

Proposed Plan Change 15 – Flood and Erosion Hazard Areas

Summary of submissions

Name of Submitter	Submission Reference	Provision(s)	Support/Oppose	Reason	Relief Sought
Mark McCaffrey	1.1	Property values	Oppose in part	The introduction of hazard information for the Mangaroa River is unfair to landowners because it will decrease property values, increase insurance costs, decrease the ability to sell property and place unfair costs on property owners to manage flood and erosion hazards.	That Council exclude flood and erosion hazard information for the Mangaroa River in proposed Plan Change 15.
Mark McCaffrey	1.2	Flood protection	Oppose in part	Greater Wellington Regional Council has spent money managing the Hutt River, but not the Mangaroa River.	
Keith Martyn Thompson	2.1	Maps	Oppose	<p>The proposed erosion hazard line encircles the submitter's property, making buildings and structures non-complying activities.</p> <p>That there are inaccuracies with the modelling calculations (specifically regarding the erosion line relating to 159, 167, 167A, 167B, 167C and 167D Parkes Line Road), further stating that the modelling does not account for local knowledge, historical records or mitigation work undertaken by the submitter (e.g. planting of willows and use of</p>	That the erosion hazard line shown in Rural Map 25 (adjacent to 160 Parkes Line Road) be recalculated using a proven formula and after being ground-truthed.

				concrete slabs). That +50 year old trees show that erosion does not have the impact demonstrated by computer modelling and that hazard events over the past 50 years have not had a noticeable impact on the current landscape.	
Thompson Family Trust	3.1	Modelling/ Maps	Oppose	<p>That the repositioning of the erosion hazard line 167C Parkes Line Road is not in the right place and a natural boundary should be used.</p> <p>That 'in many places along the Zoning Boundary, the Erosion Line crosses over the set-back line, thereby making the building of anything on the property that doesn't require an exemption to the District Plan'.</p> <p>The calculation used to determine the erosion line is not formally recognised and has not been used consistently.</p> <p>That UHCC is thwarting any attempt to build a house on 167C Parkes Line Rd.</p>	<ul style="list-style-type: none"> • Visit 167C Parkes Line Road to see that modelling of the hazard maps is incorrect. • Re-calculate the distance of the erosion line from the Mangaroa River in relation to Parkes Line Road.
Thompson Family Trust	3.2	Property Value	Oppose	<p>The Erosion Hazard Line has affected the value and saleability of the property.</p> <p>The building platform approved for</p>	<ul style="list-style-type: none"> • Allow for alternative building sites near the submitter's gate to reduce the cost of installing services.

				the site is too costly and is detracting purchasers.	
Bernadette and Peter Sharkey-Burns	4.1	General	Oppose in part	<p>Disapproves of Council's approach to notifying proposed Plan Change 15.</p> <p>That the Council should have made residents in the area aware of the flooding issue when they were granted consents for subdivision and building.</p> <p>That the submission period was unfair and insufficient for people to provide a submission.</p>	<p>That Council:</p> <ul style="list-style-type: none"> Involve those directly affected by the proposed Plan Change, which requires a thorough consultation – more than one month. Undertake an independent review of the proposed changes and involve the residents living in the areas affected.
Alan Jefferies	5.1	Maps	Oppose	That the proposed Hazard Maps are likely to be unlawful as they neglect to define the 'riverbed' and are inaccurate (and do not recognise that rivers change over time).	<p>That the Council either:</p> <ol style="list-style-type: none"> Abandon the Plan Change as proposed; or Refer the proposed Plan Change to the Policy Committee for further consideration for the following reasons: <ol style="list-style-type: none"> That the proposed changes are likely to be unlawful as the Upper Hutt City Council's authority does not extend to the 'riverbed' which is contained within the 'river corridor' There are overlaps between the proposed Plan Change and the Regional Freshwater

					Plan which could create confusion/conflict.
					c. That one of the other two options that were considered during the preparation of the Plan Change or a variation of the two be considered.
					d. That the Plan Change satisfactorily emphasise the costs.
Alan Jefferies	5.2	General	Oppose	<p>That the notification report is inaccurate and misleading as it does not appropriately address section 5 of the RMA.</p> <p>That the proposed Plan Change fails to recognise private property rights and restricts the use of the submitter's land without compensation.</p> <p>That the Council has not satisfactorily met its obligations under section 32 of the RMA.</p> <p>That no consideration has ever been given to the costs of affected landowners and to the uncertainty the proposed Plan Change has caused.</p>	
Greater Wellington Regional	6.1	General	Support	<p>That the Plan Change is consistent with regional policy direction.</p> <p>That the Plan Change is consistent</p>	That the Council retain proposed Plan Change 15.

