

# Submission 1

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Sonia just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Sonia and Steve Morgan

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**Postal address of submitter:**

172 Plateau Road

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**Email address:**

soniamaree@live.com

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**Telephone number:**

0275284101

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**Could you gain an advantage in trade competition through this submission?**

No

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

High Slope

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**My submission is that:**

You have indicated that parts of our home and property are high slope and therefore medium risk. We oppose this classification, while we accept that our driveway may be 26 degrees in slope our house and section is 100% flat, there is no high slope or slip risk,. We submit that our whole house should be excluded from this provision (rather than a few rooms) and we are not in support of the classification that is clearly inaccurate

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**I seek the following decision from the local authority:**

Reconsider the zoning of the high slope risk areas and exclude 172 Plateau Road, (not only part of our home, as is currently proposed)

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**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

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**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

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## Submission 2

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Avon Bradford just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Ronald Hunter

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**Postal address of submitter:**

19 Vernon Grove, Brown Owl, Upper Hutt, 5018

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**Agent acting for submitter (if applicable):**

N/A

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**Address for service (if different from above)**

Same as above

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**Email address:**

rg.hunter@hotmail.com

---

**Telephone number:**

021522091

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**Could you gain an advantage in trade competition through this submission?**

No

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Plan Change 47, high slope hazard

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**My submission is that:**

Property not affected by high slope hazard

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**I seek the following decision from the local authority:**

Please remove high slope hazard as natural hazard

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**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

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**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

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# Submission 3

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akakroo just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Amit Kakroo

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**Postal address of submitter:**

52 Crest Road, RD2 5372

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**Email address:**

akakroo@gmail.com

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**Telephone number:**

0274815276

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**Could you gain an advantage in trade competition through this submission?**

No

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**If you answered yes to the above, please choose one of the following options:**

I am directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

High Slope Hazard

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**My submission is that:**

The high slope hazard has not taken into account the existing dwellings in Crest road built since 2020. it seems the assessment was made much before the subdivision was built up and based on only overlaying on the topo maps. My property is no different to others nearby who are not tagged as the high slope hazard. I oppose the High Slope Hazard in the Akatarawa Valley specifically Crest Road.

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**I seek the following decision from the local authority:**

Consider recent subdivision in crest road a re-evaluate the high slope hazard

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**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

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**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do wish to make a joint case.

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## Submission 4

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Chez just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

CHERYL GALL

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**Postal address of submitter:**

215A Katherine Mansfield Drive

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**Address for service (if different from above)**

215A Katherine Mansfield Drive

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**Email address:**

cgall@xtra.co.nz

---

**Telephone number:**

+64274406854

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**Could you gain an advantage in trade competition through this submission?**

No

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

High Slope Hazard

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**My submission is that:**

I support the specific provisions for the high slope hazard areas

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**I seek the following decision from the local authority:**

Enact the provisions as they have been recommended

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**Please indicate whether you wish to make a joint case at the hearing if others make a**

**similar submission:**

I do wish to make a joint case.

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# Submission 5

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V and J just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

V and J Manley

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**Postal address of submitter:**

29b roband crescent brown owl

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**Email address:**

vanessa.john.manley@hotmail.com

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**Telephone number:**

021810489

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**Could you gain an advantage in trade competition through this submission?**

No

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

My property is being disclosed as High Slope hazard

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**My submission is that:**

This is investigated properly in person/a visual in-person inspection to our property - as we don't agree there is a slope hazard on our property - we don't feel it warrants the potential negative affects that may result for us in terms of our house value, resale potential and insurance impacts etc

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**I seek the following decision from the local authority:**

That you reconsider classifying our section as a high slope hazard - and check it out in person properly first

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**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

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**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

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# Submission 6

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Gaylene just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Gaylene Ward

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**Postal address of submitter:**

2057 akatarawa Road

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**Email address:**

gaylene@wardmob.com

---

**Telephone number:**

0226277097

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**Could you gain an advantage in trade competition through this submission?**

No

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

High Slope

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**My submission is that:**

My house and garage are designated as High slope but they are actually on the flat at the same level as the road and the neighbours. The high slope occurs closer to the river.

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**I seek the following decision from the local authority:**

Can this be reassessed please as I don't believe the house area is high slope

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**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

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**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

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# Submission 7

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Clockers just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Charisa Lockley

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**Postal address of submitter:**

205 Plateau Road, Te Marua, Upper Hutt 5018

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**Email address:**

lockley@orcon.net.nz

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**Telephone number:**

0210574919

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**Could you gain an advantage in trade competition through this submission?**

No

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Proposed Plan Change 47 - Natural Hazards

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**My submission is that:**

I submit that an amendment is made to the high slope assessment of our property (205 Plateau Road, Te Marua). A lot of the proposed area selected as 'high slope' is highlighting flat land.

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**I seek the following decision from the local authority:**

I request the Geotechnical Engineers visit our property for a closer look & correctly categorise the contours & high slope areas of our property.

