5.13 PAEROA FLOOD PONDING ZONE

5.13.1 ZONE PURPOSE

(1) The Paeroa Flood Ponding Zone applies to land within the town of Paeroa and is designed to accommodate only those activities and developments which do not compromise the primary function of the area for managing floodwaters associated with the Hape Stream (Main Drain) that has a design flood 50 year return period (2% Annual Exceedence Probability (AEP)). Stormwater systems connected to the Hape Stream carry the majority of the town's stormwater, which then discharges into the Ohinemuri River.

(2) During periods of high rainfall when the Ohinemuri River is high, water cannot drain into it by gravity discharge through the floodgates. Pumps operate to supplement and replace the gravity discharge, until the river level drops. The Paeroa Flood Ponding Zone acts as a buffer storage for the local catchment runoff which can exceed the capacity of the floodgates and pumps, and of the main drain, to deliver the water to the outlets.

(3) The Paeroa Flood Ponding Zone covers areas of flat land of low contour either in public reserve ownership, or private land largely undeveloped and used for grazing in the vicinity of the Main Drain, and which is known to be a ponding area from past flooding events and by design.

(4) The area of the zone is such that the existing developments within it do not compromise the flood ponding function. Encroachment in the past has already reduced the original design capacity. Any additional building, paving, or change in the land contour or ground cover has the potential to adversely affect the ability of the land to either absorb rainwater or store flood water. Individually, such changes may be very minor, but cumulatively these individual changes can result in the effects of flooding being extended beyond the boundaries of the Paeroa Flood Ponding Zone, to a greater extent than currently occurs in parts of the Residential and Industrial zones.

(5) The boundaries of the Paeroa Flood Ponding Zone have been redefined using recently obtained LIDAR (Light Detection and Ranging) information and an updated catchment analysis taking into account the effects of climate change. A pragmatic approach has been adopted to define the zone boundary as closely as possible to property boundaries. This minimises the area of private land that is subject to the zone. As a consequence, there are now balance areas that are known to be subject to inundation. A specific rule has been included in each of the relevant zones with respect to this matter to ensure the area required for flood ponding purpose is not compromised.

(6) The Paeroa Flood Ponding Zone is one of a comprehensive suite of provisions in the District Plan to address the management of water throughout the District. An explanation of how each of these provisions works and integrates with each other is included in Section 7.1: Water Supply Catchments, Flood Management, River Control and Coastal Inundation Control.

5.13.2 OBJECTIVES AND POLICIES

(1) OBJECTIVE 1

To protect the urban resources of Paeroa from the effects of flooding, and to maintain the ponding design capacity.

(a) Policies

Objective 1 will be achieved by implementation of the following policies:

(i) Restrict activities in the area used for flood ponding purposes to those that will not compromise or be incompatible with that purpose.

(b) Reasons

(i) Flooding is a natural hazard (increased through human activities and the consequences of climate change). It is a function of Council under the Act to control land use activities in a manner that avoids or mitigates the effects of natural hazards.

(ii) The use of this restrictive zone and rules serves to highlight how important it is to protect urban resources from the effects of flooding and the "key" role that this flood ponding function has.

(iii) While actions such as catchment works may help control the effects of catchment runoff in the longer term, the flood ponding areas will still be required for their purpose.

5.13.3 ENVIRONMENTAL RESULTS

(1) The expected environmental result of this zone is to control the effects of flooding to protect the urban resources of Paeroa and at the same time enable the people of Paeroa to maintain their social, economic and cultural wellbeing and their health and safety.

5.13.4 ACTIVITY STATUS

Activities and their *accessory uses,* and *buildings* (unless otherwise stated) are *Permitted*, *Controlled*, *Restricted Discretionary*, *Discretionary*, *Non Complying* or *Prohibited* according to the Activity Status Table below:

5.13.4.1 PERMITTED ACTIVITIES

Those activities listed below are a *Permitted Activity* unless otherwise specified and subject to compliance with the:

- *Zone Development Standards* specified in Rule 5.13.5;
- Activity Specific Standards specified in Rule 5.13.6;

- Conservation and Heritage provisions in Section 6.0
- Specific and District Wide provisions in Section 7.0; and
- District Wide Performance Standards in Section 8.0.

