

AMENDED APPENDIX A (11/03/15)

Proposed changes to Chapter 5 provisions for flood hazards

This document is based on the provisions of Chapter 5 as notified

Changes agreed at caucusing are shown with **bold underlined** and ~~**bold strike through**~~

Further changes proposed are shown with red underlined and ~~red strikethrough~~

Additional changes following the lodgement of Appendix A are shown with underlined and strike through.

POLICY 5.3.4 – FLOOD DAMAGE MITIGATION BY RAISING FLOOR LEVELS

- a. Reduce potential flood damage by ensuring floor levels for new buildings or additions to buildings are above flooding predicted to occur in a major flood event, including an allowance for sea level rise.
- b. To provide an interim exemption to the minimum floor level rules within the FLFMA by recognising floor levels already set by the Council prior to the floor level rules becoming operative.
- c. Provide a ~~simplified and streamlined resource consent permitted activity certification~~ procedure as an interim measure for setting floor levels outside the Fixed Minimum Floor Overlay, pending the completion of further work by the Council to enable specific floor levels to be in terms of identified flood models/ versions over the entire Floor Level and Fill Management Area.

5.8.1 RESIDENTIAL ZONES - ACTIVITIES AND EARTHWORKS IN FLOOR LEVEL AND FILL MANAGEMENT AREAS

Rule 5.8.1.1 Permitted activities

The activities listed below are permitted in all residential zones where the activity is located in a Floor Level and Fill Management Area subject to compliance with:

1. activity status rules and any standards specified elsewhere in the Plan for that activity, and
2. the standards specified in this Rule 5.8.1.1.

Activity		Activity specific standards
P1	New buildings located within the Fixed Minimum Floor Overlay, unless specified in <u>P3, P4</u> , P5 and P6 in Rule 5.8.1.1.	Minimum floor levels shall be the highest of the following: <ol style="list-style-type: none">a. flooding predicted to occur in a 1 in 200-year rainfall event concurrent with a 1 in

Activity		Activity specific standards
P2	Additions to existing building which increase the ground floor area of the building located within the Fixed Minimum Floor Overlay, except those specified in P4, P5 and P6 in Rule 5.8.1.1.	<p>20-year tidal event¹ including 1m sea level rise plus 400mm freeboard, as predicted by the relevant Christchurch City Council model and version identified in Table 5.8.1.1.1.a; or</p> <p>b. flooding predicted to occur in a 1 in 200-year tidal event concurrent with a 1 in 20-year rainfall event² including 1m sea level rise plus 400mm freeboard, as predicted by the relevant Christchurch City Council model and version identified in Table 5.8.1.1.a; or</p> <p>c. 12.3m above Christchurch City Council Datum.</p> <p>(Link to table with floor levels)</p>
<u>P1A</u>	<u>New buildings located outside the Fixed Minimum Floor Overlay, unless specified in P5 and P6 in Rule 5.8.1.1.</u>	<u>Upon receipt of information that identifies the address and legal description of a proposed new building the Council will certify the required minimum floor level of the new building within 20 working days.</u>
<u>P2A</u>	<u>Additions to existing buildings which increase the ground floor area of the building located outside the Fixed Minimum Floor Overlay, unless specified in P4, P5 and P6 in Rule 5.8.1.1.</u>	<p><u>Minimum floor level certified by the Council shall be the highest of the following:</u></p> <p>a. <u>Flooding predicted to occur in a 1 in 200-year rainfall event concurrent with a 1 in 20-year tidal event¹, including 1m sea level rise plus 400mm freeboard, as predicted by the relevant Christchurch City Council model and using the best information available at the time of certification.</u></p> <p>b. <u>Flooding predicted to occur in a 1 in 200-year tidal event concurrent with a 1 in 20-year rainfall event², including 1m sea level rise plus 400mm freeboard, as predicted by the relevant Christchurch City Council model and using the best information available at the time of certification.</u></p> <p>c. <u>12.3 m above Christchurch City Council Datum.</u></p>

