

Report on Pre-hearing meeting under Section 99 of the Resource Management Act 1991

Upper Hutt City Council (UHCC) Proposed Plan Change 42 – Mangaroa and Pinehaven Flood Hazard Extents (PC42)

Time and location: 1pm – 2.30pm, Monday 18 September 2017
Upper Hutt City Council Chambers
838 Fergusson Dr, Upper Hutt 5018

Agenda:

1. Introductions;
2. Outline of pre-hearing process;
3. Matters identified in Minute 1 / common issues raised in submissions;
 - a. Extent of the flooding hazard;
 - b. Clarity of the mapping;
 - c. The underlying evidence base;

Attendees:

Upper Hutt City Council, as consent authority

1. Mr K. Christenson, independent expert, hydrology;
2. Mr M. Law, independent expert, hydrology;
3. Ms A. Bell, Policy Manager;
4. Mr J. Beban, independent reporting officer 42A;
5. Mr B. Osborne, independent reporting officer 42A;

Submitters and other parties

6. Mr A. Jefferies, Submitter;
7. Mr M. Rabson, in support of A. Jefferies;
8. Mrs N. Berkett, Submitter;
9. Ms. N Robinson, Submitter;
10. Mr S. Pattinson, Submitter Save Our Hills. Also on behalf of Susan Pattinson, Submitter;
11. Mr R Hall, independent expert, in support of Mr S. Pattinson;
12. Mr G. Bellamy, Forest And Bird; Submitter
13. Mr B. McLellan, Town And Country Assoc., Submitter;
14. Mrs L. McLellan, in support of Mr B McLellan;
15. Ms S Westlake, for Wellington Regional Council; Submitter
16. Ms L. Harper, for Wellington Regional Council; Submitter

Independent facilitators

17. Mr C. Hopkins, Scribe;
18. Mr M. St Clair, Facilitator.

Summary of Introduction

- Pre-hearing meeting is undertaken under s99 RMA and is on an without prejudice basis;
- Hearing date set 27 – 29 September 2017;
- Purpose of this pre-hearing meeting; to reach matters of agreement, identify outstanding issues to be resolved, attempt to address in this pre-hearing meeting rather than in hearing, report will be produced under s99;
- Pre-hearing meeting today is for 1.5 hours;
- Introductions by each person present;
- Agree on agenda and, prioritise order;

Agreed Agenda Matters

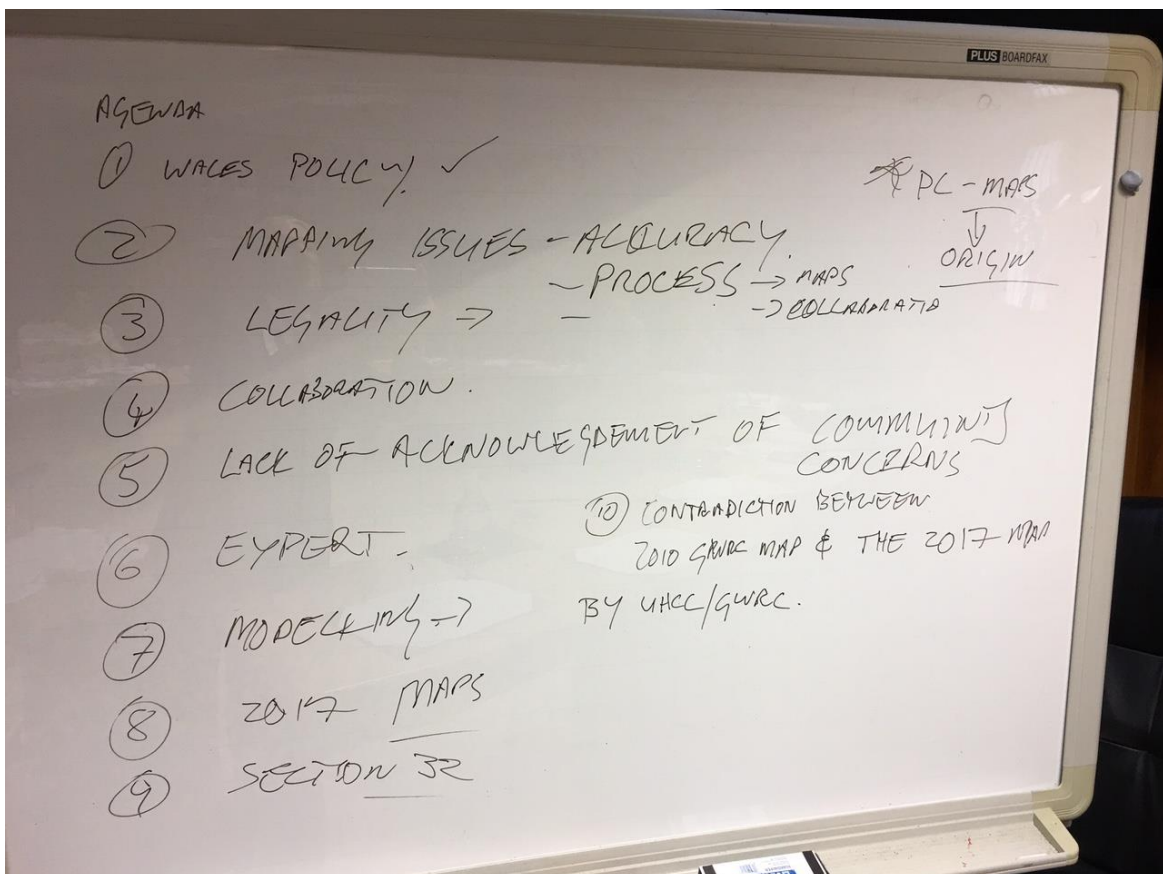


Photo 1 - Agenda – Pre-Hearing Meeting PC42

Matters raised by attendees / matters discussed

Matter 1 – Inclusion of Wales flood planning policy in pre-circulated Section 42A Report

1. Clarification in relation to the inclusion and reliance on the Wales (country) flood planning policy.

A - This material was included in another party's submission, and as such was included in all the material provided in the submissions annex of 42A report.