Council

with their operational requirements for flood protection activities.

That the following provisions are supported:

- The identification of areas of flood and erosion hazard.
- Provisions to manage flood risk and to avoid development in areas of high hazard risk.

That the proposed Plan Change is consistent with Policies 28 and 51 of the proposed Regional Policy Statement.

David Ross Gratton	7.1	Maps/general	Oppose in part	<p>That access to the submitter's property is affected by the proposed changes, as are properties down the road. These properties complied with the building codes at the time, placing them above the zones in force at the time.</p> <p>That increasing the 'flood event height' must be fair and achievable to implement and that increasing the flood event to a 1 in 3000-year flood is unfair to property owners.</p> <p>That farmers/foresters have a relationship with the land and at times farming and forestry needs the ability to be a permitted activity.</p>	<p>That the Council:</p> <ul style="list-style-type: none"> • Correct the closing of a paper road to the submitters' property on Council's maps. • Correct the incorrect alignment for the Akatarawa River shown in Urban Planning Maps 1 and 2, Urban Hazard Maps 1 and 2, Rural Planning Map 19 and Rural Hazard Map 19. • That the flood year guideline should be increased to a 150-year level as a compromise, rather than a 3000-year event.
Royal Forest and Bird Protection Society Inc. Upper Hutt Branch	8.1	General	Oppose in part	<p>That Upper Hutt residents will be affected by the proposed changes and state that they are willing to 'mentor and work with all parties to assist with ensuring that the impacts of these proposed changes are environmentally neutral'.</p> <p>That work undertaken in relation to the Mangaroa River will have a negative impact on its environment and are willing to be a part of any discussions regarding its improvement.</p>	<ul style="list-style-type: none"> • That all future flood work be environmentally neutral and used as an opportunity to have a positive impact on water quality. • That no major flood protection work be carried out on the Mangaroa, Whakatiki and Pakuratahi Rivers, and the Wainui Stream. • That the permeable surfaces which contribute to water runoff contributing to increased water into water ways within Upper Hutt City be limited – including the

				<p>That that water 'will find its own path and follow its natural course when in flood, so any major flood protection work may have a limited effect'.</p>	<p>development of rural land for commercial and residential purposes.</p> <ul style="list-style-type: none"> • That the Waipango Wetland area be protected and restored. • That any work carried out regarding Southern Hills be environmentally neutral to avoid flooding impact from this area.
Debra Fink	9.1	LIMs	Oppose in part	<p>Flooding information should not be attached to LIM reports for this property. If it is, correspondence between the submitter and the Regional Council should be attached.</p> <p>The submitter advises that "any flooding would be contained within the water course of Cooper's creek...It would not flood either side above the height of the stream's bank. If any flooding was to occur it would pond on the sections to the right e.g. 4 Maymorn and 18 Plateau Road, as both of these sections are lower than no. 6 Maymorn Road.</p> <p>That this would lower the risk to the property as the water would have a bigger ponding area to disperse over. This has not been taken in in your proposed flooding area."</p> <p>The submitter has included cross-</p>	<ul style="list-style-type: none"> • That ideally, the Council do not mention flooding on any LIM (Land Information Memorandum) report for the submitter's property.

				sections of the property (refer to full submission).	
Philippa Huygen	10.1	Consultation	Oppose	<p>That there were no discussions with affected property owners and no visit to their property was made.</p> <p>That the submitter received no explanation of how the conclusions relating to the proposed changes were achieved.</p>	That Council decline the proposed Plan Change and engage with the affected property owners to develop a plan that is understandable and justifiable.
Philippa Huygen	10.2	Modelling	Oppose	<p>That the erosion zone extends to the beginning of the submitter's property which is 200-300 metres from the river.</p> <p>That if the river ever reached their property then properties downstream would have already eroded, but that this information is not shown by the proposed changes.</p> <p>That the erosion zones are inconsistent and it appears no groundwork was done.</p>	
Wayne Huygen	11.1	Consultation	Oppose	<p>That there were no discussions with affected property owners and no visit to their property was made.</p> <p>That the submitter received no explanation of how the conclusions relating to the proposed changes were achieved.</p>	That Council decline the proposed Plan Change and engage with the affected property owners to develop a plan that is understandable and justifiable.