Activity	Activity specific standards	
Table 5.8.1.1.a Hydrologic and Hydraulic Models Used to Provide Minimum Floor Levels		
FLFMA Catchment	Model	Version
Styx	Styx River Hydrologic and Hydraulic Model	R004
Avon	Avon River Hydrologic and Hydraulic Model	D13
Heathcote	Heathcote River Hydrologic and Hydraulic Model	2012 Design
<u>Sumner</u>	<u>Sumner Floodplain Hydrologic and Hydraulic Model</u>	<u>12N</u>
P3	Additions to existing buildings that do not increase the ground floor area of the building.	Nil
P4	Additions <u>other than garages provided for in P5</u> which do not increase the ground floor area of an existing building by more than 25m ² within any continuous period of 10 years.	Nil
P5	Garages of 40m ² or less in area, and any other accessory buildings without floors.	Nil
P6	Decks, swimming pools, and unenclosed buildings without floors.	Nil
P7	<u>Support structures for overhead transmission lines including lattice towers Utilities and LPG storage tanks.</u>	Nil
P8	Filling <u>or excavation</u> for residential building platforms only to the extent necessary to achieve the minimum necessary to achieve the minimum floor levels specified for P1, and P2, P1A and P2A in Rule 5.8.1.1 or required by resource consent under Rule 5.8.1.2 for new buildings and for additions to buildings.	Nil

Activity		Activity specific standards
P9	Filling or excavation associated with the maintenance of flood protection and bank erosion protection works; and the maintenance of existing drains or ponds.	Nil
P10	Filling or excavation associated with permitted utilities, or their replacement, repair or maintenance <u>of existing utilities.</u>	Nil
P11	Any other filling or excavation.	<p>a. A maximum height of 0.3m of fill above ground and 0.6m depth of excavation below ground; and</p> <p>b. A maximum volume of filling above ground level of 10m³ per site, and a maximum cumulative volume of filling and excavation of 25m³ per site, in each case within any continuous period of 10 years; or</p> <p>c. <u>The excavation and filling is associated with the maintenance and/or replacement of underground petroleum storage systems and where, following reinstatement of the underground petroleum storage systems, the site will have a finished contour that is equivalent to the ground level at the commencement of the works.</u></p>
<p>With regard to P1 and P2, irespective of anything to the contrary in this Plan, recession plane breaches created directly by the need to raise floor levels to meet the minimum floor level standards set in either Rule 5.8.1.1 or a resource consent required under Rule 5.8.1.2 are exempt from compliance with:</p> <p>Rule 14.2.3.6 Daylight Recession Planes - Residential Suburban Zone and Residential Suburban Density Transition Zone; Rule 14.3.3.5 Daylight Recession Planes - Residential Medium Density Zone; and Rule 14.6.3.5 Daylight Recession Planes - New Neighbourhood Zone.</p> <p>Recession plane breaches in excess of those created by the need to raise floor levels are not exempt from these rules.</p>		

Activity	Activity specific standards
<p><u>Irrespective of anything to the contrary in this Plan, all activities associated with the replacement of earthquake damaged residential dwellings within the Floor Level and Fill Management Area are exempt from compliance with the requirements of Rule 5.8.1, provided that:</u></p> <ol style="list-style-type: none"> <u>1. On or before the date at which Rule 5.8.1 is deemed to be operative, the Council has received a complete application for a PIM for a new building on a specific site; and</u> <u>2. In response to that application, the Council has issued a PIM that confirms the minimum floor level for the new building on that site. The PIM may be issued before or after the date at which Rule 5.8.1 is deemed to be operative, but shall be based on the requirements of the operative Christchurch City Plan and/or the New Zealand Building Code as at the date that the application was received.</u> <p><u>The exemption to Rule 5.8.1.1 outlined above will cease to apply if construction of the new building is not commenced by 30 April 2018.</u></p>	
<p><u>Any certificate given under P1A or P2A shall only apply to the setting of a minimum floor level, and does not certify compliance with any other rules.</u></p>	

RULE 5.8.1.2 RESTRICTED DISCRETIONARY ACTIVITIES

The activities listed below are restricted discretionary activities in all residential zones where the activity is located in a Floor Level and Fill Management Area.

