Flood Management Guide

Gore District Council and Environment Southland both have a critical role in managing flooding in Gore. This guidance outlines their statutory responsibilities and what to do if you are planning development on a property that is subject to a flood hazard as identified in the Proposed District Plan.

Remember, if you need a resource consent for your project this does not necessarily mean that you cannot proceed it just means that we will need to consider the effects of what you are proposing in accordance with statutory requirements. It is important to contact the Council early in your development process to understand the risks and options.

Statutory Requirements

Natural Hazards are managed under the Resource Management Act/Planning Bill, Building Act and LGOIMA.

Building Act (2004)

In assessing building consents Council needs to consider flooding risk and can grant or refuse consent and impose a consent notice as outlined below.

A building consent is normally granted (when satisfied on reasonable grounds) that surface water does not enter dwellings or communal non-residential buildings during a 2% AEP (1:50 year) event.

Property (land) may be deemed to be subject to a hazard if occurrence is likely during the lifetime of the proposed building (s71)

Assessment can include whether the land that the building is intimately connected to is likely to be subject to inundation during a 1% AEP(1:100 year) event (Refer Determination 2008/82).

Under Section 71 a building consent authority must refuse to grant a building consent for construction of a building, or major alterations to a building if:

- the land on which the building work is to be carried out is subject or is likely to be subject to one or more natural hazards; or
- the building work is likely to accelerate, worsen, or result in a natural hazard on that land or any other property'.

Where a building consent authority is satisfied that adequate provision has been or will be made to:

- protect the land, building work, or other property from the natural hazard or hazards; or
- restore any damage to the land or other property as a result of the building work,

then the building consent must be granted under Section 72 of the BA 2004.

Where a building consent has been granted under Section 72, Section 73 requires that a notice advising of the hazard is placed onto the property title as a condition of consent.

In order to avoid any consent notices under Sections 72 and 73 of the BA 2004, a property owner will generally need to ensure that both the floor level and land intimately associated with

the building is above the 1% AEP flood level. Specific discussion with Council is recommended for landowners seeking this outcome.

Local Government Official Information and Meetings Act 1987 (LGOIMA)

LGOIMA is the legislation that controls the requirements for Land Information Memoranda (LIMs) that can be requested from Council when somebody wants to know more about a piece of land, particularly when purchasing a property.

LIMs are issued by Gore District Council and shall include:

- information about natural hazards and climate change
- Information concerning a certificate under the Building Act (as outlined above)
- Regional Council information

Councils are not liable for making hazards information available in good faith and are required to provide any information that they hold.

Resource Management Act (1991)

The Resource Management Act (1991) requires that the management of significant risks from natural hazards is recognised and provided for, with the control of land use for the purpose of avoiding or mitigating natural hazards being addressed through district plans and resource consents. Subdivision consents may be refused if there is a significant risk from natural hazards. The Planning Bill 2025 also requires a similar level of management.

The RMA is given effect to by the National Policy Statement Natural Hazards (NPS-NH) and the District Plan.

National Policy Statement Natural Hazards 2025 (NPS-NH)

The objective of the NPS-NH is to ensure that natural hazard risk to people and property associated with subdivision, use and development is managed using a risk-based approach.

NPS-NH Policies:

- require risk matrix assessment and direct that very high risk is avoided while other risks must be avoided or mitigated (see Figure 1 below).
- Decisions must be based on the best available information
- Potential impacts of climate change must be considered over at least 100 years

