CL – Contaminated Land

Contaminated land can have adverse effects on human health if it is not appropriately managed. The subdivision, change of use, or disturbance of *contaminated land* can expose people to increased levels of contamination.

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS) provide a national environmental standard for activities on pieces of land where soil may be contaminated in such a way as to be a risk to human health. The NES-CS contains a set of planning controls that direct the requirement for consent or otherwise for activities on contaminated or *potentially contaminated land*.

District councils are responsible for applying and enforcing the provisions of the NES-CS. The NES-CS does not contain any objectives or policies and those in the District Plan will apply. This chapter contains objective and policy direction for the assessment of any resource consent applications required under the NES-CS in accordance with the requirements of section 104 of the RMA.

Regional councils identify and monitor *contaminated land*. Greater Wellington Regional Council administers the Selected Land Use Register (SLUR), a regional database of sites that have been, or may have been, used for activities and industries included in the Hazardous Activities and Industries List (HAIL) established by the Ministry for the Environment. The Regional Council also manages discharges of contaminants from *contaminated land* into air, water, or land pursuant to section 15 of the RMA and contaminated soil in the Coastal Marine Area and the beds of rivers and lakes.

Objectives

CL-O1	**Identification and management of *contaminated land***
Contaminated land is identified and managed so that it is safe for human health and its intended use.	

Policies

CL-P1	Identification of *contaminated land* and *potentially contaminated land*
Identify *contaminated land* or *potentially contaminated land* by: a. Working with Greater Wellington Regional Council to maintain the Selected Land Use Register; and b. Requiring the investigation of contaminant risks for ~~sites~~ land with a history of activities on the Hazardous Activities and Industries List prior to subdivision, change of use, or disturbance.	

CL-P2	Management of *contaminated land*
Manage the subdivision, change of use, or disturbance of *contaminated land* to ensure it is safe for human health by: a. Encouraging a best practice approach to ~~site~~ land management for sites with elevated contaminant levels, which may include remediation, containment, and/or disposal of contaminated soil; and b. ~~e~~Ensuring the land is suitable for its intended use.	

Rules

There are no rules in the **District** Plan with respect to *contaminated land*. The NES-CS manages subdivision, use, and disturbance of *contaminated or potentially contaminated land* and may require resource consent for these activities. Clause 5 of the NES-CS sets out the situations in which it applies.

HAZ – Hazardous Substances

Hazardous substances, which include a range of toxic substances such as chemicals, medical wastes, petroleum products, and gases, are used throughout the Wairarapa for many purposes. The manufacture, use, storage, and disposal of *hazardous substances* is an integral and essential part of many commercial, industrial, and rural activities. However, if not appropriately managed, *hazardous substances* can present potential risks to people and the environment.

The use of *hazardous substances* in New Zealand is primarily managed by the Hazardous Substances and New Organisms Act 1996 (HSNO Act), the Health and Safety at Work Act 2015 (HSW Act) and relevant regulations. Because the District Plan seeks to avoid duplication of requirements and obligations that arise under other legislation and regulations, the provisions of this chapter are designed to manage the effects of use, storage, or disposal of *hazardous substances*, only to the extent that those effects are not within the ambit of existing legislation and regulations. This includes the location of *significant hazardous facilities* using or storing *hazardous substances* and the location of *sensitive activities* in relation to *significant hazardous facilities*.

There may be a number of rules that apply to an activity, building, structure, or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach section in the How the Plan Works chapter.

Objectives

HAZ-O1	***Hazardous substance* use, storage, and disposal**
Hazardous substance use, storage, and disposal activities are located, designed, constructed, and operated, so that: a. risk to people, property, and the environment from any *significant hazardous facility* is minimised and unacceptable risk to *sensitive activities* is avoided; b. risk to the natural environment is minimised; and c. risk associated with moderate and high *hazard areas* is avoided.	
HAZ-O2	**Sensitive activities**
Established *significant hazardous facilities* are not compromised by *sensitive activities*.	

