Hazards) – Rotorua District Plan.

Subject: Opposition to requirement for alternative water supply for future property development in Rural 2 and 3 Zones.

To: Rotorua Lakes Council.

From: John Edmonds
45A Ward Road
Hamurana.

I oppose the proposed requirement under Plan Change 8 that future property developments in Rural 2 and 3 Zones provide an alternative water supply specifically for wildfire risk. When was the last wildfire in either of these Zones?

Reasons for my opposition:**1. Existing water supply is readily available.**

The proposed rule does not adequately consider the existing proximity and availability of a large reliable water source – the lake.

This natural water source is easily accessible for firefighting purposes, either by ground-based firefighting crews or aerial operations (helicopters with monsoon buckets)

2. Unnecessary duplication and cost.

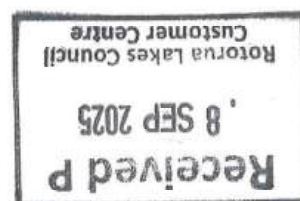
Requiring property owners to install additional water storage imposes significant and unnecessary costs on future developments.

These costs will make development in Rural 2 and 3 Zones less viable without providing a meaningful increase in fire protection given the lakes presence.

This directly contradicts Rotorua Lakes Council's stated objective of increasing housing affordability and supply in the district.

The Council's strategic direction, as set out in the Rotorua Housing Strategy and District Plan objectives for enabling development, promotes reducing barriers and costs for new dwellings. Requiring expensive firefighting water storage (tanks, pumps, and associated infrastructure) where an accessible natural water source is already available creates a **duplication of resources**, which drives up development costs and, ultimately, the cost of housing

This approach undermines the councils push for **affordable and sustainable housing options**, particularly in rural lifestyle areas where people seek more attainable housing solutions. Instead of rigid rules, a performance-based approach that recognises existing water sources would meet wildfire risk objectives without compromising housing affordability.



3. Practicality and efficiency of existing firefighting methods.

Fire and Emergency New Zealand (FENZ) commonly relies on natural water bodies such as lakes for firefighting. This is a proven and effective strategy in the Rotorua region and throughout New Zealand.

Installing and maintaining additional water storage is inefficient when a sustainable large scale water source is already available nearby. If a wildfire were to occur tomorrow where does council envisage the water to fight the fire would be sourced from?

4. Management of alternative water supply.

The proposed requirement raises uncertainty over **who is responsible for the maintenance, and replenishment of the alternative water supply for wildfire protection.**

Is this responsibility placed on the **property owner, body corporate, or local authority?**

What are the compliance and enforcement mechanisms to ensure ongoing water availability (particularly during drought conditions)?

How will Council or FENZ verify compliance over time?

This requirement effectively shifts a long term **public safety function** (wildfire suppression capability) onto individual landowners without clear governance or accountability mechanisms.

By contrast, allowing the use of **existing natural water sources** which are self sustaining and managed under existing environmental frameworks, avoids these issues and ensures a reliable resource without additional administrative burden.

5. Environmental impact.

Forcing developments to create water storage systems (e.g., large tanks or dams) can have environmental impacts, including land disturbance, increased impervious surfaces, and unnecessary use of resources.

6. Resource Management Act 1991 – Sustainable Management (Section 5)

The RMA's purpose (section 5) promotes sustainable management of natural and physical resources: enabling communities to provide for their well-being **while protecting and avoiding, remedying, or mitigating adverse effects.**

Requiring unnecessary infrastructure (water tanks, piping etc.) where water is readily accessible conflicts with RMA's sustainability principle and prudent resource use.

7. Alternative Measures should be considered.

Rather than mandating additional water storage, the plan should encourage improved access points for fire services to the lake and maintain clear firefighting plans for the region.

Changes sought:

Remove or amend the requirement for an alternative water supply for wildfire risk in Rural 2 and 3 zones where an adequate and accessible natural water source (such as a lake) exists.

Consider a performance based approach that allows natural water sources to meet this requirement. (e.g., verifying proximity and accessibility of natural water).

In summary, while I support measures to reduce wildfire risk, the proposed requirement for additional on-site water storage in Rural 2 and 3 Zones is unnecessary, impractical, and inconsistent with the principles of sustainable management under the Resource Management Act, the Rotorua District Plan objectives, and the Councils commitment to housing affordability. The presence of an accessible natural water source already provides an effective solution for firefighting purposes. Introducing costly, duplicative infrastructure places undue burden on landowners, creates uncertainty around long-term management, and undermines affordability goals. A performance based approach that recognises natural water sources would achieve wildfire resilience without imposing unnecessary costs or environmental impacts.

Q1 Which parts of Plan Change 8 are you submitting on?

Multi Choice

Flooding
Fault Rupture

Q2 My submission is:

Long Text

Flood Risk
- We fully support the detailed submission on Flooding Risk made by Neil Oppatt.
- At the community meeting involving Rotorua Lakes Council & Bay of Plenty Regional Council, it was concerning the Regional Council had not used a model reflecting active lake management with the outlet.
- Further, it was particularly concerning that Regional Council were unwilling to review their dataset, model and analysis as it did not fall into their 'schedule.'

Fault Rupture
- The location of the fault is uncertain as well as whether a Class II designation should be applied.
- Impact on property values and property insurance is significant. It is alarming that Council would consider burdening our property with this designation without investigating further.

Q3 What changes do you want made to the District Plan?

Long Text

Flood Risk - That Plan Change 8 (flood risk) be withdrawn or amended to properly account for existing engineered risk controls & adopt a risk management approach consistent with AS/NZS ISO 31000:2018 standards.

Fault Rupture - That Plan Change 8 (fault avoidance zones) be withdrawn pending further investigation into the location of the fault and its RI. The potentially significant impact to the properties along Acacia Rd and the potential to upgrade and/or alter these properties in future requires that the Council provide an evidence based approach to the proposed changes.

Q4 Tukuatu he puka wea ki konei | Upload a submission

File Upload

Q5 Tō Ingoa | Name

Short Text

Dani Holt-Lyman

Q8 Do you wish to present your submission publicly at a hearing?

Multi Choice

No

Q9 If others make a similar submission, we will consider presenting a joint case with them at a hearing.

Multi Choice

Yes

Q10 We could gain an advantage in trade competition through this submission.

Multi Choice

No

Q1 Which parts of Plan Change 8 are you submitting on?

Multi Choice

Flooding
Fault Rupture
Land Stability Hazards – Slope Stability, Liquefaction, Soft Soils

Q2 My submission is:

Long Text

I oppose the mapping of fault lines without confirmation (via digging a trench on site for example) of a fault lines existence and specific location. Confirmation based on desktop research and probability alone is not best practice. The identification of fault lines within a property could effect landowners ability to secure insurance for buildings built prior to fault “identification”, and could reduce an owners ability to develop certain areas of their property, apply strengthening to properties unnecessarily or with significant extra investigatory costs to prove/disprove the existence of a fault, among other issues. I would like to propose that faults which are mapped are identified via onsite exploration ie. a trench dug, to confirm their location and existence rather than relying on desk research alone. I do not believe this should be at the landowners cost, for the reasons listed above. The council maps these fault lines and the council should be responsible for their formal and accurate identification.

Q3 What changes do you want made to the District Plan?

Long Text

I would like to propose that faults are identified via onsite exploration ie. a trench dug, to confirm their location and existence rather than with desk research alone. I do not believe this should be at the landowners cost. The council maps these fault lines and the council should be responsible for their formal and accurate identification.