P1	WATER AND SOIL CONSERVATION WORKS
P2	GRAZING OF ANIMALS
P3	*TEMPORARY USES AND BUILDINGS* (MEETING PART (d) OF THE DEFINITION.

5.13.4.2 CONTROLLED ACTIVITIES

Those activities listed below are a *Controlled Activity* unless otherwise specified and subject to compliance with the:

- *Zone Development Standards* specified in Rule 5.13.5;
- Activity Specific Standards specified in Rule 5.13.6;
- Conservation and Heritage provisions in Section 6.0
- Specific and District Wide provisions in Section 7.0; and
- District Wide Performance Standards in Section 8.0.

Conditions may be imposed in relation to the matters over which control has been reserved, as specified below.

THERE ARE NO *CONTROLLED ACTIVITIES*.

5.13.4.3 RESTRICTED DISCRETIONARY ACTIVITIES

Those activities listed below are a *Restricted Discretionary Activity* subject to compliance with the:

- Conservation and Heritage provisions in Section 6.0;
- Specific and District Wide provisions in Section 7.0; and
- District Wide Performance Standards in Section 8.0.

The matters over which the *Council* has restricted its discretion are specified for each *Restricted Discretionary activity* listed below.

THERE ARE NO *RESTRICTED DISCRETIONARY ACTIVITIES*.

5.13.4.4 DISCRETIONARY ACTIVITIES

Those activities listed below are a *Discretionary Activity* and shall be assessed against the relevant criteria in Rule 5.13.7.

Note: The Conservation and Heritage provisions in Section 6.0 and the Specific and District Wide provisions in Section 7.0 also apply and may alter the *Discretionary Activity* status for the activities specified below or require additional resource consents.

D1	STANDS AND PLANTATIONS OF TREES
D2	REMOVAL OF STANDS AND PLANTATIONS OF TREES, OR VEGETATION
D3	ANY COVERING OF THE EXISTING GROUND WITH AN IMPERMEABLE SURFACE
D4	ANY EXTENSION TO AN EXISTING *BUILDING* OR ACTIVITY (NOT OTHERWISE PROVIDED FOR AS A *PERMITTED ACTIVITY*)

5.13.4.5 NON COMPLYING ACTIVITIES

Those activities listed below are a *Non Complying Activity.*

NC1	ANY ACTIVITY NOT PROVIDED AS A *PERMITTED*, *CONTROLLED*, *RESTRICTED DISCRETIONARY*, *DISCRETIONARY* OR *PROHIBITED ACTIVITY*

5.13.4.6 PROHIBITED ACTIVITIES

Those activities listed below are a *Prohibited Activity.*

PR1	*SURFACE MINING* AND *MINING OPERATIONS*

5.13.5 ZONE DEVELOPMENT STANDARDS

(1) There are no *Zone Development Standards* specified for this *zone*.

5.13.6 ACTIVITY SPECIFIC STANDARDS

(1) There are no Activity Specific Standards for this *zone*.

5.13.7 ASSESSMENT CRITERIA FOR DISCRETIONARY ACTIVITIES

When assessing any application for a *Discretionary Activity*, *Council* shall have regard to the relevant assessment criteria below, and any other matters it considers appropriate.

5.13.7.1 DESIGN OF BUILDINGS

(1) Whether the *building* is designed in such a manner that the *site* can still practically accommodate the same flood ponding volume.

5.13.7.2 REMOVAL OF VEGETATION /IMPERMEABLE SURFACE COVERING refer to D2, D3 and D4

(1) Whether any proposed measures to retain the ponding volume are adequate.

(2) The cumulative effect of works on the functioning of the *zone*.

5.13.7.3 PLANTING – refer to D1

(1) Whether any proposed planting contributes to the control of stormwater runoff, erosion control and the flood ponding purpose of the *zone*.

(2) Whether the planting will inhibit the ability of the flood *ponding areas* to achieve that purpose. For example vegetation should not impede the free flow of water during the flood ponding process (both filling and emptying).