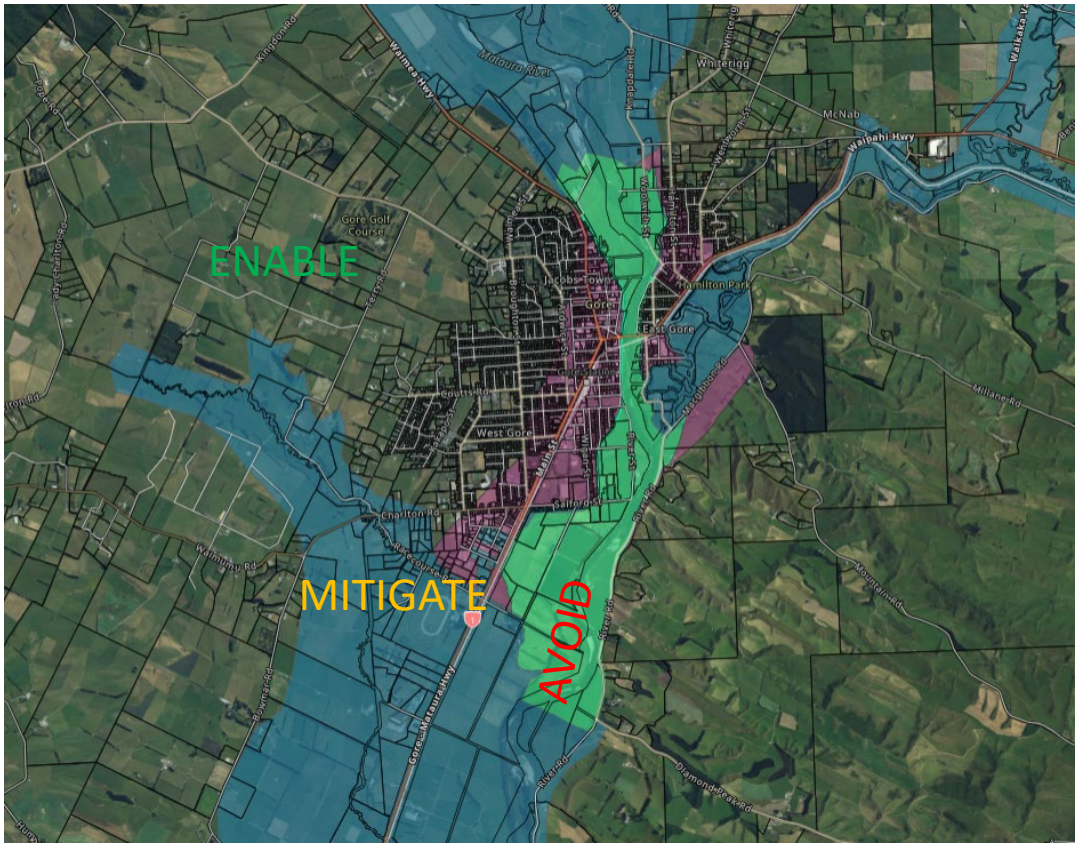
Consequence Level	Likelihood Level						
	Almost Certain	Very Likely	Likely	Possible	Unlikely	Rare	Very Rare
ARI (years)	up to 10	10-20	20-50	50-100	100-500	500-5000	> 5000
AEP	10% or more	10% to 5%	5% to 2%	2% to 1%	1% to 0.2%	0.2% to 0.02%	< 0.02%
Catastrophic	Very High	Very High	Very High	High	Medium	Medium	Medium
Major	Very High	Very High	High	High	Medium	Medium	Medium
Moderate	High	High	High	Medium	Medium	Low	Low
Minor	Medium	Medium	Medium	Medium	Low	Low	Low
Negligible	Low	Low	Low	Low	Low	Low	Low

Figure 1 – NPS-NH Risk Matrix

The Proposed District Plan 2026 (PDP)

PDP objectives seek to identify and manage natural hazard risks by applying a risk-based approach focusing on avoiding subdivision and development for sensitive activities (residential and high occupancy facilities) in hazard prone areas or otherwise mitigating adverse effects. Hazard effects should not be exacerbated beyond the site and critical infrastructure should be located outside hazard areas.

PDP policies require hazard areas to be mapped to show severity of risk (see Figure 2 below):



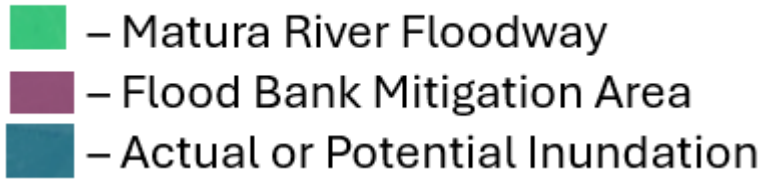


Figure 2 – PDP Flood Overlays surrounding Gore Township

- Avoid new subdivision and development in Mataura River Floodway (Green)
- Require a risk assessment In Flood Bank Mitigation Areas (Purple):
- In actual and potential inundation (Blue):
    - Identify where development should be avoided, managed, or enabled
    - Consider evacuation, minimum floor levels for sensitive activities, avoid significant damage, off site impacts from changing floor levels.