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**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

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**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

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## Submission 8

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Stephen Taylor just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Stephen Taylor

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**Postal address of submitter:**

31 Seymour Grove Kingsley Heights

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**Address for service (if different from above)**

31 Seymour Grove, Kingsley Heights, Upper Hutt

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**Email address:**

mynaneis david@gmail.com

---

**Telephone number:**

+442040027720

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**Could you gain an advantage in trade competition through this submission?**

No

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**If you answered yes to the above, please choose one of the following options:**

I am directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Proposed Plan Change 47 Natural Hazards

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**My submission is that:**

I live at 31 Seymour Grove. Your current proposal identifies my property at risk, in fact the proposed overlay completely covers my property. This makes very little sense. My

property has been in its current location since the 1980's. The area has not had any historical slips during that period or any historical slips prior to this period. Your actions have a twofold effect, it could possibly affect my insurance premiums. It could also affect any future saleability of the property both of which have a direct effect on me as the owner. I realise climate change is happening, I realise we have a greater number of 'weather events' however there is no evidence that this area has, in the past suffered from any such events, including recent devastating earthquakes or periods of significant rainfall both of which have had effects elsewhere. This seems to be inconsistent and unfair, there is absolutely no evidence for your conclusions and no justification for inclusion in your plans.

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**I seek the following decision from the local authority:**

Removal of my property from the overlay. See above.

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**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

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**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

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OFFICE USE ONLY

Submission number

09

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN

**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER **David John Angus**

POSTAL ADDRESS OF SUBMITTER **18 Amber Grove, Birchville, Upper Hutt**

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE **021 08183404**

CONTACT EMAIL **dangus59@gmail.com**

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I am  /  **am not** (tick one ) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Plan change 47-High Slope Hazard overlay

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

I recently received a letter informing me that my property at 18 Amber Grove Birchville is located within the proposed natural hazard overlay. Examination of the overlays on the UHCC website shows that the rear of my section is included in the proposed High Slope Hazard zone.

I believe the inclusion of any part of this section in this classification is overly cautious as the entire section is of a flat to gently sloping contour. The included portion is not any steeper than the remainder of the section.

I understand that these zones were created using a desktop process.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

I would like to request that an amendment be made to the High Slope Hazard overlay, removing my property from this zone.

I understand that a site inspection can be carried out by a Geotechnical Engineer. I would welcome such an inspection.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.
- I do not wish to be heard in support of my submission.

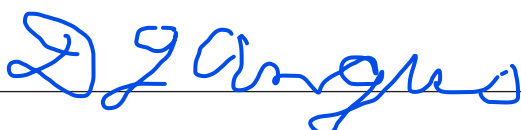
Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.
- I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE 6/10/22

# Submission 10

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defbringa69 just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Paul Atkins

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**Postal address of submitter:**

63A Sierra Way

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**Address for service (if different from above)**

63A Sierra Way, RD 1

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**Email address:**

paul.atkins@xtra.co.nz

---

**Telephone number:**

+64272693009

---

**Could you gain an advantage in trade competition through this submission?**

Yes

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**If you answered yes to the above, please choose one of the following options:**

I am directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

The mapping of the slopes and how it impacts my property

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**My submission is that:**

I oppose the current plan and how it has been drawn. the current slope map runs through half of my current dwelling and does not take into account any of the flat areas in the bush

surrounding my home.

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**I seek the following decision from the local authority:**

I wish the plan and maps to be redrawn using accurate measurement and onsite geotechnical resource, not an aerial survey.

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**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

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# Submission 11

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Steven just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Steven Fargher

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**Postal address of submitter:**

10A Pinehaven Road

---

**Email address:**

sfargher@gmail.com

---

**Telephone number:**

0212130750

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**Could you gain an advantage in trade competition through this submission?**

No

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

High Slope Hazard

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**My submission is that:**

I support plan change 47, but would like the high slope areas to be applied consistently or not at all.

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**I seek the following decision from the local authority:**

I would like the high slope areas to be reviewed in order to accurately and consistently apply them across the UHCC area. An example is that there is no high slope has been applied to the significant slope in-behind 18 - 28 Sunbrae Drive. The slope and ground material are the same as or worse than what has been identified as a high slope area in between Deller grove and Pinehaven road and Sunbrae Drive.

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**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

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**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

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OFFICE USE ONLY

Submission number

12

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
Proposed Plan Change 47—Natural Hazards

The closing date for submissions is Friday, 4 November 2022, at 5.00 pm

To Upper Hutt City Council

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

Deliver to: HAPAI Service Centre, 879–881 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER

MR Alec Hobson

POSTAL ADDRESS OF SUBMITTER

29 Aragon Grove, Kingsley Heights, Upper Hutt, 5018

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

021 0235 6847

CONTACT EMAIL

[alec.hobson@nzdf.mil.nz](mailto:alec.hobson@nzdf.mil.nz)

[alec.hobson@gmail.com](mailto:alec.hobson@gmail.com)

I could gain an advantage in trade competition through this submission (please tick one : yes  no

Only answer this question if you ticked 'yes' above:

I am  /  am not (tick one ) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

The way the current Proposed Plan Change 47, Natural Hazards, in relation to "High Slope Hazard" (red areas on map) reflects at 29 Aragon Grove, Kingsley Heights, it indicates that the section consists of a very steep slope, which is wrong. Likewise it indicates that the dwelling has been built on a very steep slope, which is also incorrect. 29 Aragon Grove is a flat section, with the dwelling built on a level area. The slope is in fact behind the property.