Wayne Huygen	11.2	General	Oppose	<p>That the erosion zone extends to the beginning of the submitter's property which is 200-300 metres from the river.</p> <p>That if the river ever reached their property then properties downstream would have already eroded, but that this information is not shown by the proposed changes.</p> <p>That the erosion zones are inconsistent and it appears no groundwork was done.</p>	
Kim and Kareen Williams	12.1	Modelling	Oppose	That there have been serious concerns expressed in regard to the analysis and Council officers' unwillingness to question the data, despite residents' concerns.	That the Council include accurate details of property zoning.
Kim and Kareen Williams	12.2	Property values	Oppose	That the assertion in the Bognar report that property values will not be affected by the Plan Change is incorrect.	That the Council are certain about the economic effects of the Plan Change.
Kim and Kareen Williams	12.3	General	Oppose	<p>That an assessment of possible hazards should be completed and suitable action taken when hazards are identified.</p> <p>That the submission period is insufficient, given the lengthy timeframe of discussions surrounding flooding and erosion hazards.</p>	<p>That Council:</p> <ul style="list-style-type: none"> Decline the proposed Plan Change and make a greater effort to engage with those affected in order to arrive at a consensus for actions to be taken. Accept responsibility for the material produced by the Regional

				<p>That the Upper Hutt City Council has accepted no responsibility for the proposed maps developed by the Regional Council and this leaves any resident with concerns to deal with both parties.</p> <p>That the proposed changes to the District Plan are too vague and this may lead to inconsistency.</p> <p>That if a property owner wants to develop their property they need to know from the Council exactly what rules apply to their property with accuracy. The current maps are not accurate enough.</p> <p>That the intersection of Parkes Line Road and McLaren Street is identified as an erosion risk and this is not recognised in the Plan Change.</p>	<p>Council and resolve any issues raised by residents with them.</p> <ul style="list-style-type: none"> • Provide support to the residents in order to reach a consensus on certain aspects of the Plan Change. • Do not delegate authority to officers to make changes without the Council's authorisation. • Assign an individual Plan Change to the St Patrick's Estate area. <p><i>In relation to the intersection of Parkes Line Road and McLaren Street:</i></p> <ul style="list-style-type: none"> • Designate an area of the river which requires special approval before any work is done. • Develop a plan for residents' access in the event of erosion of the intersection. • Periodically inspect the area to note changes and anticipate problems – and develop a plan to prevent such problems.
Bob McLellan	13.1	Modelling	Oppose	<p>That there have been serious concerns expressed in regard to the analysis and Council officers' unwillingness to question the data, despite residents' concerns.</p>	<p>That the Council include accurate details of property zoning.</p>

Bob McLellan	13.2	Property values	Oppose	That the assertion in the Bognar report that property values will not be affected by the Plan Change is incorrect.	That the Council are certain about the economic effects of the Plan Change.
Bob McLellan	13.3	General	Oppose	<p>That an assessment of possible hazards should be completed and suitable action taken when hazards are identified.</p> <p>That the submission period is insufficient, given the lengthy timeframe of discussions surrounding flooding and erosion hazards.</p> <p>That the Upper Hutt City Council has accepted no responsibility for the proposed maps developed by the Regional Council and this leaves any resident with concerns to deal with both parties.</p> <p>That the proposed changes to the District Plan are too vague and this may lead to inconsistency.</p> <p>That if a property owner wants to develop their property they need to know from the Council exactly what rules apply to their property with accuracy. The current maps are not accurate enough.</p> <p>That the intersection of Parkes Line Road and McLaren Street is identified as an erosion risk and this is not recognised in the Plan</p>	<p>That Council:</p> <ul style="list-style-type: none"> Decline the proposed Plan Change and make a greater effort to engage with those affected in order to arrive at a consensus for actions to be taken. Accept responsibility for the material produced by the Regional Council and resolve any issues raised by residents with them. Provide support to the residents in order to reach a consensus on certain aspects of the Plan Change. Do not delegate authority to officers to make changes without the Council's authorisation. Give St. Patrick's Estate its own Plan Change. <p><i>In relation to the intersection of Parkes Line Road and McLaren Street:</i></p> <ul style="list-style-type: none"> Designate an area of the river which requires special approval before any work is done. Develop a plan for residents' access in the event of erosion of

				Change.	the intersection.
					<ul style="list-style-type: none"> Periodically inspect the area to note changes and anticipate problems – and develop a plan to prevent such problems.
New Zealand Railway and Locomotive Society Incorporated. Silverstream Railway Incorporated and Thomas Haliburton	14.1 Primary Submission	Provisions	Oppose in part	<p>That the submitter's activities would be difficult to get consent for under the proposed changes and the activities would be compromised.</p> <p>That it is unfair for the Council as seller of the property, to now deny the purchaser the ability to use the land for its intended purpose.</p> <p>That activities on the submitter's site are major attractions to Upper Hutt City and there are plans to extend them.</p> <p>That the modelling identifying the submitter's property is inaccurate and it should be identified as a ponding area.</p> <p>That the Hutt River Floodplain Management Plan identified the site as being within a Secondary River Corridor Hazard Area "dominated by ponding and slower flowing waters"(p. 97).</p> <p>That Rule 22.2 permits the railway museum, and associated facilities</p>	<p>That Council:</p> <ul style="list-style-type: none"> Remove 30 Kiln Street from being included in the Flood Hazard Area, Reword Issue 8.2.5, Objective 8.3.3 and Policies 8.4.4 and 8.4.6 so they exclude the submitter's property from the St Patrick's Estate area. Include 'Railway Museum and Association Facilities' as restricted discretionary activities in the Special Activity Zone (in Activities Table 33.1) and that Council restrict its discretion to: <ul style="list-style-type: none"> The vulnerability of a building/structure to flooding. The potential for the building/structure to exacerbate downstream flooding.