Q4 Tukuatu he puka wea ki konei | Upload a submission

File Upload

Q5 Tō Ingoa | Name

Short Text

Tania Taylor

Q8 Do you wish to present your submission publicly at a hearing?

Multi Choice

No

Q9 If others make a similar submission, we will consider presenting a joint case with them at a hearing.

Multi Choice

Yes

Q10 We could gain an advantage in trade competition through this submission.


Multi Choice

No

Rotorua Lakes Council
1061 Haupapa Street
Rotorua, New Zealand
info@rotorualc.nz

RE: Submission on Proposed Plan Change 8 to the Rotorua District Plan –
Lake Okareka

Submitter: Simon and Megumi Ward



Introduction:

1. We make this submission further to the Rotorua Lakes District Council's (the "Council" or "RLC") letter of 21 July 2025 providing notice of Proposed Plan Change 8 (the "Plan Change"), and inviting affected parties to make submissions by 8 September 2025.
2. We are owners of 17 Pryce Road, Lake Okareka (the "Property"), and therefore are affected parties to the Plan Change. We have lived at the Property for 15 years, and in the area since 1978.
3. The Property is adjacent the Fault Rupture Hazard Area ("FRHA"), identified in the amended GNS fault maps for Acacia Road and Pryce Road referred to by the Plan Change, and therefore affected by the proposed rules relating to natural hazards in the Plan Change. The Property is also a lakeside property, and while not at risk from flooding, it is affected by the proposed flood zones and associated rules.
4. Regarding faults, the Council proposes to impose Fault Avoidance Zones ("FAZ") and Rules based on LiDAR mapping. This mapping is acknowledged to be uncertain in identifying the location of the fault. Further, the Council and GNS acknowledge that the fault is undated, and has an "Unknown" recurrence interval, with best estimates suggesting a recurrence of greater than 2000-3500 years, but could be greater than this.
5. Regarding flooding zones, the Council proposes to impose zones and rules based on modelling that relies on data gathered up to 2020, and fails to take into account or recognise the most up to date data available following the 2021 upgrade of the Lake Okareka outlet.

6. **The specific provisions of the Proposed Plan Change No. 8 that this submission relates to and opposes are as follows:**

- 6.1 SDNH-01, SDNH-02.
- 6.2 Reliance on GNS Active Faults Database maps for Acacia and Pryce Roads.
- 6.3 Definition of 'Fault Rupture Hazard Area', Fault Avoidance Zone and Rules NH-R1 to NH-R3.
- 6.4 the use of the Bay of Plenty Regional Council's *Rotorua Lakes Design Levels Technical Report 2022* as the basis for flood hazard rules.
- 6.5 Plan Change Section 32 Analysis.

(a) Opposition to the Fault Avoidance Zone and associated Rules for Pryce and Acacia Road

- 7. We oppose the introduction and application of the FRHA, FAZ and associated Rules, in particular rules NH-R1 to NH-R3 to the newly identified potential fault trace affecting parts of Acacia Road, Pryce Road, and other properties. We are not represented by LOCA and other than supporting their opposition to the FRHA and associated Rules, do not support their suggested amendments to the Plan Change and relief sought in the draft submission that we have seen.

Reasons:

- There is no regional direction by way of a regional plan or a regional policy statement regarding fault rupture provisions;
- The proposed provisions of Policy SDNH-P1 are not consistent with the proposed rules;
- **The existence of the fault on Acacia/Pryce Road has not been proven.** The GNS maps are not based on any physical investigation into the potential fault line.
- **Accurate fault location in Acacia/Pryce Road has not been identified.** The potential location has been identified by LiDar survey only. The exact location of the fault cannot be known without physical inspection, and physical inspection has not been undertaken by any of the relevant authorities. In the absence of physical verification, it is inappropriate and disproportionate to impose rules in the District Plan making residential building activities restricted discretionary activity. Furthermore, it is inconsistent with the purposes of the RMA.
- **The fault has not been dated.** This is a key piece of information that is required to categorise risk.
- **Fault recurrence has not been defined or scientifically proven.** Best estimates put reoccurrence in the 2000-3500 year level. It is therefore inappropriate and disproportionate to impose restrictive rules in the District Plan in the absence of this evidence.

- **There is limited data on the probability of fault rupture.** In such circumstances it is unreasonable and inconsistent with the purposes of the RMA to introduce rules to restrict building of residential dwellings on Acacia and Pryce Road.
- **Rules should be used in district plans as a last resort.** Imposing restrictive rules on building on Pryce Road and Acacia Road should only be done if proven necessary and as a last resort. The imposition of rules undermines statutory property rights. The Building Act 2004 allows Council to retain control of building on Acacia and Pryce Road. Such that it is not possible to obtain building consent without a geotechnical investigation.
- The FAZ and proposed rules in the Plan Change empower RLC to decline resource consent for construction of residential dwellings in the FAZ. The commercial damage this will cause is unreasonable and disproportionate to the potential risk. There are other more appropriate methods to manage and mitigate the potential risk:
 - i) the building consent process under the Building Act 2004 already requires geotechnical reports before building is permitted, and these can be utilized to assess the proximity of and fault line and potential risk;
 - ii) The mapping of faults was recently reviewed by GNS Science and updated mapping is now included in the New Zealand Active Faults database. This mapping identifies the location of fault traces as well as the basis for the FAZs). As such, the potential fault on Acacia and Pryce Road is already visible, requires geotechnical reports and building consent, and does not require additional regulation through the District Plan;
 - iii) Given that there is much uncertainty about the location, date and recurrence level of the potential fault in Acacia Road, it is inappropriate to lock restrictive rules into the District Plan, which is normally only amended every 10 years. Leaving the details of the potential fault in the GNS maps, and dealt with through the building consent process is more appropriate as it allows flexibility and amendment as new information becomes known.
 - iv) Any risk can be adequately mitigated by the more appropriate method of education, such as reference to faults in the GNS mapping, BRANZ literature, and through council duty planners.
 - v) The GNS maps and potential existence of a fault can, where appropriate be noted in property files/ LIMs for the affected properties.
- It is premature to introduce a plan change of this nature, when higher level bodies do not yet have strategic measures in place both at central and regional level.
- **The Council's proposed rules for faults at Lake Okareka fail to meet the requirements of Section 32 of the RMA.** The inclusion of the FAZ and associated rules, cannot be justified in Section 32 RMA terms. The Section 32 analysis for the Plan Change fails to properly take into account an efficient and economic assessment of the proposed new rules NH-R1 to NH- R3. The rules are overly prescriptive and the costs to residents are unreasonable and disproportionate (insurance, finance,

property values and disincentive to potential purchasers). Alternative methods such as the building consent process, education (for e.g. through BRANZ) are more cost effective and appropriate methods than the imposition of the FAZ and prescriptive rules. Consistency with Rule NH R8 of the Operative District Plan for building within the Geothermal Overlay should be considered. It provides a more appropriate response, leaving residential buildings a Permitted activity, subject to the performance standard requirement of provision of a geotechnical report as part of the building consent process.