Activity		The Council's discretion shall be limited to the following matters:
RD1	<p>New buildings located within the Fixed Minimum Floor Overlay which do not meet the standards set out in P1 under Rule 5.8.1.1 and are not permitted by P3, P4, P5 or P6 in Rule 5.8.1.1.</p> <p>Any application arising from this rule will not require written approvals and shall not be publicly or limited notified.</p>	<ol style="list-style-type: none"> 1. The setting of the 200 year minimum floor level of the building and/or addition. <u>This level shall be determined by the Council based on the best information available at the time that the application is received.</u>
RD2	<p>New buildings not located within the Fixed Minimum Floor Overlay <u>which do not meet the standard certified by the Council under P1A in Rule 5.8.1.1</u> and not permitted by P3, P4, P5 or P6 set out in Rule 5.8.1.1.</p> <p>Any application arising from this rule will not require written approvals and shall not be publicly or limited notified.</p>	<p><u>Note: Where the applicant accepts the minimum floor level provided by Council, no further matters need to be considered. Otherwise, the following matters will be considered.</u></p>

RD3	<p>Additions to existing buildings located within the Fixed Minimum Floor Overlay, which increase the ground floor area of the building, but which do not meet the standards set out in Rule 5.8.1.1 - P2 and are not permitted by P4, P5 or P6 set out in Rule 5.8.1.1.</p> <p>Any application arising from this rule will not require written approvals and shall not be publicly or limited notified.</p>	<p>2. The frequency at which any proposed building or addition is predicted to be flooded and the extent of damage likely to occur in such an event.</p> <p>3. Any proposed mitigation measures, and their effectiveness and environmental impact, including any benefits associated with flood management.</p>
RD4	<p>Additions to existing buildings not located within the Fixed Minimum Floor Overlay, which increase the ground floor area of the building, but <u>which do not meet the standard certified by the Council under P2A in rule 5.8.1.1. and</u> are not permitted by P4, P5 or P6 set out in Rule 5.8.1.1.</p> <p>Any application arising from this rule will not require written approvals and shall not be publicly or limited notified</p>	<p>4. Any adverse effects of the scale and nature of the building and its location in relation to neighbouring buildings, including effects on the privacy of neighbouring properties as a result of the difference between minimum and proposed floor levels, and effects on streetscape.</p>

5.8.3 COMMERCIAL AND INDUSTRIAL ZONES - ACTIVITIES AND EARTHWORKS IN FLOOR LEVEL AND FILL MANAGEMENT AREAS

Rule 5.8.3.1 Permitted activities

The activities listed below are permitted in all commercial and industrial zones where the activity is located in a Floor Level and Fill Management Area subject to compliance with:

3. activity status rules and any standards specified elsewhere in the Plan for that activity, and
4. the standards specified in this Rule 5.8.3.1.

Activity		Activity specific standards
P1	<p>New buildings located within the Fixed Minimum Floor Overlay, unless specified in P3 and P4, in Rule 5.8.3.1.</p>	<p>Minimum floor levels shall be the highest of the following:</p> <ol style="list-style-type: none"> a. flooding predicted to occur in a 1 in 200-year rainfall event concurrent with a 1 in 20-