Policies

HAZ-P1	***Significant hazardous facilities***

Minimise risk to people, property, and the environment from any new *significant hazardous facility*, or any addition to a *significant hazardous facility* by:

a. identifying risk to human and ecological health and safety, and to property, through a risk assessment of any proposed activity, including its site characteristics and any cumulative risk from the use, storage, and disposal of *hazardous substances* on other sites;

b. avoiding unacceptable risk to existing *sensitive activities* as identified in a risk assessment for the activity by ensuring the location provides sufficient separation from any existing *sensitive activity*;

c. ensuring the location, design, construction and operation minimise lesser risks to as low as reasonably practicable;

d. not locating in proximity to scheduled areas or features, and zones and overlays where *sensitive activities* predominate;

e. locating outside any moderate or high *hazard area*; and

f. locating outside any low *hazard area* unless risk associated with the hazard can be mitigated to protect human, and environmental, health and safety.

HAZ-P2	***Sensitive activities***

Avoid locating any new *sensitive activity* in proximity to *significant hazardous facilities* to ensure they are:

a. not exposed to an unacceptable level of risk from the existing *significant hazardous facility*; and

b. *reverse sensitivity* effects are avoided or mitigated.

Rules

HAZ-R1	**Significant hazardous facilities, including additions to significant hazardous facilities**
General Industrial Zone **General Rural Zone**	1. Activity status: **Discretionary** Where: a. The activity is not located within a *Significant Natural Area*; b. The activity is not located within any moderate or high *hazard area*;

		c. The activity is not located within 25m of a *significant waterbody* or 10m of any other *surface waterbody*; and d. The activity is not located within 250m of an existing *sensitive activity*.
	General Industrial Zone **General Rural Zone**	2. Activity status: **Non-complying** Where: a. Compliance is not achieved with HAZ-R1(1).
	All other zones	3. Activity status: **Non-complying**

HAZ-R2	**Sensitive activities**
All zones	1. Activity status: **Non-complying** Where: a. The sensitive activity is located within 250m of an existing *significant hazardous facility*.

NH - Natural Hazards

A *natural hazard* is the result of natural processes that shape, form, and alter the environment and potentially conflict with human activities. The Wairarapa is susceptible to a range of *natural hazards*, and in some areas these can pose significant risks. When *natural hazards* occur, they can result in damage to property and *buildings*, and lead to loss of human life or risk to human safety.

The District Plan contains provisions relating to the following hazards, as they present the greatest risk to people, property, and infrastructure, and their effects can be managed through appropriate land use planning:

- Flooding;
- Fault rupture;
- Liquefaction;
- Coastal inundation (including tsunami); and
- Coastal erosion.

The coastal hazard provisions (coastal inundation and erosion) are addressed in the Coastal Environment chapter of the District Plan. The Natural Hazards chapter addresses the other hazards identified above.

Flooding, coastal erosion, and sea level rise are influenced by climate change. It is predicted that rainfall events will become more intense, drought will increase, storm events will become more common, and sea levels that have already risen 0.2m over the past 100 years, exacerbated by regional tectonic subsidence, will continue to rise over the next 100 years. The flood hazard mapping also incorporates current climate change predictions.

Liquefaction and other hazards (such as wildfires and ground shaking from earthquakes) are primarily managed by other statutory instruments, including the Building Act 2004, Civil Defence Emergency Management Act 2002, and the Local Government Act 2002.

Risk-based approach

Both chapters take a risk-based approach to *natural hazards.*

Risk is a product of both the likelihood and the consequences from a *natural hazard.* A risk-based approach to *natural hazards* balances allowing for people and communities to use their property and undertake activities, while also ensuring that their lives or significant assets are not harmed or lost as a result of a *natural hazard* event.

Natural hazards have been categorised according to the potential risk to people and property in a hazard event. Table NH-1 below sets out the hazard categories, and the types of mapped *natural hazards* that fall within each category.