- The introduction of the FAZ and restrictive rules concerning residential building, places an unreasonable burden and restriction on property owners' rights and ability to use their land both. It places an unreasonable burden and limitation on additions to existing buildings and any new development, and is inconsistent with the purpose of the RMA. As it will have a negative impact on property value, ability to insure and obtain finance; the FAZ and associated rules effectively create a planning blight on the Acacia Road peninsula, in the absence of evidence that such restrictive rules are appropriate.
- The FAZ and associated rules should be removed from plan due to uncertainty. Proposed requirement for resource consent would mean that RLC could decline applications to build on land within the FAZ. This is disproportionate to the costs to property owners, and the impingement on personal property rights.
- Weight of visibility and inclusion through introduction of rules, is disproportionate to effects intended to be mitigated.
- The inclusion of overly restrictive rules concerning building near faults in the Rotorua District Plan will create inconsistencies with neighbouring District Plans, and potentially attract investment out of the Rotorua district, and into neighbouring districts where they have more permissive rules relating to building near faults. If the District Plan has more prescriptive rules regarding fault lines than neighboring regions, in particular Taupo, this may have the effect of deterring investment and development in Rotorua, while making Taupo a more attractive destination for development and investment. This must be taken into account in a proper Section 32 analysis.
- As Acacia/Pryce Road is already substantially built environment, it is appropriate to rely on the building consent process, rather than resource consent process. Appropriate rules can be introduced for any new development in greenfield developments in the area.
- Wider risk factors include volcanic eruption and thermal activity in the Rotorua Lakes district. It is not reasonable or possible for the potential risks posed by this environment to be mitigated by regulation or rules in district plans. In fact, the entire volcanic plateau presents risks which are accepted by local residents, and many of which cannot be mitigated by regulation.

The following relief is sought:

- Remove reference in the Strategy, Objectives, Policies and Rules of the proposed Plan Change, relating to the risks of Faults Rupture Hazard;
- Remove the proposed Rules NH-R1 to NH-R3;
- Remove the proposed FAZ on Acacia and Pryce Road;
- Do not introduce any rules restricting construction of residential dwellings on Acacia and Pryce Road;
- Removal of the identification of Faults Rupture Hazard areas from the mapping in the Plan Change as applied to Lake Okareka;
- Revisit the Section 32 analysis to properly consider the more appropriate use of the Building Act 2004 and education, in order to mitigate any risk. **In particular, consider consistency with NH-R8 of the Operative District Plan**, which provides that building in the Geothermal Systems overlay is a Permitted Activity, subject to a performance standard requiring a Geotechnical report as part of the building consent process.
- As the potential fault on Acacia Road is not proven (including date and recurrence interval), and potential risks can be mitigated through the building consent process and by other methods such as education, the parts of Plan Change 8 relating to the extension of the potential fault on Acacia/Pryce Road and associated rules should be withdrawn.

(b) Opposition to the Flood Zone and associated Rules for Lake Okareka

8. We oppose the identification of flood areas for Lake Okareka in the planning Maps and associated rules. In particular, we oppose the adoption of flood levels for Lake Okareka as detailed in the Bay of Plenty Regional Council's (BOPRC) *Rotorua Lakes Design Levels Technical Report 2022*. We note that we support LOCA's submission in respect to Flooding Hazards.

Reasons:

- The proposed flood zone in the Plan Change is inappropriate for the area;
- The Plan Change relies on outdated Bay of Plenty Regional council flooding; Technical Report (2022) for the Lake Okareka catchment, on which to inform its mapping;
- The identified flood line in the map, is not supported by scientific evidence and extends the area of risk beyond that necessary;
- Engineering works undertaken in 2021 to increase the lake outflow in order to reduce flooding risk, as consented by the Bay of Plenty Regional Council, should form the basis of assessment, prior to rules relating to flooding risk being introduced into the Plan Change;
- The proposed provisions of Policy SDNH-P1 are not complied with in the proposed flood controls. The best available information/evidence has not been obtained;

- The flood zone for Lake Okareka and associated rules are unnecessary and overregulates the unsubstantiated risk factors of land use activity;
- The operative District Plan, existing planning and regulatory instruments (including the Building Act 1991), adequately cover risks posed by natural hazards;
- The imposition of the flood zone maps and associated rules are not supported by a Section 32 analysis properly undertaken. The Section 32 analysis for the Plan Change fails to properly take into account efficient and economic assessment of the proposed flood zone and associated rules. The rules are overly prescriptive and the costs to residents are unreasonable and disproportionate. The costs and restrictions imposed are entirely disproportionate to the potential risk;
- It is inappropriate to impose a precautionary approach based on incomplete and unproved climate change data, and have the same locked into a District Plan for a 10 year period.

The following relief is sought:

- Remove reference in the Strategy, Objectives, Policies and Rules of the proposed Plan Change, relating to Flooding;
- Remove the identification of flood risk areas from the mapping for Lake Okareka in the Plan Change;
- Recognition that there is currently inadequate evidence to support such mapping, and doing so places unnecessary burden and cost on landowners;
- Recognition that there are already adequate controls in place to address the above risks, until new evidence proves otherwise;
- There are alternative options to be considered in the management of risk in relation flooding;
- Until further technical investigation has been undertaken in relation to potential flooding and management at Lake Okareka, the parts of Plan Change 8 relating to flooding at Lake Okareka should be withdrawn.

9. We wish to be heard in support of this submission.

10. If others are making a similar submission, we would be prepared to consider presenting a joint case with them at any hearing.

Simon and Megumi Ward
Date: 8 September 2025

ADDRESS FOR SERVICE OF PERSON MAKING SUBMISSION

Simon and Megumi Ward



Q1 Which parts of Plan Change 8 are you submitting on?

Multi Choice Fault Rupture

Q2 My submission is:

Long Text We understand the government is currently reviewing the resource management Act and this may have implications for plan change 8. We submit that it is prudent that the Council wait until the changes to the Resource management come into effect before proceeding with any change .
2. We feel these changes in plan change 8 are significant enough that a community meeting to share these changes should be held so that there is widespread understanding of what the changes mean .
3. In a letter I addressed to Council to ask questions on the changes it was stated that there had been an omission. If plan change 8 proceeds
We submit that we would like assurance that you insert an advice note under the rules or definition saying that “the New Zealand fault database provides information to identify the fault avoidance area, but may be supplemented by other information. “

Q3 What changes do you want made to the District Plan?

Long Text Addition of the Berryman report

Q4 Tukuatu he puka wea ki konei | Upload a submission

File Upload

Q5 Tō Ingoa | Name

Short Text R& K Mason

Q8 Do you wish to present your submission publicly at a hearing?

Multi Choice Yes

Q9 If others make a similar submission, we will consider presenting a joint case with them at a hearing.

Multi Choice Yes

Q10 We could gain an advantage in trade competition through this submission.

Multi Choice No

Q1 Which parts of Plan Change 8 are you submitting on?

Multi Choice

Flooding
Fault Rupture
Other: SDNH-01 & 02 Striking minimisation of risk to life and our environment

Q2 My submission is:

Long Text

1/ The risk of flooding at Okareka has been mitigated by works in 2021 and is no longer relevant. This should be struck off.

2/ The risk of fault rupture down Acacia Road has not been fully assessed by the community and needs further time to allow for that to be done properly before this part of Plan Change 8 is adopted.

3/ Item SDNH-01 [1.3(9)] Striking minimisation of risk to life and our environment is inconsistent with previous advice from Council engineer Andrew Bell which warned of "catastrophic loss of life" in the case of one particular development.

4/ Item SDNH-02 Council has shown little interest in either mitigating or adapting to climate change and to make a blanket statement like this is inconsistent. It suggests to me council is keen to subdivide and develop Okareka regardless of the risk and I believe that is inappropriate until council has engaged the appropriate specialists and consulted more with the community on this topic.

Overall this plan change seems rushed and any decisions should be postponed until after the above issues are addressed in the plan.

Q3 What changes do you want made to the District Plan?