Although I cannot make a submission in regards to other properties, the same is also true for 31, 27 and 25.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

I request that the line indicating the "High Slope Hazard", be reviewed and rectified, to be behind the property at 29 Aragon Grove, where the slope in fact starts. Please see attached map from your website, [letsko.upperhuttcity.com/pc47](https://letsko.upperhuttcity.com/pc47), on which I indicated, in Yellow, the correct line the slope follows.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

I oppose the way the current PC47 – Natural Hazard Map reflects the "High Slope Hazard" for 29 Aragon Grove, Kingsley Heights, Upper Hutt. I request that the "red" area and line indicating the "High Slope Hazard", be rectified, and moved, to be behind the property at 29 Aragon Grove, where the slope does in fact start. Please see attached a map from your website, [letsko.upperhuttcity.com/pc47](https://letsko.upperhuttcity.com/pc47), on which I indicated, in Yellow, the correct line the slope follows.

If this can be rectified I do not wish to be heard in support of my submission. If the council does not make the correction I would want to be heard, as the current indication in regards to 29 Aragon Grove is clearly incorrect.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

I do wish to be heard in support of my submission.

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

I do wish to make a joint case.

I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:



SIGNATURE

10 October 2022

DATE

Alec Hobson  
021 0235 6847  
[alec.hobson@nzdf.mil.nz](mailto:alec.hobson@nzdf.mil.nz)



- well defined - extension
- High Peat Risk
- High Slope Hazard
- Addresses
- Roads



**Should follow the YELLOW Line.**  
**29 Aragon Grove is on a flat**  
**section, with slope behind the property.**  
**Same for all of nrs 31, 29, 27, 25 and 23.**  
**As this Natural Hazard Map currently stands it**  
**indicates that these properties are built on a**  
**steep sloping section, which is not the case.**

Hi

Please find attached completed and signed Form 5, for my submission on "Proposed Plan Change 47 to the Upper Hutt City Council District Plan", in regards to "High Slope Hazard" for 29 Aragon Grove, Kingsley Heights, Upper Hutt, 5018.



The way the current Proposed Plan Change 47, Natural Hazards, in relation to "High Slope Hazard" (red areas on map) reflects at 29 Aragon Grove, Kingsley Heights, it indicates that the section consists of a very steep slope, which is wrong. Likewise it indicates that the dwelling has been built on a very steep slope, which is also incorrect. 29 Aragon Grove is a flat section, with the dwelling built on an even and level area. The slope is in fact behind the property. Although I cannot make a submission in regards to other properties, the same is also true for numbers 31, 27 and 25 Aragon Grove.

I request that the line indicating the "High Slope Hazard", be reviewed and rectified, to be behind the property at 29 Aragon Grove, where the slope in fact starts. Please see attached map from your website, [letsko.upperhuttcity.com/pc47](https://letsko.upperhuttcity.com/pc47), on which I indicated, in Yellow, the correct line the slope follows. I request that the "red" area and line indicating the "High Slope Hazard", be rectified, and moved, to be behind the property at 29 Aragon Grove, where the slope does in fact start.

If this can be rectified I do not wish to be heard in support of my submission. If the council does not make the correction I would want to be heard, as the current indication in regards to 29 Aragon Grove is clearly incorrect.

Thanks

Best Regards

**Alec Hobson**

Senior Business Analyst – [Consolidated Logistics Project \(CLP\)](#)  
Regional Logistics (Infrastructure)  
Headquarters Defence Logistics Command (HQ DLC)  
National Service Centre, Private Bag 902, Trentham, 5018  
New Zealand Defence Force  
T: EXT 6400 | Mob: 021 0235 6847 | Internal: (343) 6400  
[www.mdf.mil.nz](http://www.mdf.mil.nz)

# Submission 13

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Jo55 just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Jo Greenman

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**Postal address of submitter:**

64 Mt Marua Drive

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**Address for service (if different from above)**

Baring head light house complex

---

**Email address:**

jogreenman@gmail.com

---

**Telephone number:**

0274673076

---

**Could you gain an advantage in trade competition through this submission?**

No

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

High Slope slope hazard - boundary line should be moved to the front of the existing property.

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**My submission is that:**

Please look at the boundary line. At 64 Mt marua drive the land is flat where the house and shed are located. The driveway is less 26degrees.

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**I seek the following decision from the local authority:**

Please move the boundary to the west of the property like the rest of the neighboring properties e.g. 62 and 60 Mt Marua drive.

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**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

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**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

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OFFICE USE ONLY

Submission number

14

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN

**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

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NAME OF SUBMITTER

Camilla Jane Watson

POSTAL ADDRESS OF SUBMITTER

33 Kenneth Gillies Way, RD2, Upper Hutt 5372

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

021 0788964

CONTACT EMAIL

watson.c.s@outlook.co.nz

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I am  /  am not (tick one ) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Plan Change 47- Natural Hazards - High Slope Hazard

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

The High Slope Hazard area has been incorrectly determined on our property due to a large tree obscuring the satellite view.

While supporting the specific provisions generally, we seek an amendment be made to the boundary of the Hazard on our property.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

We seek the boundary of the High Slope Hazard be moved. As shown in the image attached, there is a large flattish grassed area that has been inadvertently included in the Hazard area. This will be because the radiata pine was included as 'bush'. The Hazard boundary should be moved as shown - see attached.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.  
-only if you don't agree and we need to explain further.  
 I do not wish to be heard in support of my submission.

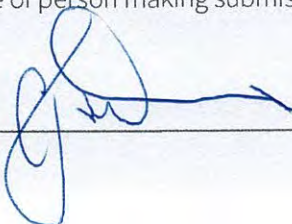
Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.  
 I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE

11/10/22



This grassed area is the same level as that next to it and should not be included in the red Hazard Area. The slope doesn't begin until well towards the tree line as marked with the black line and is gentle for several metres before falling more steeply into the gully. From the air the true view of the land is obscured by a large single radiata pine (marked with green circle) growing on the flat grassed area, with the trunk approx. 5+m away from the beginning of the slope.