Activity		Activity specific standards
P2	Additions to existing buildings which increase the ground floor area of the building located within the Fixed Minimum Floor Overlay, except those specified in P4 in Rule 5.8.1.1.	<p>year tidal event¹, including 1m sea level rise plus 400mm freeboard, as predicted by the relevant Christchurch City Council model and version identified in Table 5.8.3.1.a; or</p> <p>b. flooding predicted to occur in a 1 in 200-year tidal event concurrent with a 1 in 20-year rainfall event², including 1m sea level rise plus 400mm freeboard, as predicted by the relevant Christchurch City Council model and version identified in Table 5.8.3.1a; or</p> <p>c. 12.3m above Christchurch City Council Datum.</p> <p>(Link to table with floor levels)</p>
Activity		Activity specific standards
P1A	<u>New buildings not located within the Fixed Minimum Floor Overlay</u>	<u>Upon receipt of information that identifies the address and legal description of the proposed new building the Council will certify the required minimum floor level of the new building within 20 working days.</u>
P2A	<u>Additions to existing buildings which increase the ground floor area of the building not located within the Fixed Minimum Floor Overlay, unless specified in P4 in Rule 5.8.3.1.</u>	<p><u>Minimum floor level certified by the Council shall be the highest of the following:</u></p> <p>a. <u>Flooding predicted to occur in a 1 in 200-year rainfall event concurrent with a 1 in 20-year tidal event¹, including 1m sea level rise plus 400mm freeboard, as predicted by the relevant Christchurch City Council model and using the best information available at the time of certification.</u></p> <p>b. <u>Flooding predicted to occur in a 1 in 200-year tidal event concurrent with a 1 in 20-year rainfall event², including 1m sea level rise plus 400mm freeboard, as predicted by the relevant Christchurch City Council model and using the best information available at the time of certification.</u></p> <p>c. 12.3 above Christchurch City Council Datum.</p>

Activity	Activity specific standards	
Table 5.8.3.1.a Hydrologic and Hydraulic Models Used to Provide Minimum Floor Levels		
FLFMA Catchment	Model	Version
Styx	Styx River Hydrologic and Hydraulic Model	R004
Avon	Avon River Hydrologic and Hydraulic Model	D13
Heathcote	Heathcote River Hydrologic and Hydraulic Model	2012 Design
<u>Sumner</u>	<u>Sumner Floodplain Hydrologic and Hydraulic Model</u>	<u>12N</u>
P3	Additions to existing buildings that do not increase the ground floor area of the building.	Nil
P4	Additions which do not increase the ground floor area of an existing building by more than 25m ² within any continuous period of 10 years.	Nil
P5	<u>Support structures for overhead transmission lines including lattice towers Utilities and LPG storage tanks.</u>	Nil
P6	Filling <u>or excavation</u> for building platforms only to the extent necessary to achieve the minimum floor levels specified for P1, <u>P1A</u> and <u>P2 and P2A</u> or required by resource consent under in Rule 5.8.4.3.1 for new buildings and for additions to buildings.	Nil

Activity		Activity specific standards
P7	Filling or excavation associated with the maintenance of flood protection and bank erosion protection works; and the maintenance of existing drains or ponds.	Nil
P8	Filling or excavation associated with permitted utilities, or their replacement, repair or maintenance <u>of existing utilities</u> .	Nil
P9	Any other filling or excavation.	<p>d. A maximum height of 0.3m of fill above ground and 0.6m depth of excavation below ground; and</p> <p>e. A maximum volume of filling above ground level of 10m³ per site, and a maximum cumulative volume of filling and excavation of 25m³ per site, in each case within any continuous period of 10 years; or</p> <p>f. <u>The excavation and filling is associated with the maintenance and/or replacement of underground petroleum storage systems and where, following reinstatement of the underground petroleum storage systems, the site will have a finished contour that is equivalent to the ground level at the commencement of the works.</u></p>
<u>P10</u>	<u>Temporary buildings</u>	<u>Nil</u>
<u>P11</u>	<u>Outdoor storage of transiting shipping containers</u>	<u>Nil</u>