Long Text

Overall this plan change seems rushed and any decisions should be postponed for at least a year or until after the above issues are addressed in the plan.

Q4 Tukuatu he puka wea ki konei | Upload a submission

File Upload

Q5 Tō Ingoa | Name

Short Text

Ross Wilmoth

Q8 Do you wish to present your submission publicly at a hearing?

Multi Choice

Yes

Q9 If others make a similar submission, we will consider presenting a joint case with them at a hearing.

Multi Choice

Yes

Q10 We could gain an advantage in trade competition through this submission.

Multi Choice

No

Kim Smith

From: Rotorua Lakes Council <info@rotorualc.nz>
Sent: Wednesday, 10 September 2025 8:42 am
To: RLC RMA Policy Services
Subject: Fwd: FW: RLC Plan Change 8

From: [REDACTED]
Sent: Monday, September 8, 2025 12:33 PM
To: info@rotorualc.nz
[REDACTED]
Subject: FW: RLC Plan Change 8

Good afternoon,

I have a place at 14 Okareka Loop Rd, Lake Okareka.
I have read your Draft Submission of the Plan change 8.
I oppose many of your key points
I agree entirely with Lake Okareka Association's stand on this issue and support them entirely with their submission.

Regards

Jenny Joyce

[REDACTED]

11th September 2025

Rotorua District Council
Private Bag 3029
Rotorua Mail Centre
Rotorua 3046



Dear Sir/Madam

**Rotorua District Council – Proposed Plan Change No.8 – Natural Hazards
Submission – R & B Property Group, 99, 101, 103 & 105 Acacia Road, Lake Ōkāreka, Rotorua**

1. Introduction

Stratum Consultants Ltd has been engaged to act on behalf of R & B Property Group (the submitters). Our clients wish to provide feedback on the proposed provisions of Rotorua District Council's Plan Change 8 (PC8), specifically as they relate to the newly introduced fault rupture hazard in the Acacia Road area at Lake Ōkāreka.

Our clients reserve the right to comment on any other aspects of the proposed plan change as further review occurs. They also wish to be heard in respect of this submission, should hearings be held.

1.1. Address for Service

R & B Property Group
C/- Stratum Consultants Ltd
PO Box 878
Rotorua 3040

Attention: Brett Farquhar
Email: [REDACTED]

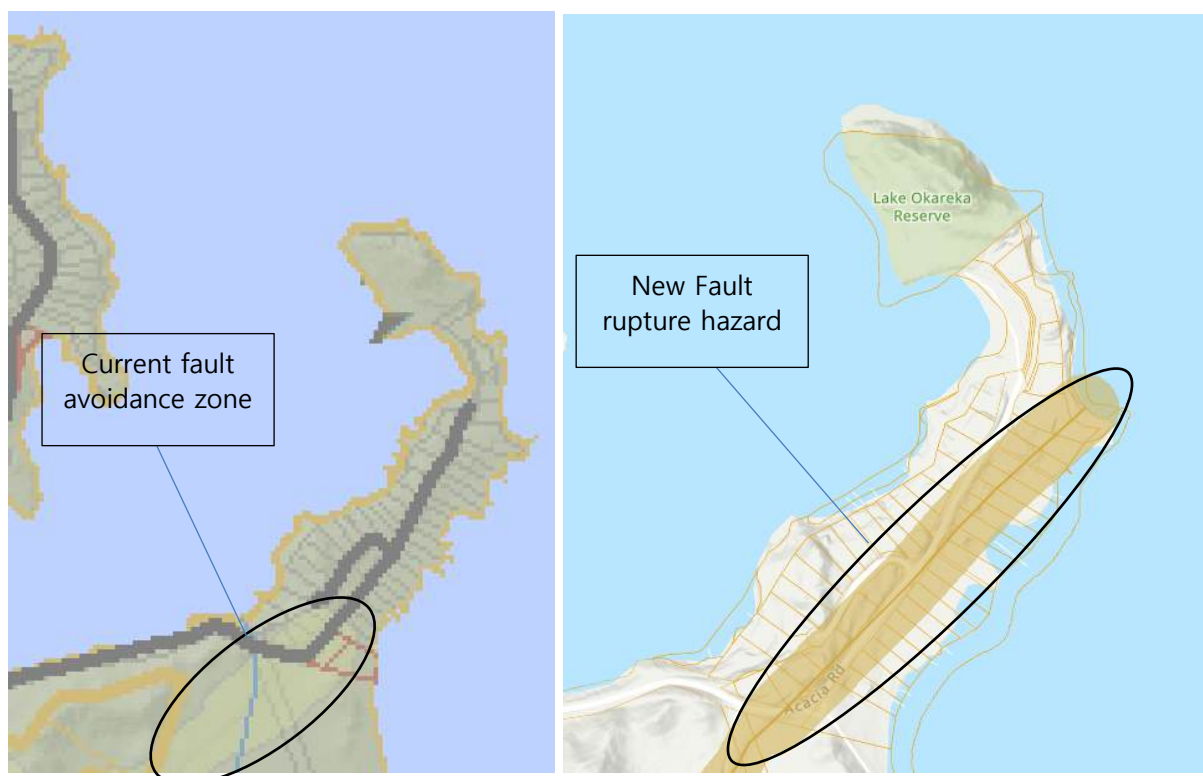
2. Background

R & B Property Group have an interest in the following properties at 99, 101, 103 & 105 Acacia Road, Lake Ōkāreka, Rotorua which are in close proximity to a newly added fault rupture hazard area through Acacia Road, Lake Ōkāreka, Rotorua.

These properties are shown on the following image.



For clarity, the following image shows the operative hazard mapping showing the fault avoidance zone finishing at the start of Acacia Road and proposed fault rupture hazard area now going through it.



3. Submission Points

- a) The submitters express concern regarding the scientific rationale for introducing a fault line through Acacia Road. This fault line was not present in the operative hazard maps, and no explanation has been provided for its inclusion in the proposed mapping. The documentation supporting Proposed Plan Change 8 does not include a GNS Science

report or equivalent technical evidence. As such, it remains unclear what data sources, identification techniques, or analytical methodologies were used. In the absence of this information, the justification for extending the fault line through Acacia Road is neither transparent nor scientifically substantiated.

- b) Further concern arises from the inconsistent classification of different sections of the Crater Lake Fault system. The Acacia Road section has been designated as having a Recurrence Interval of "Unknown" and assigned a Class I categorisation, invoking the most stringent planning controls. In contrast, the Spencer Road section of the same fault system has been classified as Recurrence Interval Class IV (~7,000 years), based on geomorphic analysis, lidar data, and landform dating rather than trenching alone. At Acacia Road, the report concludes that refinement is not possible due to anthropogenic ground modification and a high-water table that precludes trenching. This methodological inconsistency has resulted in two segments of the same fault system being treated markedly differently, with Acacia Road subject to the strictest planning constraints by default.
- c) This disparity in classification raises significant equity concerns. It is difficult to justify why residents of Spencer Road benefit from a more permissive planning framework, while those on Acacia Road face indefinite Red Category restrictions. This imposes an unreasonable and disproportionate burden on Acacia Road landowners, particularly in light of the acknowledged scientific limitations that prevent further assessment at present. Without a clearly defined reassessment pathway, this classification risks becoming both permanent and inequitable.
- d) Submitters also note inconsistencies in the mapping and subsequent removal of other fault lines, such as the fault previously identified at Redwood Park on "Gyserview 6," which no longer appears on the current GNS website. It is unclear whether this fault has been formally revoked, excluded, or simply omitted, and what criteria or process led to its removal. This lack of transparency creates further uncertainty around how fault lines are managed and what practical recourse may be available to Acacia Road residents who wish to request a review or reassessment.