				<p>but the proposed changes will make these activities non-complying.</p> <p>That the type of activities on the submitter's property is unlikely to endanger human life and facilities are unlikely to be damaged significantly.</p> <p>That 'railway museum and associated facilities' will not cause consequential effects on other properties in a flood.</p> <p>That earthworks within 10m of Hull's creek are identified as restricted discretionary (rules 23.1 and 23.7). In the part of the site currently identified as within the 1% flood hazard area, such activities are discretionary (Rule 33.1, 33.2). This allows the Council appropriate discretion to consider the risks of development and set appropriate conditions. A non-complying status is unnecessary and onerous.</p>	
New Zealand Railway and Locomotive Society Incorporated. Silverstream	14.2 Alternative relief ¹	Provisions	Oppose in part	That the identification of the flood hazard area is a 'broad brush' exercise and does not necessarily reflect the actual vulnerability of an area to flooding hazards.	That Council: <ul style="list-style-type: none"> Add wording to Issue 14.2.2 and Policy 14.4.1 that recognises that the identification of flood hazard areas gives approximate guidance

¹ The submitter provided both a primary submission and a submission for alternative relief sought.

Railway
Incorporated
and Thomas
Haliburton

That the provisions of the plan should allow for detailed site investigations to be undertaken.

That if an investigation identifies an area not to be at risk then subdivision and development should be allowed.

That many properties are both within and outside the flood hazard area. If sufficient land is available outside the flood hazard area to support development, then the vulnerability of the remainder of the land to flooding should not be an impediment to subdivision.

That a discretionary status is sufficient and non-complying status is inappropriate.

to areas which may be impacted by flooding but that specific investigations may show that areas are suitable for development/subdivision.

- Insert 'remedying or mitigation of adverse effects' after 'avoidance' in Objective 14.3.1 and delete the last paragraph.
- Insert additional wording to Policy 14.4.2 between paragraphs 3 and 4 stating that the onus is on the developer/subdivider to demonstrate that the area is not at risk from natural hazards.
- Delete the last paragraph of the explanation of Policy 14.4.2.
- Change the status of the two Non-Complying activities in Activities Table 33.1 to Discretionary.
- Insert the following matters for consideration in provision 33.2
 - 'The extent to which the area is vulnerable to flooding hazards as determined by an appropriately qualified and experienced engineer'.
 - 'The extent to which the subdivision includes land which is not vulnerable to flooding

Council Solutions Limited	15.1	Provisions	Oppose in part	<p>That the identification of areas within the flood hazard area are broad brush, (mostly) desktop exercises and therefore do not necessarily reflect the actual vulnerability of an area to flooding.</p> <p>That the provisions of the plan should allow for detailed site investigations to be undertaken and if an area is deemed not at risk then subdivision and development should be permitted.</p> <p>That 'the stringent tests associated with a non-complying activity status require that any applicant must identify that their proposal is a true exception in order to gain consent. Such a demonstration should be unnecessary if an applicant can demonstrate that their development or subdivision is in an area which is not in fact vulnerable to flooding'.</p> <p>That the non-complying status is inappropriate and a discretionary status is more appropriate.</p>	<p>That Council:</p> <ul style="list-style-type: none"> • Add wording into the explanation of issue 14.2.2 recognising that the identification of flood hazard areas gives only approximate guidance to areas which may be vulnerable to flooding and that investigation of specific sites may show that they are suitable for development or subdivision. • Insert the words "remedying or mitigation of adverse effects" after "avoidance" in objective 14.3.1 and delete the last paragraph of the explanation to the objective. • Insert additional wording to the explanation of Policy 14.4.1 recognising that the identification of flood hazard areas gives only approximate guidance to areas which may in fact be vulnerable to flooding and that investigation of specific sites may show they are suitable for development or subdivision. • Insert additional wording to the explanation of Policy 14.4.2 between paragraphs 3 and 4 of the explanation of this policy stating that in areas identified in the plan
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as being a flood hazard area the onus is on the development/subdivider to demonstrate that the area is not at risk from natural hazards.