Matter 2 – Errors on UHCC hazard planning maps

2. A number of Submitters expressed concerns about errors on UHCC DP hazards maps, with areas on maps shown as overland flow and ponding where water has historically not been observed there;

A – The background to the preparation of the maps and their purpose was discussed during the meeting. Mr Christensen clarified that the modelled extent was to a 1 in 100 event size with freeboard and climate change allowance added.

Matter 3 – Legality of Plan Change

3. The legality of the Plan Change was a matter for the hearing itself.

Matter 4 – Matters of process, public engagement and consultation

4. Issues raised with the collaborative process, council and community engagement, dispute resolution from handling by council, lack of support and acknowledgement of community concerns,
5. Questions raised about the difference between lay evidence and expert evidence.

A – The matters raised were not resolved.

Matter 5 – Difference in spatial extent of GWRC map and UHCC map

6. Explanation that the GWRC flood maps showed the flood **inundation** extent. The UHCC District Plan hazard maps show the extent of a flood **hazard** event which was a subset derived from the flood **inundation** extent.
7. Further explanation that the GWRC maps included inundation extent <100mm depth and that UHCC PC42 maps excluded flood depth of <100mm. The difference explained that PC42 was prepared on the basis that a flood depth of <100mm is best managed under the Building Act provisions and that a flood depth of <100mm was sufficiently low risk that it was not in need of regulation under the RMA. The removal of the <100mm was directly in response to Mr

Pattinson's submission point which sought removal of this water depth on the basis the depth is an "insignificant hazard". This was confirmed by Mr Osborne during the meeting.

8. Discussion as to why a flood depth of 100mm is not excluded from the GWRC flood extent maps, discrepancy between GWRC flood maps used for consultation than the maps used for 42A report for UHCC PC42 and contradiction between 2010 map by GWRC and the 2017 map by GWRC / UHCC. Mr Pattinson requested new s32 assessment to be undertaken for the change in maps.

A – These matters were not resolved.

Matter 6 - Matters specific to 27 Elmslie Road

9. Mr Pattinson, concerned that his property includes 1mm to 90mm of inundation and why remain included on map of 27 Elmslie Road.
 - a. Mr Law drew image on whiteboard, to assist in explanation of mapping of flood hazard. See Photo 2 below.
 - b. Discussion between Mr Law and Mr Hall, on mapping led to point of agreement that mapping needed to be informative. Mr Hall confirmed he was not concerned with the modelling approach but with the way in which the data was illustrated on the flood maps to the community.

A – Remaining matters were not resolved.

Pre hearing meeting ended: 2:46pm – Not all the matters on the agenda were able to be addressed in the time available. Submitters advised of hearing date and dates in which expert evidence was to be filed.

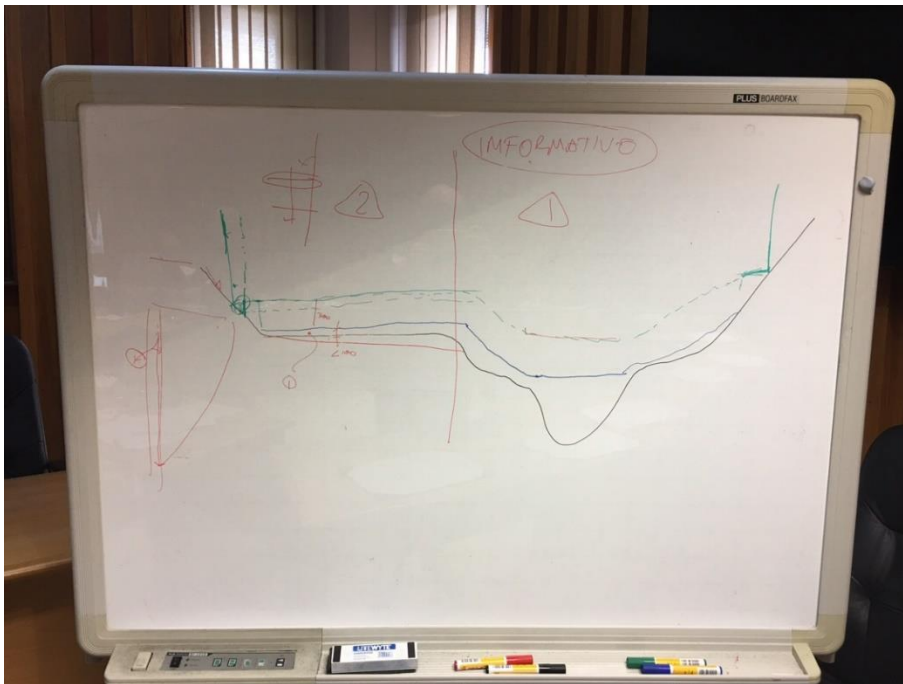


Photo 2 – Diagram from M Law and R Hall discussion.