Table NH-1: Hazard risk categories

Hazard category	Hazard type
High ~~*h*~~*Hazard* ~~*a*~~*Area*	Flood ~~h~~Hazard – ~~r~~River ~~c~~Corridors Fault Hazard • Well-defined and well-defined extended FAZs with recurrence interval class I (RI ≤2,000 years) and class II (RI >2,000 - ≤3,500 years) • Distributed and uncertain - constrained FAZs with recurrence interval class I (RI ≤2,000 years)
M*oderate* ~~*h*~~*Hazard* ~~*a*~~*Area*	Flood ~~h~~Hazard – ~~o~~Overland ~~f~~Flow ~~p~~Path Fault Hazard • Well-defined and well-defined extended FAZs with recurrence interval class III (RI 3,500 – 5,000 years), class IV (RI >5,000 - ≤10,000 years), and class V (RI >10,000 - ≤20,000 years) • Distributed and uncertain - constrained FAZs with recurrence interval class II (RI >2,000 - ≤3,500 years) and III (RI 3,500 – 5,000 years) • Uncertain – poorly constrained FAZs with recurrence interval class I (RI ≤2,000 years) and class II (RI >2,000 - ≤3,500 years)
Low ~~*h*~~*Hazard* ~~*a*~~*Area*	Flood ~~h~~Hazard – ~~p~~Ponding Possible ~~l~~Liquefaction-~~p~~Prone ~~a~~Area Fault Hazard • Distributed and uncertain – constrained FAZs with recurrence interval class IV (RI >5,000 - ≤10,000 years) and class V (RI >10,000 - ≤20,000 years) • Uncertain – poorly constrained FAZs with recurrence interval class III (RI 3,500 – 5,000 years), class IV (RI >5,000 - ≤10,000 years) and class V (RI >10,000 - ≤20,000 years) • All FAZs with recurrence interval class VI (RI >20,000 - ≤125,000 years)

Flood hazard areas are categorised as comprehensive flood hazard modelling and mapping has been undertaken for these areas. In other areas, more broad-scale flood hazard modelling and mapping has been undertaken which has not been categorised – flood mapping in these areas is called Flood ~~Alert~~ Vulnerability Area recognising the broad-scale nature of this modelling and mapping. ~~Fault hazard areas are also not categorised due to the variable level of spatial definition of the active fault lines.~~

To assist with determining the consequences associated with *natural hazards, buildings* and activities have been categorised according to the potential consequences to life and property as a result of those activities occurring within a *natural hazard* area.

~~Any activity that is not specifically listed below is considered a *less hazard sensitive activity*.~~

Hazard sensitive activities comprise the following:

- *Community facilities;*
- *Marae;*

- *Healthcare facilities;*
- *Emergency service facilities;*
- *Educational facilities;*
- *Entertainment activities;*
- *Retirement villages; and*
- *Residential activities* and *residential units; and*
- ~~*Service stations.*~~

Potentially hazard sensitive activities comprise the following:

- *Buildings* associated with *primary production;*
- *Commercial activities;*
- *Industrial activities; and*
- *Rural industry activities.*

Less hazard sensitive activities comprise the following:

- *Accessory buildings* and structures used for non-habitable purposes;
- *Infrastructure;*
- Parks facilities;
- Parks furniture; ~~and~~
- Buildings and structures associated with *temporary activities*~~.~~; and
- Activities not defined as hazard sensitive activities or potentially hazard sensitive activities.

There may be a number of rules that apply to an activity, building, structure, or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach section in the How the Plan Works chapter.

The provisions in this chapter do not apply to telecommunication network utility structures and activities.

Objectives

NH-O1	Risk from natural hazards
The risk and consequences from *natural hazards* on people, property, *infrastructure,* and the environment are not increased.	

NH-O2	Natural measuresfeatures
Natural defences, nature-based solutions, and hazard mitigation measures features are used to reduce the susceptibility of people, communities, property, and *infrastructure* to damage from *natural hazards.*	

Policies

NH-P1	Identification of *natural hazards*
Identify and map areas affected by *natural hazards* and take a risk-based approach to the management of subdivision, use, and development based on: 1. the sensitivity of the activities to the impacts of *natural hazards;* and 2. the hazard posed to people's lives and wellbeing, and property, by considering the likelihood and consequences of differing *natural hazard* events.	
NH-P2	**Activities in hHigh hHazard aAreas**
Avoid locating *hazard sensitive activities* and *potentially hazard sensitive activities* within hHigh *hHazard aAreas* unless; 1. the activity has an operational need or functional need to locate within the hHigh *hHazard aArea*., or 2. the activity is appropriate under NH-P7.	
NH-P3	**Activities in mModerate *hHazard aAreas***
Only allow *hazard sensitive activities* and *potentially hazard sensitive activities* within mModerate *hHazard aAreas* where: 1. the activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing, and *building* damage is low, and any damage to *buildings* is minimised; 2. people can safely evacuate the property during a *natural hazard* event; and 3. the risk to adjacent properties, infrastructure, activities, and people is not increased as a result of the activity proceeding.	
NH-P4	**Activities in lLow *hHazard aAreas***
Provide for *hazard sensitive activities* and *potentially hazard sensitive activities* within lLow *hHazard aAreas* where: 1. the activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing, and *building* damage is low, and any damage to *buildings* is minimised, and	