- Delete the last paragraph of the explanation of Policy 14.4.2 as it does not accurately represent the legal obligation of section 106 of the Act and is, in any event, irrelevant.
- Change the status of the two non-complying activities to Discretionary in Rule 33.1.
- Insert a new matter for consideration in Rule 33.2 being “the extent to which the area is vulnerable to flooding hazards as determined by an appropriately qualified and experienced engineer”.
- Insert a new matter for consideration in Rule 33.2 being “the extent to which the subdivision includes land which is not vulnerable to flooding hazards”.

Planning Policy Manager, Upper Hutt City Council	16.1	Maps	Oppose in part	That the proposed Planning Maps show the extent of the Flood Hazard Area but currently do not map the Erosion Hazard Line, meaning that only the River Corridor, Ponding	That the Council include the Erosion Hazard Line in the defined extent of the Flood Hazard Area shown on the proposed Planning Maps (as it is shown on the Hazard Maps).
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Area and Overflow Path are defined as the Flood Hazard Area. The Hazard Maps show all four sub-areas of the Flood Hazard Area.

Planning
Policy
Manager,
Upper Hutt
City Council

16.2

Provisions

Oppose in part

That the proposed provision referred to opposite is unnecessary because buildings and structures within the Flood Hazard Area (comprised of the River Corridor, Overflow Path, Ponding Area and Erosion Hazard Line) are proposed to be either discretionary or non-complying activities in Activities Table 33.1 with the single exception of the following proposed provision in Activities Table 33.1.

One accessory building per site with a floor area of 20m ² or less to be erected within the Ponding Area, as shown on the Hazard Maps in Part 5 of the District	P
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Chapters 30 and 33 are city-wide chapters and are not independent of one another. Therefore, the proposed provisions in Activities Table 33.1 need to be taken into account, creating a duplication with the proposed provision in

That the Council:

- Remove the following proposed provision from Activities Table 30.1

Transformers, water and wastewater pumping stations, telecommunication and radiocommunication facilities (excluding cables and lines) in the Flood Hazard Area depicted on the Planning Maps.	D
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				<p>Activities Table 30.1 noted above.</p> <p>The proposed definition of structure is "any building, equipment, device, or other facility made by people and which is fixed to land, not meeting the definition of building or accessory building".</p> <p>Utilities are excluded from the definition of building and therefore fit within the definition of structure – meaning that any new utilities within the Flood Hazard Area require consent under proposed chapter 33 (provided they meet the definition of structure – which it is likely they would.</p>	
Dean O'Callaghan	17.1	Modelling	Oppose in part	<p>That the modelling may be inaccurate, specifically regarding 111A and 111D Mangaroa Valley Road.</p> <p>That the submitter supports the definition of the Flood Hazard Area, but is sceptical of the Ponding Area definition.</p>	<p>That the Council get an independent review of the methodology and assumptions used in arriving at the definitions of the four zones in the Flood Hazard Area of the Mangaroa River.</p>
Dean O'Callaghan	17.2	Provisions	Oppose in part	<p>That there has been a lack of money spent on maintaining the Mangaroa River by the Upper Hutt City Council or Regional Council 'yet councils force responsible landowners to spend their time and money on consents in order to</p>	<p>That the Council:</p> <ul style="list-style-type: none"> Amend Activities Table 33.1 to allow small structures within the Overflow Path and the Erosion Hazard Line for the purpose of sheltering livestock from the sun and adverse

				<p>preserve their properties and to repair damage caused by the river'.</p> <p>That proposed provisions would prevent the submitter's ability to erect livestock shelters regardless of how small they are.</p>	<p>weather.</p> <ul style="list-style-type: none"> • Permit subdivision within the River Corridor, Overflow Path or Erosion Hazard Line • Permit minor earthworks without the need for resource consent. • Permit landowners to undertake riverbank repairs and flood mitigation works without the need for resource consent. • Permit mitigation works as stated in published guidelines. • Publish guidelines for acceptable standards of work to assist landowners in producing sustainable results. • Allow the submitter to subdivide their section lengthways, such that each subdivision is comprised of all four flood hazard areas – if the Council allow future subdivision below 4 hectares.
Michael and Bev Gillespie, Gareth Hamill, and Chelsea Hutchen	18.1	Modelling	Oppose in part	<p>That its accuracy cannot be guaranteed because it is modelled by people.</p> <p>That Council is likely to take a more risk-averse approach to developing the models.</p>	
Michael and Bev Gillespie,	18.2	General	Oppose	That at the first public meeting council representatives stated they	That the Council:

Gareth Hamill, and Chelsea Hutchen	<p>had spoken with many people but no one who attended had been involved or provided feedback.</p> <p>That local knowledge of flooding has not been accepted by the council despite being raised consistently at public meetings.</p> <p>That the subdivision at Beechwood Way was developed into residential housing with no reference to the floodplain.</p> <p>That property values will be adversely affected.</p>	<ul style="list-style-type: none"> • Reject proposed Plan Change 15 in its current form. • Inform the submitters as to why the subdivision at Beechwood Way was allowed and who will compensate them, should the proposed Plan Change be adopted.
Michael Driscoll	19.1 General Oppose	<p>That the Plan Change is unfair because it directs all action on affected property owners and does not recognise that flood mitigation is a responsibility that requires a community strategy.</p> <p>That the Council incorporate into any plan change, a commitment to a regional flood management strategy.</p> <p>That the Greater Wellington Regional Council takes over flood management for the Mangaroa River.</p> <p>That the swamp land adjoining Wallaceville Road be valued as a natural holding area for flood waters and be allowed to return to a wetland which would act as a habitat for wildlife and attraction.</p> <p>That regeneration of the hillsides within the Mangaroa/Whiteman's Valley catchment is encouraged.</p> <p>That farming activities in the Flood Hazard Area accord with best practice</p>

and the 'Dairying and Clean Streams Accord'.

Powerco Limited	20.1	Provisions	Oppose in part	<p>That earthworks associated with the installation of new gas pipelines or the maintenance and upgrading of existing pipelines would be required to obtain resource consent under proposed rule 23.7. This may pose unnecessary costs and time restraints on the submitter - 'this is an issue when urgent maintenance works are required to ensure a reliable supply of gas to consumers'.</p> <p>That utilities may be considered as a 'structure' (under the proposed definition) in regard to the rules of Chapter 33, despite Chapter 30 (utilities chapter) explicitly identifying those specific network utilities that would require consent in a flood hazard area.</p> <p>That the submitter would be required to obtain resource consent for any new and/or replacement gas pipelines and associated equipment in a flood hazard area.</p> <p>That the proposed changes do not make any changes to the rules relating to the construction, operation, maintenance, minor upgrading, replacement and refurbishment of pipes for the</p>	<p>That Council:</p> <ul style="list-style-type: none">• Provide for earthworks associated with the construction, operation, maintenance, minor upgrading, replacement and refurbishment of pipes and incidental equipment for the distribution of gas provided for in Chapter 30 as a permitted activity.• Add the following exemption to proposed Rule 23.7:<ul style="list-style-type: none">◦ <u>Any earthworks required for network utilities that are otherwise provided for as a permitted activity in Chapter 30</u>Or◦ <u>Any earthworks required for the construction, operation, maintenance, minor upgrading, replacement and refurbishment of pipes for distribution of natural or manufactured gas and necessary incidental equipment and compressor stations.</u>• Provide for structures associated with pipes and incidental
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distribution of natural or manufactured gas and necessary incidental equipment and compressor stations. Such activities would therefore continue to be a permitted activity in Chapter 30 (rules for utilities) and this is supported by the submitter.

That Chapter 30 is a 'standalone' chapter and therefore the provisions of Chapter 33 do not apply, but states that this is contrary to the advice the submitter has received from Council staff.

That 'utilities' are excluded from the definition of 'building' but could be captured under the definition of 'structure'.

That new gas infrastructure may need to run through the proposed Flood Hazard Area.

That Powerco's gas pipelines 'are located underground and would not be protected by floodwaters, and any above ground structures can be designed to tolerate minor levels of inundation. It is recognised that prolonged submergence of Powerco's above ground assets (DRSs) may inhibit Powerco's ability to supply gas to various areas in the Upper Hutt District. While this would

equipment for the distribution of natural gas (which is provided for in Chapter 30) as a permitted activity.

- Add the following (underlined) to the proposed Activities in Activities Table 33.1
 - Buildings and structures (other than those otherwise provided for in this table and network utilities otherwise provided for as a permitted activity in Chapter 30) to be erected within the Ponding Area, as shown on the Hazard Maps in Part 5 of the District Plan.