Activity	Activity specific standards
<p><u>Irrespective of anything to the contrary in this Plan, all activities associated with the replacement of earthquake damaged buildings within the Floor Level and Fill Management Area are exempt from compliance with the requirements of Rule 5.8.3, provided that:</u></p> <ol style="list-style-type: none"> <li data-bbox="240 383 1398 450">3. <u>On or before the date at which Rule 5.8.3 is deemed to be operative, the Council has received a complete application for a PIM for a new building on a specific site; and</u> <li data-bbox="240 483 1414 651">4. <u>In response to that application, the Council has issued a PIM that confirms the minimum floor level for the new building on that site. The PIM may be issued before or after the date at which Rule 5.8.3 is deemed to be operative, but shall be based on the requirements of the operative Christchurch City Plan and/or the New Zealand Building Code as at the date that the application was received.</u> <p><u>The exemption to Rule 5.8.3 outlined above will cease to apply if construction of the new building is not commenced by 30 April 2018.</u></p> <p><u>Any certificate given under P1A or P2A shall only apply to the setting of a minimum floor level, and does not certify compliance with any other rules.</u></p>	

Rule 5.8.3.2 Restricted discretionary activities

The activities listed below are restricted discretionary activities in all commercial or industrial zones where the activity is located in a Floor Level and Fill Management Area.

Activity		The Council's discretion shall be limited to the following matters:
RD1	<p>New buildings located within the Fixed Minimum Floor Overlay which do not meet the standards set out in P1 under Rule 5.8.3.1 and are not permitted by P3 or P4 in Rule 5.8.3.1.</p> <p>Any application arising from this rule will not require written approvals and shall not be publicly or limited notified.</p>	<p>5. The setting of the <u>200 year</u> minimum floor level of the building and/or addition. This level shall be determined by the Council based on the based information available at the time that the application is received.</p> <p>Note: Where the applicant accepts the minimum floor level provided by the Council, no further matters need to be considered. Otherwise, the following matters will be considered.</p> <p>6. The frequency at which any proposed building or addition is predicted to be flooded and</p>
RD2	<p>New buildings not located within the Fixed Minimum Floor Overlay and not permitted by P3, P4, P5 or P6 set out in Rule 5.8.3.1 <u>which do not meet the standard certified by the Council under P1A in Rule 5.8.3.1 and are not permitted by P5 or P6 set out in Rule 5.8.3.1.</u></p> <p>Any application arising from this rule will not require written approvals and shall not be publicly or limited notified.</p>	

RD3	<p>Additions to existing buildings located within the Fixed Minimum Floor Overlay, which increase the ground floor area of the building, but which do not meet the standards set out in Rule 5.8.1.1 - P2 and are not permitted by P4, P5 or P6 set out in Rule 5.8.3.1.</p> <p>Any application arising from this rule will not require written approvals and shall not be publicly or limited notified.</p>	<p>the extent of damage likely to occur in such an event.</p> <p>7. Any proposed mitigation measures, and their effectiveness and environmental impact, including any benefits associated with flood management.</p>
RD4	<p>Additions to existing buildings not located within the Fixed Minimum Floor Overlay, which increase the ground floor area of the building, but <u>which do not meet the standard certified by the Council under P2A in Rule 5.8.3.1 and</u> are not permitted by P4, P5 or P6 set out in Rule 5.8.3.1</p> <p>Any application arising from this rule will not require written approvals and shall not be publicly or limited notified</p>	<p>8. Any adverse effects of the scale and nature of the building and its location in relation to neighbouring buildings, including effects on the privacy of neighbouring properties as a result of the difference between minimum and proposed floor levels, and effects on streetscape.</p>

5.11 GENERAL PROCEDURES – INFORMATION REQUIREMENTS

5.11.5 Information requirements for resource consent applications to set floor levels

- ~~a. For any resource consent application under P1A and P2A of Rule 5.8.1 or P1A and P2A of Rule 5.8.3.1 unless the applicant wishes to challenge the minimum floor level determined by the Council as provided for in that Rule, the only information that needs to be provided by an applicant is the address of the property on which the building and/or addition will occur.~~