PC47 - Natural Hazards

uhcc.maps.arcgis.com/apps/View/index.html?appid=0c4cc22a72504f93bae6626578945df8&extent=174.8969,-41.1890,175.2876,-41.0439

Layers

- Current Fault Band (District Plan)
- Proposed Fault Band
- High Peat Risk
- High Slope Hazard
- Addresses
- Roads
- Land Parcels - 2022

POWERED BY esri | Hutt City Council, LINZ | Esri Community Maps Contributors, LINZ, Eagle Technology, Esri, HERE, Garmin, Foursquare, METI/

Address 15°C Cloudy 6:46 AM 11/10/2022

OFFICE USE ONLY

Submission number

**15**

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER

David Chrystall

POSTAL ADDRESS OF SUBMITTER

150 Colletts Rd, RDI,  
Mangarua Valley.

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

CONTACT EMAIL

[david.j.chrystall@gmail.com](mailto:david.j.chrystall@gmail.com)

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I **am**  /  **am not** (tick one ) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.



## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Designation of 'high slope hazard' map.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

The map incorrectly identifies flat paddocks as a 'high slope hazard'.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

Remove flat areas from your map that you have incorrectly labelled.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.  
 I do not wish to be heard in support of my submission.

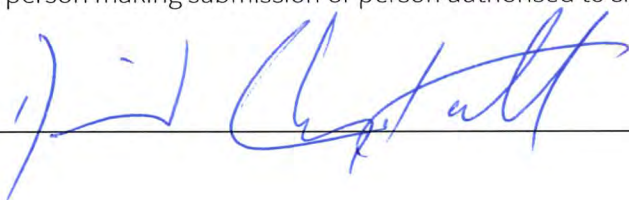
Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.  
 I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE 11.10.22.



OFFICE USE ONLY

Submission number

**16**

## PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN

### Proposed Plan Change 47—Natural Hazards

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

#### To Upper Hutt City Council

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

#### Details of submitter

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NAME OF SUBMITTER **Eric Cairns**

POSTAL ADDRESS OF SUBMITTER **178 Mangaroa Valley Road, RD1, Upper Hutt 5371**

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE **04 5267929, 0277846658** CONTACT EMAIL **[cairnse178@gmail.com](mailto:cairnse178@gmail.com)**

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **No**

Only answer this question if you ticked 'yes' above:

I  **am** /  **am not** (tick one ) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Use of 26 degrees as a threshold for hazardous slope issues near building platforms

The draft plan shows a hazardous slope boundary line drawn through our house

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

Erosion susceptibility is dependent on rock and soil types, ground water saturation/water table, fracture plane, slope, vegetation cover and no doubt more factors. The NES-PF erosion susceptibility classification treats Mangaroa valley foothills as green and yellow, i.e. low risk of significant landslide. In draft ESC planning documents, a slope of 24 degrees was proposed as a threshold for highly erodible mudstone. The slope threshold of 26 degrees used for the Upper Hutt PC47 greywacke soils seems to be quite conservative and simplistic when there are clearly other factors in addition to slope and set-backs to be considered.

In our case, a high slope hazard boundary is drawn through our house. The nearby steep slope is short, on the end of a dry spur, and on the far side of a small stream valley. I am seeking a review of the boundary for the high slope hazard overlay.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

I would appreciate an on-site visit to discuss the location of the high slope hazard overlay, to exclude the footprint of the existing house.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.  
 I **do not** wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.  
 I **do not** wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

E R Cairns

SIGNATURE

DATE 11 Oct 2022

# Submission 17

---

Steve Rich just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Steve Rich

---

**Postal address of submitter:**

271c Wallaceville Road

---

**Address for service (if different from above)**

271c Wallaceville Road

---

**Email address:**

steve.rich@gia.org.nz

---

**Telephone number:**

+6421445180

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

High Slope Hazard zone

---

**My submission is that:**

The new red zone identifying high slope hazard areas for 271c Wallaceville Road does not accurately reflect the actual slope areas on the property

---

**I seek the following decision from the local authority:**

Amend the area of 271c Wallaceville Road to more accurately reflect the high slope areas of the property, by removing the current red zoned areas cutting across the current house, and behind and above the house; in the top north corner of the property; and in two areas

on the eastern side of the property

---

**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---

# Submission 18

---

Rurallifestyle just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Lance Burgess

---

**Postal address of submitter:**

1144C Maymorn Road

---

**Address for service (if different from above)**

1144C Maymorn Road

---

**Email address:**

lance.t.burgess@outlook.com

---

**Telephone number:**

+64272891925

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**If you answered yes to the above, please choose one of the following options:**

I am directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

The designation and imposition of a high slope hazard map on the area overseen by the Upper Hutt City Council.