Or

- Buildings and structures (other than those otherwise provided for in this table and as required for the construction, operation, maintenance, minor upgrading, replacement and refurbishment of pipes for distribution of natural or manufactured gas and necessary incidental equipment and compressor stations) to be erected within the Ponding Area, as shown on the Hazard Maps in Part 5 of the District Plan.
- Retain, without modification the

				<p>not pose an imminent safety risk, it does pose reliability and supply risk which will impact on residential, commercial and light industrial users of gas. Powerco are likely to be able to re-commission any affected plant after inspection and corrective maintenance. Powerco will endeavour to avoid locating above ground structures in flood hazard areas, but in some cases it may not be possible to avoid areas where the assets are required to supply an area with gas'.</p> <p>That the submitter's assets are inspected and maintenance may be required.</p>	<p>following permitted activities in Table 30.1</p> <table border="1"> <tr> <td>The construction, operation, maintenance, minor upgrading, replacement and refurbishment of:</td> </tr> <tr> <td>.....</td> </tr> <tr> <td>Connections from allotments to gas, water, drainage and sewer pipes.</td> </tr> <tr> <td>Pipes for distribution of natural or manufactured gas and necessary incidental equipment and compressor stations</td> </tr> </table> <ul style="list-style-type: none"> • Adopt any other relief/consequential amendments to give effect to this submission. 	The construction, operation, maintenance, minor upgrading, replacement and refurbishment of:	Connections from allotments to gas, water, drainage and sewer pipes.	Pipes for distribution of natural or manufactured gas and necessary incidental equipment and compressor stations
The construction, operation, maintenance, minor upgrading, replacement and refurbishment of:									
.....									
Connections from allotments to gas, water, drainage and sewer pipes.									
Pipes for distribution of natural or manufactured gas and necessary incidental equipment and compressor stations									
Friends of the Hutt River	21.1	Provisions	Oppose in part	<p>That the river areas concerned by Plan Change 15 are of interest and that the Mangaroa River contributes to the pollution of the Hutt River.</p> <p>That Plan Change 15 is an opportunity to improve the quality of the Hutt and Mangaroa Rivers.</p> <p>That it is important to reference the environment in proposed Objective 14.3.1 and Policy 14.4.2 as removing them can be misleading.</p> <p>That there is no clarity about the effects on the river of any possible</p>	<p>That the Council:</p> <ul style="list-style-type: none"> • Incorporate requirements that reduce the pollution of the Mangaroa River, into the Plan Change. • Include references to the environment, which have been removed from Objective 14.3.1 and Policy 14.4.2. • Prohibit subdivision in the St Patrick's Estate area. • Explain in Chapter 8 how 				

				<p>development in the St Patrick's Estate area.</p> <p>That if the river corridor is diminished in size as proposed in 8.4.6 then more damage may occur from a major flood.</p> <p>That the methods defined in 14.5 don't protect building and structures in the proposed Flood Hazard Area and that Council may be open to future litigation.</p> <p>That 'permeability' is important.</p> <p>That the Waipango Wetland has been ignored and is a significant area during flooding.</p>	<p>subdivision will avoid the risk of flooding in the St Patrick's Estate Area so that the public and councillors understand what is implied in the Chapter.</p> <ul style="list-style-type: none"> • Strengthen requirements for permeability of properties.
Jeff and Noeline Berkett, and Don Robinson	22.1	Modelling	Oppose	<p>That the modelling is inaccurate as demonstrated by the submitters' own historical rainfall records (<u>*see submission for detailed data</u>).</p> <p>That the submitters have lived in the area for many years and there has not been a 1 in 20-year flood, let alone a 1 in 100-year flood.</p> <p>That the consultants who undertook the study will not tell the submitters how much rain was used to develop the flood frequencies.</p> <p>That areas in Upper Hutt have not flooded before, but are listed within the Flood Hazard Area.</p>	<p>That the Council consider the flooding information presented, before changing the District Plan in a manner which will impact on landowners.</p>

				<p>That soil types affect river levels.</p> <p>That wet and dry ground influences flooding.</p> <p>That rainfall varies considerably in Whiteman's Valley.</p>	
Roz Brown	23.1	General	Oppose	<p>The submitter makes a number of comments and suggestions in regard to the proposed Plan Change. These relate to past reports, the whole proposed Plan Change, the second recommendations of the notification report, the regional/local councils' responsibilities, and the St Patrick's Estate.</p> <p>*See submission for detail.</p>	That the Council reject proposed Plan Change 15 and engage in 'mutual honour' with affected residents.
Upper Hutt Rural Residents' Association	24.1	Modelling	Oppose in part	That the submitter is concerned about the modelling used to determine the Flood Hazard Area.	That the Council request the Greater Wellington Regional Council to re-visit the modelling used to determine the flood hazard extent and level, and adjust accordingly.
Brian Teasdale and Andrea Feakin	25.1	Provisions	Oppose in part	<p>That proposed Activities Table 33.1 does not account for buildings and structures of a rural nature.</p> <p>That these types of buildings/structures are a part of rural living and should be permitted activities in the rural zone.</p> <p>That the post and wire fencing</p>	<p>That the Council:</p> <ul style="list-style-type: none"> • Reassess the proposed definitions and maps. • Permit more activities relating to farm/lifestyle buildings, structures, accessory buildings and earthworks.