2. the risk to adjacent properties, infrastructure, activities, and people is not increased as a result of the activity proceeding.	
NH-P5	***Less hazard sensitive activities* in all *hazard areas***
Allow *less hazard sensitive activities* within all *hazard areas* where: 1. they do not impede flood pathways; 2. the activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing, *building* damage is low, and any damage to *buildings* is minimised; and 3. the risk to other properties, infrastructure, activities, and people is not increased as a result of the activity proceeding.	
NH-P6	***Buildings* in flood hazard - overland flow path and ponding areas**
Discourage new *buildings* and extensive areas of impervious surfaces in flood hazard - overland flow path and ponding areas unless: 1. there is no increase in stormwater discharge, flood flow or level on adjoining sites, or roads; 2. risk to people's safety will be low; 3. the activity incorporates mitigation measures so that the risk of damage to *buildings* and *structures* is not significantly increased; and 4. people can safely evacuate the property during a *natural hazard* event.	
NH-P7	**Buildings and structures in fault hazard areas**
For new buildings and structures that contain habitable rooms hazard sensitive activities or potentially hazard sensitive activities and are located within fault hazard areas as shown on the District Planning maps: 1. Allow buildings and structures to locate within Fault Hazard Areas where it can be demonstrated that the fault hazard risk from ground deformation from fault rupture can be avoided or mitigated to prevent loss of life and damage to buildings. 2. Avoid buildings and structures locating within the Fault Hazard Areas where the risk to life from ground deformation from fault rupture cannot be avoided or mitigated via distance from the fault, building engineering solutions, or other means.	
NH-P8	***Infrastructure* in hazard areas**
Allow for the Enable the operation, maintenance, and upgrading upgrade of existing infrastructure, and only allow new *infrastructure* to be established in *hazard areas* where new infrastructure: 1. it has an *operational need* or *functional need* for the location;	

2. ~~it~~ will be designed to maintain its integrity and function during and after a *natural hazard* event, particularly as it relates to lifeline infrastructure, or it will be able to be immediately re-instated after a *natural hazard* event, and 3. does not increase the risk to properties, activities, and people ~~is not increased~~.	
NH-P9	***Earthworks* in flood hazard areas**
Provide for *earthworks* in flood *hazard areas* where: 1. they do not impede flood pathways; and 2. the risk to other properties, infrastructure, activities, and people is not increased as a result of the activity proceeding.	
NH-P10	***Natural hazard* mitigation works**
Enable *natural hazard* mitigation or stream and river management works provided: 1. Works are undertaken by a ~~statutory agency~~ public authority or their nominated contractors or agents within *hazard areas* where these will significantly decrease the existing risk to people's safety and wellbeing, property, and *infrastructure*~~.~~; 2. The use of soft-engineering or nature-based solutions is considered where appropriate.	
NH-P11	**Precautionary approach**
Ensure a precautionary approach is taken in relation to planning for and adapting to the effects of *natural hazards* caused by climate change and sea level rise on both the natural environment and existing and future development.	
NH-P12	**Activities in flood ~~alert~~ vulnerability areas**
Only allow *hazard sensitive activities* and *potentially hazard sensitive activities* within flood ~~alert~~ vulnerability areas where: 1. the activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing~~, and *building* damage~~ is low, and any damage to *buildings* is minimised; 2. people can safely evacuate the property during a *natural hazard* event; and 3. the risk to adjacent properties, activities, and people is not increased as a result of the activity proceeding.	
NH-P13	**Buildings in flood ~~alert~~ vulnerability areas**
Discourage new *buildings* in flood ~~alert~~ vulnerability areas unless: 1. there is no increase in flood flow or level on adjoining sites or roads; 2. risk to people's safety will be low;	

3. the activity incorporates mitigation measures so that the risk of damage to *buildings* and *structures* is not ~~significantly~~ increased; and
4. people can safely evacuate the property during a *natural hazard* event.