---

**My submission is that:**

I have looked closely at the high slope hazard map for my property and for around 20 of

the properties around it that I am familiar with. I understand the criteria applied - slopes greater than 26 degrees that are not river or stream channel or banks. I believe the map has been arbitrarily computer generated or generated from aerial photographs or both and has not been adequately verified by specialist professionals in person. What I am seeing defined as as high slope hazard in my neighbourhood does not meet the intended definition. I would go further and say that areas that should be designated are not and many areas that are designated should not be. This undermined the validity of what the council are trying to achieve, and will ultimately mean that buildings are built where they should not be and buildings that should be built will cost residents additional significant costs in applying for resource consents and proving their position with expert professionals. As an example the hazard map shows that a large part of my site at 1144c Maymorn Road is designated high slope hazard. Specifically the red zone directly west of my house makes no sense. There is a slope there - about 1.5m at 30-32 degrees, 1m at 15-18 degrees and a further approx 1.5m at 27-28 degrees. This slope itself is not designated high slope risk, nor the lip of the ridge above it, which would conceivable move if the slope below it were to move. However the 27M west of that, which is an almost flat piece of land which anyone would likely consider buildable is in fact the area designated as high slope risk. This lack of accuracy continues in the neighbouring properties to mine. My observations are backed by appendix 11 to PC47 - the letter of 26 August from Tetra Tech Coffey that found 8 areas out of the sample of 9 requiring amendment.

---

**I seek the following decision from the local authority:**

The council should not be imposing an arbitrary map on the residents of Upper Hutt without further specialist in person validation. It is of little value in its current form and will not achieve the aims it was intended for and will also cause the residents additional unnecessary costs.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do wish to make a joint case.

---

OFFICE USE ONLY

Submission number

19

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

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NAME OF SUBMITTER David Beachen

POSTAL ADDRESS OF SUBMITTER 1029c Akatarawa Rd

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE 021 810025 CONTACT EMAIL dmbeachen@gmail.com

I could gain an advantage in trade competition through this submission (please tick one ☐): **yes** ☐ / **no** ☑

Only answer this question if you ticked 'yes' above:

I am ☐ / ☐ am not (tick one ☑) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.



## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

High Slope Hazard

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

The high slope hazard has included flat land within my property

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

To reassess the property to remove the flat portion from the 'high slope hazard' area.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☐):

I do wish to be heard in support of my submission.

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☐):

I do wish to make a joint case.

I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

*OP Beacha*

DATE 13.10.22

# Submission 20

---

@103 just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Simon Wall

---

**Postal address of submitter:**

103 Pinehaven Road

---

**Email address:**

wallsimon@xtra.co.nz

---

**Telephone number:**

021910194

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

The shaded areas for Natural Hazards is not accurate

---

**My submission is that:**

The shading covers the flat part of our section which is where the house is. If we needed to rebuild due to fire, this would be an unnecessary complication. I agree with the provisions overall.

---

**I seek the following decision from the local authority:**

Amend the shading so that it excludes the flat bits of the section. Very happy if you want to visit site to understand my issue.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---

# Submission 21

---

Huxey just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Judi Huxedurp

---

**Postal address of submitter:**

20 Sylvan Way

---

**Address for service (if different from above)**

20 Sylvan Way

---

**Email address:**

huxey2000@gmail.com

---

**Telephone number:**

+64211953711

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

With regard to the plan change 47, the survey shows that my home is in the high slope hazard area, this means that the land on my property has greater impact from vibrations related to excess noise and traffic. I would like this plan to include excessive industrial noise and increased traffic risk to be included in the consent requirements. This would include the current Farrah bread factory non-compliant noise vibrations and the current access to Kiln Street from Sylvan way with the proposed Silverstream Spur Road.

---

**My submission is that:**

I wish to have additional amendments made to the plan change to include noise and traffic risks for the affected properties to be included in the consent requirements.

---

**I seek the following decision from the local authority:**

I seek the full disclosure to the rate payers and general public of the effects to the high slope hazard areas in the direct region of Farrah's noise non-compliance and the introduction of the proposed Silverstream Spur road, including but not limited to the earthworks required, changes of natural structure, heavy vehicle access and environmental demands on the area.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do wish to make a joint case.

---

# Submission 22

---

Rozalie Brown just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Rozalie Brown

---

**Postal address of submitter:**

PO Box 40718, Upper Hutt 5140

---

**Address for service (if different from above)**

71 Plateau Road, Te Marua

---

**Email address:**

rozab@slingshot.co.nz

---

**Telephone number:**

045267573

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

I would like the plan to include advice to residents of any future infill housing, section subdivision, activity on regional council park land to be advised prior to commencement of earthworks and other activities. Any council land adjoining rate payers properties should have a scheduled maintenance and restoration plan which is included in the report to councilor. All encroachment activities clearly communicated and identified.

---

**My submission is that:**

Amendments to include the past activities of Hutt County that have resulted in an enlargement of the high hazard area. I acknowledge that engineering has moved forward to engineer with nature rather than against nature. However, the past activity of the Hutt County discharging storm water from the Plateau over the cliff face has resulted in several meters of 69 and 71 Plateau Rd falling into Collins Stream, washing out the pathway,

washing 7 100s year old beech trees into the Collins Stream.

---

**I seek the following decision from the local authority:**

I seek acknowledgement, disclosure and communication of past activities and all future decisions to reflect hydraulic neutrality.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

OFFICE USE ONLY

Submission number

**23**

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

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NAME OF SUBMITTER

*Brenda Stonestreet*

POSTAL ADDRESS OF SUBMITTER

*40 Sylvan Way, Silverstream Upper Hutt 5019*

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

*0292856151*

CONTACT EMAIL

*brenstonestreet@gmail.com*

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I am  /  **am not** (tick one ) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.