				<p>exemption in Activity Table 33.1 doesn't extend to other alternative uses for fencing for stock, which it should.</p> <p>That subdivision is a part of the rural zone and this should be permitted as not all land requires a dwelling.</p> <p>That proposed standard 23.7 (earthworks) could have an exemption in some cases.</p> <p>That the Plan Change doesn't account for planting, the changing contour of land and the potential for the river's path to change.</p> <p>That affected properties could be more closely examined and marked for restoration/ protection work.</p>	
Hutt City Council	26.1	Provisions	Oppose in part	<p>That designated site 'HCC 2' on the Planning Maps accommodates a key asset to the wastewater network for Hutt City and Upper Hutt City Councils.</p> <p>That the further development of this site is likely to be required in the future and that it is not economical to relocate future associated assets.</p> <p>That the site is designated for additional storage but that other structures may not be, and on this</p>	<p>That the Council:</p> <ul style="list-style-type: none"> • Add the following wording to Policy 16.4.1 <u>Where it is not practicable to locate utilities outside the Flood Hazard Area, any new utilities within the Flood Hazard Areas should be designed to withstand the design flood event</u> • Add the following discretionary activity to Activities Table 33.1 <u>Utilities (including associated buildings</u>

				<p>basis opposes the proposed activity status changes in Chapter 33.</p> <p>That the existing discretionary status in Chapter 33 for buildings and structures in the 1 in 100-year flood extent provides for suitable controls on this land.</p> <p>That 'the flood hazard can be suitably managed by engineering controls such as raising ground levels, providing waterproofed equipment, sealed doors and other mechanical protection as appropriate'.</p>	<p><u>and structures) to be erected within the River Corridor, Overflow Path or Erosion Hazard Line as shown in the Hazard Maps in Part 5 of the District Plan.</u></p>
Earle Kirton	27.1	Modelling	Oppose	<p>That the modelling is inaccurate as the submitter disputes that ponding could occur on their property, given its distance from the Mangaroa River.</p> <p>That family members have been in the area for 55 years, whereas flooding records taken by the Regional Council have only existed since 1977.</p>	<p>That the Council remove the submitter's property from being notated on the District Plan as within the proposed Flood Hazard Area.</p>
Rex Kirton	28.1	Modelling	Oppose	<p>That 'Black Creek' partially intersects the submitter's property but is not part of the Mangaroa River or the original study and the stream is no different to other streams that enter the River.</p> <p>That the creek is so insignificant that</p>	<p>That the Council remove the submitter's property from being notated on the District Plan as within the proposed Flood Hazard Area.</p>

				<p>its bed along the submitter's property is only 2.5 metres wide and most of the time there is very little flow. It is also at least 1.5km from the Mangaroa River'.</p> <p>That the river corridor of Black Creek is shown on the Hazard Maps as being 75m wide.</p> <p>That the Regional Council wants to use the submitter's land as an extra ponding area for the Mangaroa River.</p>	
Norman John Hill	29.1	Modelling	Oppose	<p>That the submitter will be required to obtain consents and be subject to regulations when building on the property is undertaken.</p> <p>That the flood modelling is flawed.</p> <p>That 207 Gorrie Road has not looked like flooding in the 55 years that the submitter's family has live there.</p>	<p>That the Council:</p> <ul style="list-style-type: none"> Remove the submitter's property from being notated on the District Plan as within the proposed Flood Hazard Area. Provide a hydraulics report to the submitter.
Biggs Service Stores Ltd	30.1	Modelling	Oppose	<p>That 'Black Creek' is not a river and other streams feeding into the Mangaroa River haven't had as much attention.</p> <p>That Black Creek wasn't included in the original study 'until the consultants had the idea of ponding for the Mangaroa River which is 1.5km away from the Creek'.</p>	<p>That the Council remove the submitter's property from being notated on the District Plan as within the proposed Flood Hazard Area.</p>

Biggs Service Stores Ltd	30.2	Provisions	Oppose	<p>That the proposed rules are strident and will be costly for landowners.</p> <p>That the intent was to allow buildings to go ahead in the Mangaroa Ponding Area as long as they were raised, for example – now consent will be required to comply with excessive rules.</p>	
John Moynihan	31.1	Modelling	Oppose	That the proposed Plan Change is based on inadequate science and incorrect modelling.	That the Council reject proposed Plan Change 15.
Jenene Moynihan	32.1	General	Oppose	<p>That the proposed Plan Change is based on invalid modelling.</p> <p>That information is unclear.</p> <p>That property values will be affected.</p> <p>That insurance and mortgage rates will be affected negatively.</p> <p>That Council's action was rushed and unclear.</p>	That the Council reject proposed Plan Change 15.