A summary of the PDP rules reflect the PDP objectives and policies:

- Structures within the Mataura River Floodway require a non-complying activity resource consent (NH-R5)
- Buildings on the river side of a flood bank also require a non-complying resource consent (NH-R10)
- New buildings in other Actual and Potential Inundation Areas need a resource consent (NH-R7 - restricted discretionary where floor levels are above the 0.5% AEP Level and discretionary/non-complying activity for buildings and sensitive activities that do not)
- Additions to existing buildings used for sensitive activities in Actual and Potential Inundation and the Flood Bank Mitigation Area need a minimum floor level above the 0.5% AEP (Annual 1 in 200 event) design flood level (NH-R2)
- New buildings within the Flood Bank Mitigation Area require a minimum floor level above the 0.5% AEP (Annual 1 in 200 event) design flood level (NH-R3)
- Earthworks and ground disturbance are limited or require consent within all mapped flood areas.

The PDP natural hazards chapter is subject to an Environment Court Appeal so there may be changes to the provisions outlined above. Please contact the Council to find out the timing of this process.

What do I do if I want to develop and I discover that my property is subject to a Flood hazard?

1. Check PDP Maps – If the location you are wanting to develop is in a flood overlay, then resource consent may be required.

2. Check which area you are in (Purple, Blue, Green) and whether you are on the river side of a stop bank.

3. Confirm whether your proposal is a sensitive activity or non-sensitive activity and has habitable rooms impacted.

4. Discuss what you are proposing with the planners at Gore District Council (GDC) to confirm whether you will need a resource consent and some of the options you have for addressing potential hazard risks. You may find that you do not need a resource consent or that a marginal permitted activity certificate can be issued.

5. Following discussions with GDC you may need to consult with Environment Southland to get information about floor levels required for different flood scenarios (0.5% - 1 in 200, 1% - 1 in 100, or 2% - 1 in 50)

6. Consider whether to amend your proposal based on a risk assessment against the NPS-NH (expert advice may be necessary).

7. Provide advice to GDC for consideration and if necessary, apply for a resource consent.

8. GDC may need to engage an expert to review the risk assessment to inform whether to grant resource consent

9. Resource consent to be issued with conditions or refused.

What are the types of things the Council will consider if I need a resource consent?

The Objectives, policies and matters of discretion in the PDP guide the types of effects that will be considered as part of a resource consent as well as any technical advice to determine the scale of effects.

The Council will consider a range of matters including:

- Where future development should be enabled, managed or avoided
- What mitigation measures can be put in place to reduce flood risk
- The location and design of buildings
- Potential off-site effects on the floodplain and other land due to water displacement
- Flood effects on people and property
- Evacuation of properties during flood events

What are some of the things I can think about to avoid or mitigate hazard risk?

How we respond to hazard risk will depend on what you are proposing and the potential impacts on people, property and infrastructure. There are a range of responses to consider including:

- Raising floor height
- Locating sensitive activities on upper floors
- raise ground level
- diversion bunds or walls
- protecting preferential drainage flow paths
- floodwater detention
- alternative building site within a property
- foundation and building design (to allow for future building relocation or raising of the floor height)
- Adjustable screw piled houses
- Open sided storage structures
- Flexible, waterproof service connections
- Manual or automatic flood barriers
- Pressure sewer systems with elevated control systems
- Overhead or off grid power supply

Contact Gore District Council early in the development process so that we can consider what might be the best option for your project.

Can we consider future flood management work now?

While Environment Southland are currently exploring options of how to address flooding issues associated with the Mataura River as part of the Flood Resilience Programme - Environment Southland we cannot consider that work until physical works are completed. Once any physical works have been completed that change flooding characteristics Environment Southland will re-run their flood models to take this into account. This may end up reducing the extent of flood affected properties within Gore in the medium to long term.

Important Note

This page provides a general overview only and is not intended to serve as a substitute for the official provisions contained in the Proposed District Plan or the requirements of the Resource

Management Act 1991. Please refer to the Proposed Gore District Plan for comprehensive and authoritative guidance.

Details about the review, hearing process and background information, including supporting documents, reports and maps, can be found by clicking this link to the Council's Let's Talk website.