**Details of submission**

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Public notification of proposed plan change 47-natural hazards

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

I would like my property reassessed in particular the large area that I do not consider to be slope at the (as attached) front + side of the house

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.
- I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.
- I do not wish to make a joint case.

**Signature and date**

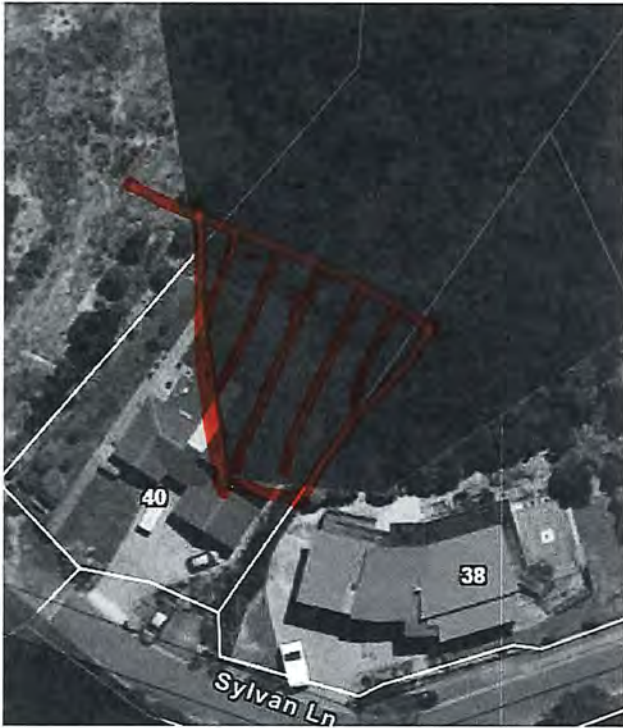


Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

17-10-22

DATE



Ngā mihi

**Nick Tait**

Planner (Policy)



**Te Kaunihera o Te Awa Kairangi ki Uta | Upper Hutt City Council**

HAPAI Service Centre 879 – 881 Fergusson Drive, Private Bag 907, Upper Hutt 5140, New Zealand

| T: +64 4 527 2169 | E: [nick.tait@uhcc.govt.nz](mailto:nick.tait@uhcc.govt.nz)

W: [www.upperhuttcity.com](http://www.upperhuttcity.com) | F: [www.fb.com/UpperHuttCityCouncil](https://www.facebook.com/UpperHuttCityCouncil)

## Brenda Stonestreet

---

**From:** UHCC Planning <UHCC.Planning@uhcc.govt.nz>  
**Sent:** Monday, 17 October 2022 9:28 am  
**To:** Brenda Stonestreet  
**Cc:** UHCC Planning  
**Subject:** RE: Public notification of proposed plan change 47 - natural hazards  
**Attachments:** pc47\_natural-hazards\_form-5 (1).pdf

Hi Brenda,

Thank you for your email regarding PC47 and your property and 40 Sylvan Way.

The mapping was completed by Coffey Geotechnical Engineers. Looking at the mapping of your property I suggest you complete a submission form (which I have attached) stating that you would like your property to be assessed in particular the areas that you consider to be not slope. Once completed please send back to us.

What the plan change means is that **new** building platforms for dwellings in the identified area will be required to go through the resource consent process to ensure that the stability of the slope is not impacted by development.

I asked our spatial team (mapping) what the 40 Low meant and it is a old field. I have asked them to remove it as not helpful.



-----Original Message-----

From: Brenda Stonestreet <Brenda.Stonestreet@chorus.co.nz>

Sent: Wednesday, October 12, 2022 4:30 PM

To: UHCC Planning <UHCC.Planning@uhcc.govt.nz>

Subject: Public notification of proposed plan change 47 - natural hazards

Hi

I received the notification letter today and have two questions regarding my property at 40 Sylvan Way Silverstream.

1. What does the range- low of 40 represent, taking into account there is no range high noted.

2 why is the red area crossing half our house most of which is not on a steep slope?

I am assuming the impact would be that if you decided to do any earth moving activity you would need a resource consent and subsequent inspection - is that the intent?

I do not want this plan change 47 to impact the value of my property.

Thanks Brenda Stonestreet

0292850151

Sent from my iPhone

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---

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OFFICE USE ONLY

Submission number

24

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER ALDIS MALSKAITIS

POSTAL ADDRESS OF SUBMITTER 9 CORY JANE GROVE, RIVERSTONE TERRACES.

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE 021 991 528 CONTACT EMAIL aldis.malskaitis@icloud.com

I could gain an advantage in trade competition through this submission (please tick one ☹):  yes  no

Only answer this question if you ticked 'yes' above:

I am  /  am not (tick one ☹) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

THE ACCURACY OF THE MAPPING FOR THE HIGH SLOPE HAZARD AREAS.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

THE PLAN CHANGE IDENTIFIES THAT MY PROPERTY @ 9 CORY JANE GROVE IS PARTIALLY LOCATED WITHIN THE HIGH SLOPE HAZARD AREA. THE PLAN CHANGE MAPS IDENTIFY THAT THE N.E. CORNER OF MY PROPERTY IS AFFECTED. THIS AREA OF MY PROPERTY IS COMPLETELY FLAT IN TOPOGRAPHY AND IS LOCATED @ LEAST 20M FROM THE TOP OF THE BANK TO THE N.E. THAT SLOPES TO THE PATH THAT LEADS TO THE RIVER. FROM MY READING OF THE PLAN CHANGE, AND DISCUSSED DURING THE INFORMATION ZOOM SESSION, THE INTENTION OF THE HIGH SLOPE HAZARD IS TO CAPTURE PROPERTIES ON SLOPING LANDS. TOPOGRAPHY OF MY PROPERTY WOULD NOT FIT THIS CRITERIA.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

I REQUEST THAT THE COUNCIL RECONSIDER + REMOVE THE HIGH SLOPE HAZARD IN RELATION TO MY PROPERTY. I WOULD WELCOME SOMEONE VISIT MY PROPERTY TO CONFIRM THAT THE TOPOGRAPHY OF MY SITE IS NOT SUCH THAT IT WOULD FIT THE CRITERIA OF A HIGH SLOPE HAZARD.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☐):

- I do wish to be heard in support of my submission.  
 I do not wish to be heard in support of my submission.