- e) Given the acknowledged limitations of trenching on Acacia Road due to high groundwater levels, reliance on trenching as the sole means of fault characterisation is impractical. The reclassification of Spencer Road using alternative methods, such as geomorphic analysis, lidar, and tephrochronology, demonstrates that viable options exist. These techniques should also be made available for assessing the Acacia Road section, to ensure residents are not indefinitely subjected to the most restrictive classification by default.
- f) Proposed Plan Change 8 (PC8) also seeks to remove a number of existing natural hazard maps, including fault avoidance zones, from the district plan, instead proposing to enforce the hazard rule framework through external models and online mapping resources. While

the submitters acknowledge the intent to incorporate the most up-to-date information, this approach lacks transparency and undermines the clarity and consistency required for effective implementation of the district plan.

- g) As materials incorporated by reference into a district plan or proposed plan carry the same legal weight as other provisions, they must be subject to the same level of scrutiny. Any map or model used to enforce district plan provisions must be robust, reliable, and exhibit a low margin of error. Reliance on external and potentially dynamic sources introduces ambiguity and fails to provide certainty for affected stakeholders, including homeowners, insurers, and developers. This uncertainty compromises the ability of these parties to understand whether their property is subject to hazard-related constraints.
- h) Any maps or models intended to form part of the regulatory framework should be publicly notified in conjunction with the plan change itself. This ensures that the public can meaningfully assess the methodologies used to generate these resources, as well as the internal processes governing future updates. Schedule 1 of the Resource Management Act 1991 (RMA) prescribes the legal framework for incorporating external material into district plans, and it is essential that these statutory requirements are fully adhered to in the implementation of PC8.

4. Relief Sought

- i) The submitters respectfully request that Council reconsider both the inclusion and classification of the Acacia Road section of the Crater Lake Fault under Proposed Plan Change 8. In its current form, the proposal imposes disproportionate restrictions on Acacia Road properties without sufficient scientific evidence and in a manner inconsistent with the treatment of comparable fault segments
- j) Accordingly, the submitters seek the following:
 - That the newly mapped fault rupture hazard be removed from Acacia Road unless robust, peer-reviewed scientific evidence is provided to justify its inclusion.
 - Alternatively, that the Acacia Road section be reassessed using the same alternative methodologies, such as geomorphic analysis and lidar interpretation, applied to Spencer Road.
 - Clarification of the rationale for assigning Acacia Road the most restrictive classification by default.
 - A clearly defined process by which fault lines may be reviewed, reassessed, or removed in the future.
 - Assurance that Acacia Road residents will be treated equitably and afforded the same opportunities for review and reclassification as those in other affected areas, including Spencer Road.

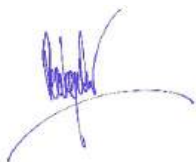
5. Closure

Our clients wish to retain an active part to this specific District Plan change process and look forward to speaking to our submission in due course.

Otherwise, should you have any queries regarding this matter, please do not hesitate to contact the undersigned.

Yours faithfully

Stratum Consultants Ltd



Brett Farquhar
Director/Planner



11th September 2025

Rotorua Lakes Council
Private Bag 3029
ROTORUA 3046

Re: Pukeroa Oruawhata Group Plan Change 8 – Natural Hazards Submission

Introduction

Pukeroa wish to submit on the Rotorua District Council (Council) proposed Plan Change 8 (PC8) to the Rotorua District Plan.

Pukeroa wishes to be heard with regard to this submission.

Pukeroa also wish to reserve the right to comment on any other points not detailed below as the continuous review of this plan change occurs.

Address for Service:

Pukeroa Oruawhata Group
PO Box 12031
Rotorua

Attention: Mark Gibb

Email: [REDACTED]

Phone: [REDACTED]

Background

- a) By way of an overview, Pukeroa Oruawhata Trust (now Pukeroa Oruawhata Group) was established in 1981 for the purpose of administering the "township sections" on behalf of the beneficial owners of Ngāti Whakaue. For example, Pukeroa Lakefront Holdings Ltd has been set up under the umbrella of the Pukeroa Oruawhata Group for the specific purpose of developing and managing specific land.
- b) Pukeroa and its associated companies manage large areas of ancestral land within the Rotorua township on behalf of more than 4,500 beneficial owners and their descendants. Much of this land is currently underdeveloped or under long term lease, thus providing opportunities for development in the future.
- c) The Pukeroa parent company, the Pukeroa Oruawhata Group is an inaugural foundation member of and is proud to be part of the Rotorua Partnership Programme to help assist many important projects for the Rotorua community.

Submission Points

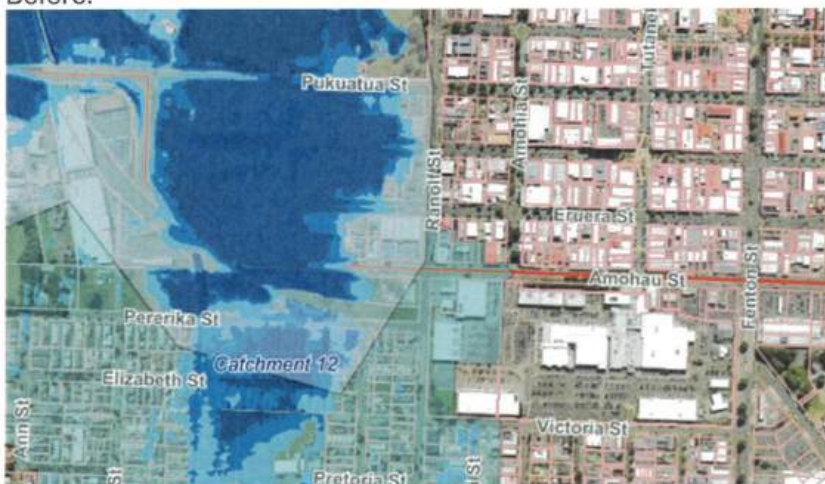
- d) Pukeroa expresses significant concern regarding the newly introduced flooding overlays affecting portions of its landholdings, specifically the Rotorua Central Mall (Pukeroa Oruawhata Holdings Ltd) and Trade Central (Pukeroa Properties (No.2) Ltd).
- e)

Pukeroa Oruawhata Trust

- f) It appears that Proposed PC8 introduces updated flood modelling for the Rotorua central area. These revised models indicate new areas of inundation, including the aforementioned sites and several others.
- g) Pukeroa is also concerned about the lake level inundation overlay applied to land owned by Pukeroa Lakefront Holdings Ltd, encompassing the Wai-Ariki Spa and its surrounding precinct.
- h) The updated flood modelling raises serious concerns about the adequacy of existing building floor levels and the potential impact on current developments, including both the malls and the spa facility.
- i) Pukeroa is strongly opposed to any scenario in which floodwaters may now pose a risk of inundating its buildings, disrupting tenant operations, resulting in revenue loss, triggering insurance claims, or necessitating costly mitigation measures such as retrofitting or raising floor levels.
- j) Additionally, the reclassification of these sites as flood-prone may adversely affect their insurability, posing further financial and operational risks.

