

Public Notification of Plan Change No. 15 to the Upper Hutt City Council District Plan (2004)

The Upper Hutt City Council has prepared the following proposed plan change to the Upper Hutt City Council District Plan (2004):

Proposed Plan Change 15 – Flood and Erosion Hazard Areas

Proposed Plan Change 15 ["Plan Change 15"] seeks to introduce flood and erosion hazard information for the Mangaroa River, and to update and expand flood hazard information and add erosion hazard information for the Hutt River, within the Upper Hutt City Council District Plan. This includes objectives, policies, rules and maps that are intended to ensure that development in these areas is appropriately managed.

Plan Change 15 implements flood mapping work undertaken by the Greater Wellington Regional Council for the Hutt and Mangaroa Rivers through the Hutt River Floodplain Management Plan and the Mangaroa River Flood Hazard Assessment. As part of the development of these documents, hydraulic modelling of both Rivers was undertaken to identify the hazard areas and to assist in developing planning controls to address them.

Plan Change 15 proposes to identify and manage activities within a 'Flood Hazard Area' to be depicted on the current Planning Maps. This area will be further divided into the following four 'sub-areas' to be depicted on a new set of Hazard Maps: 'River Corridor', 'Overflow Path', 'Ponding Area' and 'Erosion Hazard Line'. You are encouraged to review the Planning Maps (Urban Planning Maps 1-50 and Rural Planning Maps 1-33) and the new Hazard Maps (Urban Hazard Maps 1-50 and Rural Hazard Maps 1-33) to see if your property is within these Areas.

Plan Change 15 proposes to create new, and expand existing, flood and erosion hazard information in the following chapters: 3, 8, 14, 16, 23, 30, 33, 34, 35 and the Planning Maps in Part 5 of the District Plan.

More specifically, Plan Change 15 proposes the following new rules and standards to manage activities within the 'Flood Hazard Area' and sub-areas:

- One accessory building per site with a floor area of 20m² or less to be erected within the 'Ponding Area' is a permitted activity.
- Buildings and structures to be erected within the 'Ponding Area' are a discretionary activity.
- Subdivision within the 'Ponding Area' is a discretionary activity.
- The construction, operation, maintenance, minor upgrading, replacement and refurbishment of: transformers, water and wastewater pumping stations, telecommunication and radiocommunication facilities (excluding cables and lines) in the 'Flood Hazard Area' are a discretionary activity.
- The storage of hazardous substances in the 'Flood Hazard Area' is a discretionary activity.
- Subdivision within the 'River Corridor', 'Overflow Path' or 'Erosion Hazard Line' is a non-complying activity.
- Buildings and structures (including accessory buildings) to be erected within the 'River Corridor', 'Overflow Path' or 'Erosion Hazard Line' are a non-complying activity.
- Earthworks within the 'Flood Hazard Area' will be required to meet an additional matter for discretion unless they are for flood mitigation works undertaken by a local authority on community flood protection grounds or have consent from Greater Wellington Regional Council.

This is only a summary of the proposed changes. As Plan Change 15 affects all land within 'Flood Hazard Areas' you need to refer to the full provisions of Plan Change 15, including the Planning Maps, to determine whether the changes will affect you.

Plan Change 15 may be inspected at any of the following locations:

LOCATION	ADDRESS
Upper Hutt City Council Offices	Level 2 Reception, Civic Administration Building, 838-842 Fergusson Drive, Upper Hutt
Visitor Information Centre	Expressions 835 Fergusson Drive, Upper Hutt
Upper Hutt Library	844 Fergusson Drive, Upper Hutt
Pinehaven Branch Library	Corner of Pinehaven Road & Jocelyn Crescent, Pinehaven Upper Hutt

Plan Change 15 can also be viewed on the Council's website www.upperhuttcity.com

Please contact James McKibbin at the Upper Hutt City Council on (04) 527 2859 or james.mckibbin@uhcc.govt.nz if you have any questions about Plan Change 15.

Alternatively, for technical questions relating to the identification and assessment of the hazard areas, please contact Sharyn Westlake at the Greater Wellington Regional Council on (04) 830 4046 or sharyn.westlake@gw.govt.nz

Making a submission

The following persons may make a submission on the proposal:

- the local authority in its own area may make a submission; and
- any other person may make a submission but, if the person could gain an advantage in trade competition through the submission, then the person may only do so if the person is directly affected by an effect of the proposal that-
 - adversely affects the environment; and
 - does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic submission to the Upper Hutt City Council:

- In person by delivery to: Upper Hutt City Council
Level 2 Reception
Civic Administration Building
838-842 Fergusson Drive
Upper Hutt
- By mail addressed to: Proposed Plan Change No. 15
Upper Hutt City Council
Private Bag 907
Upper Hutt
- Faxed to: (04) 528 2652
- By email addressed to: askus@uhcc.govt.nz

The submission must be in Form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from the Council and via the website.

Submissions close on Friday 2nd November 2012 at 5pm

Process for public participation

The process for public participation in the consideration of the proposal under the Act is as follows:

- after the closing date for submission, the Upper Hutt City Council must prepare a summary of decisions requested by submitters and give public notice of the availability of this summary and where the summary and submissions can be inspected; and
- there must be an opportunity for the following persons to make a further submission in support of, or in opposition to, the submissions already made:
 - any person representing a relevant aspect of the public interest:
 - any person who has an interest in the proposal greater than the general public has:
 - the local authority itself; and
- if a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- the Upper Hutt City Council must give its decision on the provisions and matters raised in the submissions (including its reasons for accepting or rejecting submissions) and give public notice of its decision within 2 years of notifying the proposal and serve it on every person who made a submission at the same time; and
- any person who has made a submission has the right to appeal against the decision on the proposal to the Environment Court if, -
 - in relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal; and
 - in the case of a proposal that is a proposed policy statement or plan, the appeal does not seek the withdrawal of the proposal as a whole.

**Richard Harbord
Director of Planning and Regulatory Services
Upper Hutt City Council**

3 October 2012

**Address for service: 838-842 Fergusson Drive
Private Bag 907
Upper Hutt 5140**

Email: askus@uhcc.govt.nz

Phone: (04) 527 2169