Rules

NH-R1	**Flood mitigation or stream or river management works undertaken by a ~~statutory agency~~ public authority or their nominated agent within any of the flood hazard areas**
All zones	1. Activity status: **Permitted**

NH-R2	***Less hazard sensitive activities* within all *hazard areas***
All zones	1. Activity status: **Permitted** Where: a. ~~Any *buildings* must not be located in the overland flowpath or river corridor of the flood hazard overlays.~~The activity is located in a ~~l~~Low ~~h~~Hazard ~~a~~Area.
All zones	2. Activity status: **Restricted discretionary** Where: a. ~~Compliance is not achieved with NH-R2(1).~~ The activity is located in a ~~m~~Moderate or ~~h~~High ~~h~~Hazard ~~a~~Area. Matters of discretion: 1. The matters in Policy NH-P5 and NH-P8.

NH-R3	**Any *potentially hazard sensitive activity* and associated *buildings* within ~~m~~Moderate ~~*h*~~*Hazard* ~~*a*~~*Areas* and ~~l~~Low ~~*h*~~*Hazard* ~~*a*~~*Areas***
All zones	1. Activity status: **Permitted** Where: a. The activity or *building* is located within the ~~p~~Possible ~~l~~Liquefaction-~~p~~Prone ~~a~~Area, or~~.~~ b. The building is located within a flood hazard overlay and does not have a footprint greater than $10m^2$, or c. The activity is not located in a ~~f~~Fault ~~h~~Hazard ~~a~~Area.

	All zones	2. Activity status: **Restricted discretionary** Where: a. ~~Any *building* located in a flood hazard overlay has a *finished floor* level above the 1% *AEP* level; and~~ The building is located within a flood hazard overlay and has: i. a footprint greater than 10m^2; and ii. a finished floor level above the 1% AEP level. b. The activity is located within a low to moderate ~~flood~~fFault ~~h~~Hazard ~~a~~Area~~s~~. Matters of discretion: 1. For activities in the ~~m~~Moderate ~~*h*~~*Hazard* ~~*a*~~*Area*, the matters in Policy NH-P3. 2. For activities in the ~~l~~Low ~~*h*~~*Hazard* ~~*a*~~*Area*, the matters in Policy NH-P4. 3. For activities in a fFault ~~h~~Hazard ~~a~~Area: a. The proximity to any identified fault as demonstrated with supporting geotechnical evidence; and b. Engineering measures incorporated into the building or structure to prevent loss of life from anticipated effects of a fault rupture; and c. The matters in policy NH-P7.
	All zones	3. Activity status: **Discretionary** Where: a. Compliance is not achieved with NH-R3(2).

NH-R4	**Additions to buildings within all hazard areas**
All zones	1. Activity status: **Permitted** Where: a. The *building addition* is located within ~~the possible liquefaction-prone area; or~~ a ~~l~~Low ~~h~~Hazard ~~a~~Area; b. The *additions* do not increase the gross floor area of a hazard sensitive activity or potentially hazard sensitive activity by more than 20m^2; ~~and~~ c. Any *building additions* located in the identified ~~overland flowpath or~~ ponding area of the flood hazard overlay have a *finished floor level* above the 1% *AEP* level~~.~~;

		d. The additions are not located within a ~~m~~Moderate ~~h~~Hazard ~~a~~Area ; e. The additions are not located within a ~~h~~High ~~h~~Hazard ~~a~~Area.
	All zones	2. Activity status: **Restricted discretionary** Where: a. Compliance is not achieved with NH-R4(1)(a), (b), (c) or (d). Matters of discretion: 1. For additions in the ~~m~~Moderate ~~h~~*Hazard* ~~a~~*Area*, the matters in Policy NH-P3. 2. For additions in the ~~l~~Low ~~h~~*Hazard* ~~a~~*Area*, the matters in Policy NH-P4. 3. For additions in ~~f~~Fault ~~h~~Hazard ~~a~~Areas, the matters in Policy NH-P7. ~~3. For additions in the high hazard area, the matters in Policy NH-P2.~~
	All zones	3. Activity status: **Discretionary** Where: a. The additions are located in a ~~h~~High ~~h~~Hazard ~~a~~Area.

NH-R5	**Earthworks within flood hazard areas**
All zones	1. Activity status: **Permitted** Where: a. The *earthworks* are not located in a river corridor or overland flow path.
All zones	2. Activity status: **Restricted discretionary** Where: a. Compliance is not achieved with NH-R5(1). Matters of discretion: 1. The matters in Policy NH-P9.