Maps

Before:

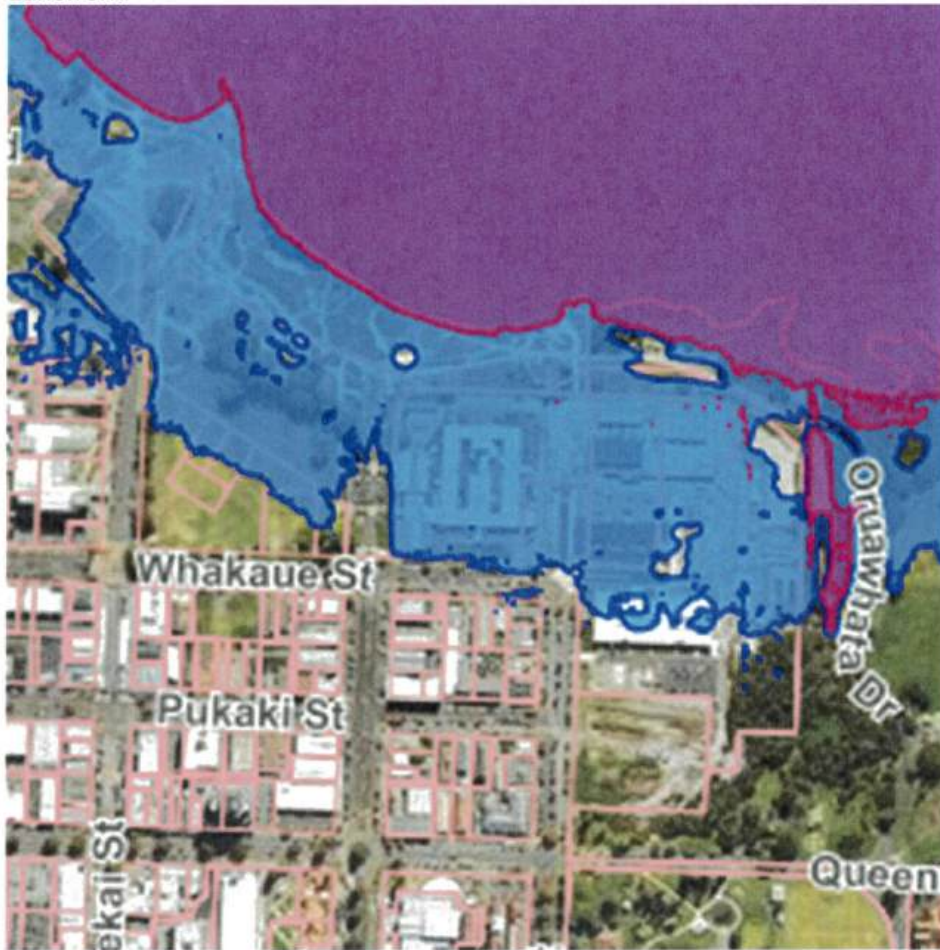


Proposed:



Pukeroa Oruawhata Trust

Lakefront:



Closure

Pukeroa wish to retain an active part to this specific submission process. We look forward to speaking to this submission in due course.

Otherwise, should you have any queries regarding this matter, please do not hesitate to contact the undersigned.

Ngā mihi,

Mark Gibb – Chief Executive



www.pukeroa.co.nz
www.rotoruacentral.co.nz
www.wai-ariki.co.nz

Pukeroa Oruawhata Trust



From: Luke Nelson [redacted]
Sent: Tuesday, 16 September 2025 6:11 pm
To: Kim Smith
Subject: PC8 - Late submission

Hi Kim,

May be too late but couldn't get to it earlier sorry.

SUB-MC1(2)(j)/SUB-MD1(2)(k)/SUB-AC1(1)(n) should read:

The extent to which natural hazard risks are avoided or mitigated and the worsening of any such natural hazard

Otherwise widens the matter out to be open ended for any hazard.

EW-S1(1)(g) – not modifying overland flow paths is a good idea.

EW-S2(a)(i) – do not support the change removing the earthworks exemption for subdivision as this will result in a reversion to the consents team requiring land use consents with subdivision applications given 100m³ is a very small limit; a small limit that makes sense where no engagement with Council for consenting but not where you have lodged a subdivision consent. This will just result in unnecessary fees paid to Council for land use consent and wasted staff time to process where the effects of any earthworks can be dealt with under the matters of control/discretion.

Otherwise generally supportive including aligning Lakes A natural hazards with rest of District.

Regards,

Luke Nelson





Ngāti Māhino Iwi Authority

Submission on Proposed Plan Change 8

1. Introduction

Ngāti Māhino Iwi Authority welcomes the opportunity to submit on Proposed Plan Change 8 (PC8). We support stronger natural-hazard controls that build climate resilience, but seek targeted amendments to embed mātauranga Māori, catchment-wide management, and flexible pathways for customary development.

2. Relief Sought Summary

- Scope stormwater and catchment-scale runoff controls into PC8.
 - Adopt a hybrid mapping regime with statutory Ngāti Māhino overlays and dynamic GIS layers co-governed by iwi.
 - Provide bespoke lake-level definitions for managed systems and resource-consent exemptions for wetland-style development.
 - Broaden Policy SDNH-P1 (“acceptable risk”) to include cultural, cumulative, and multihazard factors.
 - Amend Policy NH-P3 to explicitly enable new papakāinga and customary geothermal installations with tikanga safeguards.
 - Tighten rural-zone earthworks exemptions; require co-designed erosion and sediment control plans for sensitive catchments.
 - Integrate mitigation objectives from Te Ara ki Kōpū (low-carbon infrastructure, green networks) alongside adaptation.
 - Formally incorporate emerging Iwi Management Plans and mandatory cultural impact assessments.
 - Enable a Ngāti Māhino inclusive, Te Arawa–Council advisory group with statutory standing for ongoing co-governance and plan reviews.
-

3. Whole Catchment Management & Stormwater

Context

PC8 excludes stormwater controls, yet failing to manage runoff at source shifts flood risk downstream and undermines communities in lower catchments, which are generally our most vulnerable communities.

Relief Sought

- Insert a policy requiring subdivisions and earthworks to demonstrate downstream capacity through site-specific flood and stormwater modelling.
 - Mandate water-sensitive urban design (rain gardens, infiltration zones) and protection of overland flowpaths as performance standards.
 - Cross-reference Bay of Plenty stormwater rules or require catchment-scale assessment in advice notes.
-

4. Inclusion of Maps in the Plan

Context

Static schedules give certainty but date quickly. Dynamic GIS layers stay current but lack statutory weight and may omit cultural data.

The optimal approach is **layered**:

- **Statutory certainty** for enduring spatial boundaries in the plan.
- **Dynamic, real-time GIS layers** for rapidly changing or high-resolution data.
- **Clear policy linkages** so decision-makers can legally rely on the most current information without constant plan changes.

Relief Sought

- Embed a statutory Ngāti Mākino rohe overlay alongside key hazard zones (flood, geothermal, slope stability).
- Reference dynamic layers (flood extents, refined fault traces, cultural sites) via an interactive ePlan viewer.
- Require metadata on each layer's date, data source, update cycle, and iwi validation.
- Provide for co-governed updates at agreed intervals, with any changes to statutory boundaries via Schedule 1 process.

Appendix 1 for some Policy solutions.

5. High Lake Levels & Wetland-Friendly Development

Context

Rules fix floor levels to a 1 % AEP lake event plus freeboard, yet Rotorua's water levels are actively managed and wetland restoration is a priority.