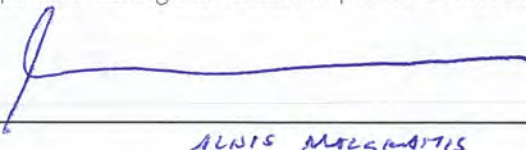
Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☐):

- I do wish to make a joint case.  
 I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

  
ALVIS MATSUMARIS

DATE 18 OCT 22



OFFICE USE ONLY

Submission number

25

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER

Mark Murrell

POSTAL ADDRESS OF SUBMITTER

216 MANGAROA VALLEY ROAD

RO1 UPPER HUTT 5371

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

021 792 461

CONTACT EMAIL

mark.murrell@ocs.co.nz

I could gain an advantage in trade competition through this submission (please tick one ☐): yes ☐ /  no

Only answer this question if you ticked 'yes' above:

I am  /  am not (tick one ☐) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

All coloured/shaded areas of Project 216 MANGAROA VALLEY ROAD, THAT ARE NOT CURRENTLY A SLOPE OF TWENTY SIX DEGREES OR MORE.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

The areas that are not @ 26° or more are removed from this plan as they are not considered as high slope.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

To remove the shading/allocation of high slope from all areas of 216 MANGAROA VALLEY ROAD, ~~that~~ UPPER HUTT.

⇒ House & Carpark

⇒ Shed & Carpark

⇒ Levelled Area at top of track (Corrected overgrown)

⇒ Any other areas not @ 26° or more.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☐):

I do wish to be heard in support of my submission.

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☐):

I do wish to make a joint case.

I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE

14 Oct 2022



# Submission 26

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Ginty just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

teresa Homan

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**Postal address of submitter:**

5 Elm Street, , Ebdentown

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**Address for service (if different from above)**

5 Elm Street

---

**Email address:**

tshoman@kinect.co.nz

---

**Telephone number:**

0225266963

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

All of the areas identified in this plan change are unsuitable for housing and should all be considered unsuitable for development. The hazard they pose to any potential home or dwelling owner can not be mitigated by consent of council. Development of these areas need to be focused on the potential distribution and impact to the environment. They can not be seen in isolation to the other areas the development would impact on.

---

**My submission is that:**

I support the tightening up of provisions that limit the development of any of these sights to ensure the protection of potential home owners not just in the initial build but on-going protection. in the case of the Mangaroa Peatlands there is no case for developing this sight they can guarantee safe use of this land and can mitigate the impact on the peatlands, a natural heritage sight that needs protection.

---

**I seek the following decision from the local authority:**

That development of these areas is not consented and no provision for consenting is established or it is very limited in what can be consented. Development for housing is not reliant on these areas being developed and it is not necessary to risk the loss of heritage sites or the risk to on-going issues for home owners.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---

# Submission 27

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karstenk just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Karsten Kroeger

---

**Postal address of submitter:**

17 Avian Crescent, Blue Mountains, 5371 Upper Hutt

---

**Email address:**

k.kroeger@gns.cri.nz

---

**Telephone number:**

0212314810

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

The slope hazard assessment as part of Proposed Plan Change 47 - Natural Hazards

---

**My submission is that:**

I ask for amendment of the slope hazard assessment, which in the present form is insufficiently supported by data and lacks a robust methodology on how the high slope hazard zonation was derived. Specifically, the assignment of a high slope hazard to a part of the 17 Avian Crescent property appears to be entirely arbitrary and is unsupported by the data provided and is not consistent with the actual conditions. I therefore ask to remove this assignment of high slope hazard. Full submission (see also email with images sent to [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz) on 25th October 2022): Ref: Submission concerning "Public Notification of Proposed Plan Change 47 - Natural Hazards" -slope hazard Karsten Kroeger, 17 Avian Crescent, Blue Mountains, 5371 Upper Hutt Dear Sir/Madam I am writing in response to your email of the 5th October, 2022 regarding the change to the hazard plan in general and the effect on my property in particular. This submission addresses the slope hazard assessment. To support the assessment, a report by Coffey Services (NZ) Limited (2020) was provided as well as a map showing slope and a map showing areas where a high slope hazard was assigned. Unfortunately, no explanation was