~~NH-R6~~	~~New buildings and structures in Fault Hazard Area~~
~~All zones~~	~~1. Activity status: **Restricted discretionary**~~ ~~Where:~~ ~~a. Building or structure contains habitable room(s); and~~ ~~b. The subject site is located fully or partially within the Fault Hazard Area.~~ ~~Matters of discretion:~~ ~~2. The proximity to any identified fault as demonstrated supporting geotechnical evidence;~~ ~~3. Engineering measures incorporated into the building or structure to prevent loss of life from anticipated effects of a seismic event; and~~ ~~4. The matters set out in NH-P1, NH-P8, and NH-P11.~~

NH-R~~7~~6	**Any new *potentially hazard sensitive activity or hazard sensitive activity and* associated *buildings* within *flood* ~~*alert*~~ *vulnerability areas***
All zones	1. Activity status: **Restricted discretionary** Where: a. A supporting flood hazard assessment has been undertaken to determine the nature and scale of the flood hazard on the property; b. The risk of flooding to people ~~and~~, property and surrounding properties is not increased.~~; and~~ ~~c. The activity or building will not worsen the flood hazard.~~ Matters of discretion: 1. For buildings, measures to avoid, remedy, or mitigate flooding effects on the building. 2. For buildings and activities ~~in flood alert areas~~, the matters in Policy NH-P12 and NH-P13. Note: Determining the flood hazard level applicable to a property and appropriate mitigation measures shall be determined in consultation the relevant District Council, Greater Wellington Regional Council, and/or Wellington Water as required.

	All zones	2. Activity status: **Discretionary** Where: a. The requirements of Rule NH-R7 (1)(a), (b), or (c) are not met.

~~NH-R8~~		***~~Infrastructure~~* ~~within hazard areas~~**
	~~All zones~~	~~1. Activity status: **Restricted discretionary**~~ ~~Where:~~ ~~a. Infrastructure is located within a low hazard area.~~ ~~Matters of discretion:~~ ~~1. The matters set out in NH-P4, NH-P8, and NH-P11.~~
	~~All zones~~	~~2. Activity status: **Discretionary**~~ ~~Where:~~ ~~b. Infrastructure is located within moderate or high hazard areas.~~

NH-R~~9~~7		**Any *hazard sensitive activity* and associated *buildings* within ~~m~~Moderate ~~*h*~~*Hazard* ~~*a*~~*Areas and* ~~l~~Low ~~*h*~~*Hazard* ~~*a*~~*Areas***
	All zones	1. Activity status: Permitted Where: a. The hazard sensitive activity is a residential activity and is located within a ~~p~~Possible ~~l~~Liquefaction-~~p~~Prone ~~a~~Area.
	All zones	2. Activity status: **Restricted discretionary** Where: a. The hazard sensitive activity is not a residential activity and is located within a ~~p~~Possible ~~l~~Liquefaction–~~p~~Prone ~~a~~Area, or~~low hazard area.~~ b. The hazard sensitive activity is located in a low ~~f~~Fault ~~h~~Hazard ~~a~~Area, or ~~f~~Flood ~~h~~Hazard – ~~p~~Ponding area. Matters of discretion: 1. The matters set out in NH-P4, NH-P6, NH-P7, NH-P8 and NH-P11.
	All zones	3. Activity status: **Discretionary** Where:

		a. The hazard sensitive activity is located within a ~~m~~Moderate ~~h~~Hazard ~~a~~Area.

NH-R~~10~~8		Any ***hazard sensitive activity*** or ***potentially hazard sensitive activity*** and associated ***buildings*** within ~~h~~High ~~***h***~~***Hazard*** ~~***a***~~***Areas***
	All zones	1. Activity status: Discretionary Where: a. The activity is a potentially hazard sensitive activity, or b. The activity is a hazard sensitive activity located in the High Fault Hazard Area, where: i. A technical report by a suitably qualified professional is provided demonstrating that the activity is at least 20m away from the identified fault trace.
	All zones	2. Activity status: **Non-complying** Where: a. Compliance with NH-R8(1)(b) is not met, or b. The activity is located within the Flood Hazard – ~~r~~River ~~c~~Corridor.