Relief Sought

- Allow alternative lake-level definitions based on operational controls and Ngāti Māhino cultural indicators (e.g., mahinga kai inundation patterns).
 - Create a consenting pathway with expedited timeframes and reduced fees for wetland enhancement and floating platform designs.
 - Permit papakāinga and marae-based structures in the Lakes A Zone as controlled activities, subject to resilient foundation and landscaping standards rather than full consent.
-

6. Defining Acceptable Risk (Policy SDNH-P1)

Context

SDNH-P1 focuses on health, safety, infrastructure, and economics but omits heritage, mauri, cumulative, and climate-uncertainty factors.

Relief Sought

- Amend SDNH-P1 to include:
 - Impacts on waahi tapu and mahinga kai.
 - Intergenerational resilience and mauri restoration.
 - Cumulative effects of multihazard exposure.
 - Uncertainty in future climate projections (lake levels, rainfall intensity).
 - Require decision-makers to record how cultural factors were weighted and to consult mana whenua on risk thresholds.
 - Develop a Te Arawa matauranga risk assessment framework to better inform acceptable risk across the District where tangata whenua have lived for 30 generations.
-

7. Māori Occupation & Geothermal Activities (Policy NH-P3)

Context

NH-P3 safeguards existing geothermal occupation but is silent on new papakāinga and customary resource use.

Relief Sought

- Clarify NH-P3 to explicitly enable future Māori housing, marae facilities, and small-scale geothermal bores for domestic and cultural use.
 - Overlay tikanga-based design principles (e.g., protecting tapu areas, maintaining natural flow regimes).
 - Introduce performance-based setbacks; require a monitoring framework including ore-construction certification, and regular reviews by a hydrogeologist and iwi expert/representative rather than fixed distances.
-

8. Earthworks Performance Standards in Rural Zones

Context

Permitted fill depth reduced from 5 m to 450 mm and cut face from 3 m to 1.5 m, but broad exemptions remain.

Relief Sought

- Tighten exemptions for access, mahinga kai restoration, and agricultural works within identified catchments.
 - Require erosion-and-sediment control plans co-designed with Ngāti Māhino for any earthworks exceeding 100 m² or 0.2 m depth in sensitive areas.
 - Add advice notes referencing iwi-endorsed restoration and planting standards.
-

10. Reflection of the Climate Strategy

Context

Te Ara ki Kōpū demands both adaptation and mitigation. PC8 emphasises hazard controls but omits low-carbon and regenerative measures.

Relief Sought

- Introduce objectives and policies incentivising renewable energy infrastructure (solar arrays, heat pumps) and green networks (rain gardens, permeable pavements).
 - Align hazard provisions with Council's Emissions Reduction Plan and regenerative land-use targets.
 - Establish a Te Arawa Climate Advisory Panel to oversee integration of mitigation within PC8's monitoring framework.
-

11. Emerging Iwi/Hapū Management Plans

Context

New Iwi Management Plans contain detailed values, cultural indicators, and preferred methods that should inform PC8.

Relief Sought

- Collate and lodge draft IMPs from Te Arawa iwi and hapū with the hearing evidence.
 - Seek a direction that these documents be treated as relevant under RMA Section 104(1)(c).
 - Mandate that any future plan reviews acknowledge and incorporate iwi-led priorities as defined in those IMPs.
-

12. Co-Governance & Implementation

Context

Effective hazard management requires enduring partnerships and joint monitoring.

Relief Sought

- Establish a Ngāti Mākino inclusive Te Arawa–Council Advisory Group with statutory standing.
 - Commit to joint Plan Change 8 reviews every five years to assess cultural, technical, and climate-related effectiveness.
 - Require Cultural Impact Assessments for any subdivision, earthworks, or land-use change within mapped hazard or culturally significant areas.
-

Ngāti Mākino urges Rotorua Lakes Council to adopt these amendments so that PC8 not only reduces hazard risk but also reflects our rangatiratanga, role as kaitiaki, supports contemporary development in customary areas, and advances Te Ara ki Kōpū's vision of holistic climate action.

Appendix 1 - Policies to Enable Real-Time Data Use in Decision-Making

To future-proof district plans and support adaptive management:

- **Electronic Functionality & Accessibility Standard Compliance**
 - Implement an ePlan platform that integrates live GIS feeds.
- **Dynamic Data Referencing**
 - Draft plan provisions that reference “the most current version” of specified datasets, rather than embedding static copies.
- **Decision Support Tools**
 - Use dashboards that combine live data with plan rules to give planners and elected members instant compliance checks.
- **Data Sharing Protocols**
 - Adopt open data policies so developers, iwi authorities, and the public can access the same real-time datasets.

Model Policy Framework: Hybrid Mapping & Real-Time Data Integration

1. Purpose Statement

To ensure spatial information in the District Plan is accurate, accessible, and adaptable, combining statutory certainty with the ability to incorporate the most current data for informed, risk-based decision-making.

2. Scope

- Applies to all spatial layers referenced in the District Plan, including:
 - **Statutory Layers** (zones, overlays, precincts, heritage areas)
 - **Dynamic Layers** (hazard modelling, infrastructure capacity, environmental monitoring)
 - Covers both **plan-making** and **resource consent decision-making**.
-

3. Principles

1. **Clarity & Accessibility** – Maps must be easy to interpret for all users, including iwi, community groups, and developers.
2. **Currency** – Decision-making will use the most up-to-date verified datasets available.
3. **Transparency** – Data sources, update cycles, and methodologies will be publicly documented.

4. **Kaupapa Alignment** – Spatial data will be assessed for cultural integrity and alignment with iwi values before adoption.
 5. **Interoperability** – Systems will be designed to integrate with national datasets and regional council GIS.
-

4. Statutory Mapping Policy

- **Fixed Boundaries in Plan:**
 - All enduring spatial boundaries (zones, overlays, precincts) are embedded in the ePlan and have full statutory weight.
 - **Update Process:**
 - Changes to statutory maps require a Schedule 1 plan change.
 - **Metadata Requirement:**
 - Each statutory map must include scale, date, and data source.
-

5. Dynamic Mapping Policy

- **Live Data Integration:**
 - Non-statutory GIS layers (e.g., flood hazard extents, infrastructure capacity) will be linked to the ePlan via an interactive map viewer.
 - **Authoritative Sources:**
 - Only datasets from approved agencies (e.g., NIWA, LINZ, regional councils, iwi authorities) will be used.
 - **Update Frequency:**
 - Dynamic layers will be updated as soon as new verified data is available.
 - **Decision-Making Reference:**
 - Plan provisions will state: *“For the purposes of applying [Rule X], the most current version of the [Dataset Name] as published on Council’s GIS shall be used.”*
-

6. Data Governance

- **Data Stewardship Roles:**
 - Assign a Spatial Data Custodian responsible for dataset integrity and updates.
 - **Audit & Review:**
 - Annual review of all datasets for accuracy, completeness, and cultural alignment.
 - **Inter-Agency Agreements:**
 - MoUs with data providers to ensure timely updates and shared standards.
-

7. Public Access & Engagement

- **Interactive ePlan:**
 - Public-facing platform with toggleable statutory and dynamic layers.
 - **Community Alerts:**
 - Subscription service for updates to hazard or infrastructure maps affecting specific properties.
 - **Cultural Context Layers:**
 - Where appropriate, include iwi-endorsed spatial narratives alongside technical data.
-

8. Risk Management

- **Fallback Protocol:**
 - If live data is unavailable, the most recent archived dataset will be used.
 - **Dispute Resolution:**
 - Clear process for resolving discrepancies between statutory and dynamic layers.
 - **Legal Disclaimer:**
 - Dynamic layers are advisory unless explicitly referenced in a rule.
-

9. Implementation Roadmap

1. **Phase 1** – Audit existing maps and datasets; classify as statutory or dynamic.
 2. **Phase 2** – Upgrade ePlan platform to integrate live GIS feeds.
 3. **Phase 3** – Draft and notify plan provisions referencing dynamic datasets.
 4. **Phase 4** – Train planners, consent officers, and iwi partners in using the hybrid system.
 5. **Phase 5** – Annual review and refinement.
-

10. Example Enabling Rule Wording

Rule X: Activities within the Flood Hazard Area are restricted discretionary activities. The Flood Hazard Area is defined by the most current version of the “Council Flood Hazard Layer” as published on the Council’s GIS platform. This dataset is updated as new verified modelling becomes available.

Submission Form:

Plan Change 8 to the Rotorua District Plan (Natural Hazards)

Which parts of Plan Change 8 are you submitting on? Required

- ☒ Strategic Objectives and Policies
- ☒ Flooding
- ☒ Wildfire
- ☒ Fault Rupture
- ☒ Land Stability Hazards – Slope Stability, Liquefaction, Soft Soils
- ☒ Geothermal Hazards
- ☐ Other (please specify)

My submission is:

Detail which parts of Plan Change 8 you support, oppose, the amendments you seek, and the reasons why.

Refer to submission document.

(continue on separate page if needed)

What changes do you want made to the District Plan?

Refer to submission document.

Submitter/ Organisation name

Tō Ingoa | Name Required

This will be published with the submission.

Te Rūnanga o Ngāti Kearoa Ngāti Tuara

Tō Īmēra | Email address Required

This is the main way we will contact you about your submission. This email address will be published in a list of submitter contact details which is made available at the Further Submission stage. This is because if someone wants to respond to your submission, they must also send you a copy of their further submission.

raurakau@iarau.io

Tō Wāea | Contact number Required

This will only used to contact you directly about your submission and won't be published to the public.

Do you wish to present your submission publicly in front of elected members at a hearing? Required

- ☐ Yes
- ☒ No

If others make a similar submission, we will consider presenting a joint case with them at a hearing.

- ☐ Yes
- ☒ No

We could gain an advantage in trade competition through this submission.

- ☐ Yes
- ☒ No

<p>Email your submission to Planning.Policy@rotorualc.nz; or</p> <p>Drop off your submission into the Council office, 1061 Haupapa Street, Rotorua; or</p> <p>Post to Rotorua Lakes Council, DX Mailbox number (JX 10503), Rotorua 3046; or</p>
--

MEMO

DATE

13 October 2025

TO: Rotorua Lakes Council
FROM: Iarau Ltd, on behalf of Te Rūnanga o Ngāti Kearoa Ngāti Tuara
RE: Submission on Plan Change 8: Natural Hazards

PART 1: OPENING COMMENTS

Te Rūnanga o Ngāti Kearoa Ngāti Tuara (TRoNKNT) appreciates the opportunity to provide a late submission on Plan Change 8: Natural Hazards (plan change). Initial feedback on the draft plan change prior to notification was provided on 28 May 2025, and TRoNKNT maintains the position outlined in that feedback. This submission provides additional comments on the notified plan change and should be read alongside the earlier feedback provided.

PART 2: KEY POINTS

Strategic objectives and policies

TRoNKNT supports the intent of strategic directions of SDNH-O1, SDNH-O2, SDNH-P1 and SDNH-P2. Specifically, SDNH-P1 3.d, which demonstrates support in realising mana whenua aspirations for their whenua and acknowledges the mātauranga whānau have at place in mitigating effects of natural hazards.

While we support the intent, TRoNKNT seek that SDNH-P1 is amended to include the following:

3.b Cumulative effects over time, including cultural effects, and across multiple activities.

3.d For developments or activities undertaken by tangata whenua, the cultural significance of the site or activity, which may justify acceptance of a higher level of natural hazard risk.

Flooding

TRoNKNT support the key proposals for the new flooding provisions. Up to date and accurate flood hazard mapping is essential in mitigating adverse effects and planning for the future. Natural flow paths of our awa should remain open to provide natural flood mitigation and avoid further alteration of the natural courses of waterways in the district.

The proposed changes to Rule EW-S1 General earthworks performance standards are supported in part, however, the provisions must be strengthened to explicitly include protection for flow paths connected to awa and their tributaries within the Ngāti Kearoa Ngāti Tuara mana whenua rohe. Our waterways have long endured the effects of development and other land use activities.

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This provision is supported as a step toward protection from further human alteration and improves flood resilience through natural methods.

Wildfire

TRoNKNT support the key proposals for mitigating the risk of wildfire in the proposed plan change which focus on strengthening firefighting water supply and encouraging safer subdivision design.

As wildfire mitigation and protection in the district plan evolves in the future, TRoNKNT seek that:

- Protection of marae, papakāinga, wāhi tapu and sites of significance are prioritised;
- TRoNKNT are engaged to support Rotorua Lakes Council (RLC) in developing mitigation strategies in our rohe; and
- TRoNKNT are engaged to support RLC in ensuring cultural values are embedded in how wildfire risk areas are mapped and responded to in our rohe.

Fault rupture

TRoNKNT support the key proposals for the proposed fault rupture provisions. Up to date and accurate fault rupture mapping is essential in mitigating adverse effects and planning for the future.

In progressing these changes through Plan Change 8 TRoNKNT seek that:

- TRoNKNT are engaged to understand the full extent of the new fault rupture areas and are equipped with accurate information to share with Māori landowners and Trusts within our rohe;
- cultural impacts in our rohe are assessed in partnership with Ngāti Kearoa Ngāti Tuara; and
- in alignment with the intent of SDHN-P1, mapping and classifications do not restrict existing culturally important land uses, or our ability to develop our whenua in alignment with our aspirations in the future.

Land stability hazards

TRoNKNT supports the use of the best available information to assess risks. In implementing these changes TRoNKNT seek that:

- Site assessments do not impose unfair financial or technical burdens on Ngāti Kearoa Ngāti Tuara landowners, Trusts, or papakāinga applicants;
- TRoNKNT are engaged by RLC to support in the development of site assessment guidelines, particularly for whenua Māori within our rohe; and
- generic restrictions must not be imposed across the district - consideration must be provided for papakāinga, marae, and hapū-led development to support the intent of SDNH-P1 3.d.

Geothermal hazards

TRoNKNT supports the intent of the key proposed changes to geothermal hazard rules. Ngāti Kearoa Ngāti Tuara uri have a significant connection to our puna, ngāwhā and other geothermal

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features within our rohe. We have learnt through generations how to mitigate the risks of living near ngāwhā, including how to care for them and utilise this taonga to improve our wellbeing.

The proposed wording to NH-P3 is supported in part, however, TRoNKNT seek that NH-P3 is amended to include the following:

*Take into account the cultural significance of co-existing with geothermal activity in any assessment of geothermal hazard risk associated with development in papakāinga and traditional **and modern** Māori settlements **(including future settlements)**, such as the Te Arawa villages of Ōhinemutu and Whakarewarewa.*

PART 3: CLOSING COMMENTS

TRoNKNT acknowledge the opportunity to provide a further submission on the plan change. The environmental and climatic changes we are experiencing in our district and across the country highlight the significance of improved hazard planning and mitigation. TRoNKNT support the intent of the plan change and the improved provisions for considering mana whenua perspectives and cultural values. This is a positive improvement which TRoNKNT would like to see strengthened further through this submission and engagement with RLC to support implementation.

Ngā mihi,

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