provided how the map was derived. It is stated that a slope  $> 26^\circ$  would be considered high hazard. I assume that the provided slope map is the basis for the hazard assessment. Unfortunately, no colour coding is provided with the legend in the UHCC online map, which is confusing, because there are four colours on the map but five slope categories in the legend. Moreover, no methodology is provided how the high slope hazard zonation was derived from the slope map. How large does the area need to be that is above  $26^\circ$  to be classified as a hazard? There must be a minimum to this area, because there is a limit to the resolution of the data and the size of the feature that can be considered a hazard. These questions are not addressed in the report but vital for any assessment. If this assessment is made publicly available, it is likely that it will be used by insurers to adjust rates. It will also reduce the value of the property for any potential buyers. As there are considerable financial implications for property owners, a robust and reproducible approach to hazard assignment is required, which is not the case as far as I can see in the present assessment. Moreover, in this light, it is unacceptable that without any further analysis, it is generally assumed that all slopes are soil rather than rock slopes, the latter of which have a much lower slope failure hazard. This leaves the obligation to prove otherwise, which in the case of insurance assessment may not be possible at all, to the property owner. I am particularly concerned with the assessment of a high slope hazard over part of my property in 17 Avian Crescent, Blue Mountains, Upper Hutt. I assume that in this area the extreme category is not present as on the map provided in the report (Figure E9) it only exists in limited areas away from the area of interest. Accordingly, only three small (up to 3 m across) areas with a slope  $> 26^\circ$  exist at 17 Avian Crescent. These appear to have been connected by a polygon and assigned high slope hazard (Fig. 1). However, when looking at the provided slope map it is not conceivable, why the area across Avian Crescent 15 and 17 has been assigned a high slope hazard, when other similar areas haven't. In fact, it is not clear at all why Avian Crescent 17 has been included as other much larger areas of high slope risk haven't. When assuming average slopes of  $5^\circ$ ,  $14^\circ$ ,  $21^\circ$  and  $34.5^\circ$  for the categories flat, low, medium and high slope risk present in the area according to the provided map, the average slope (calculated from data derived from the provided map; Fig. 2) is only  $15.28^\circ$  in the area of assigned high slope hazard. In addition, all three areas on the map showing a high slope angle are adjacent to a building. Assuming that the slope map has been derived from a digital elevation model (DEM) there will, at a meter scale, a considerable error due to the necessary correction. In conclusion, the assignment of high slope hazard across 17 Avian Crescent appears to be entirely arbitrary and unsupported by the data. I must therefore ask to remove this assignment of high slope hazard.

---

**I seek the following decision from the local authority:**

1) Amendment of the slope hazard assessment, requiring a new approach. The present methodology is inappropriate. 2.) Removal of high slope hazard at 17 Avian Crescent property as it is unsupported by data

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do wish to make a joint case.

---

**Ref: Submission concerning “Public Notification of Proposed Plan Change 47 - Natural Hazards” - slope risk**

Karsten Kroeger, 17 Avian Crescent, Blue Mountains, 5371 Upper Hutt

Dear Sir/Madam

I am writing in response to your email of the 5th October, 2022 regarding the change to the hazard plan in general and the effect on my property in particular.

This submission addresses the slope hazard assessment. To support the assessment, a report by Coffey Services (NZ) Limited (2020) was provided as well as a map showing slope and a map showing areas where a high slope hazard was assigned. Unfortunately, no explanation was provided how the map was derived. It is stated that a slope  $> 26^\circ$  would be considered high hazard. I assume that the provided slope map is the basis for the hazard assessment. Unfortunately, no colour coding is provided with the legend in the UHCC online map, which is confusing, because there are four colours on the map but five slope categories in the legend. Moreover, no methodology is provided how the high slope hazard zonation was derived from the slope map. How large does the area need to be that is above  $26^\circ$  to be classified as a hazard? There must be a minimum to this area, because there is a limit to the resolution of the data and the size of the feature that can be considered a hazard. These questions are not addressed in the report but vital for any assessment.

If this assessment is made publicly available, it is likely that it will be used by insurers to adjust rates. It will also reduce the value of the property for any potential buyers. As there are considerable financial implications for property owners, a robust and reproducible approach to hazard assignment is required, which is not the case as far as I can see in the present assessment. Moreover, in this light, it is unacceptable that without any further analysis, it is generally assumed that all slopes are soil rather than rock slopes, the latter of which have a much lower slope failure hazard. This leaves the obligation to prove otherwise, which in the case of insurance assessment may not be possible at all, to the property owner.

I am particularly concerned with the assessment of a high slope hazard over part of my property in 17 Avian Crescent, Blue Mountains, Upper Hutt. I assume that in this area the extreme category is not present as on the map provided in the report (Figure E9) it only exists in limited areas away from the area of interest. Accordingly, only three small (up to 3 m across) areas with a slope  $> 26^\circ$  exist at 17 Avian Crescent. These appear to have been connected by a polygon and assigned high slope hazard (Fig. 1). However, when looking at the provided slope map it is not conceivable, why the area across Avian Crescent 15 and 17 has been assigned a high slope hazard, when other similar areas haven't. In fact, it is not clear at all why Avian Crescent 17 has been included as other much larger areas of high slope risk haven't. When assuming average slopes of  $5^\circ$ ,  $14^\circ$ ,  $21^\circ$  and  $34.5^\circ$  for the categories flat, low, medium and high slope risk present in the area according to the provided map, the average slope (calculated from data derived from the provided map; Fig. 2) is only  $15.28^\circ$  in the area of assigned high slope hazard. In addition, all three areas on the map showing a high slope angle are adjacent to a building. Assuming that the slope map has been derived from a digital elevation model (DEM) there will, at a meter scale, a considerable error due to the necessary correction. In conclusion, the assignment of high slope hazard across 17 Avian Crescent appears to be entirely arbitrary and unsupported by the data. I must therefore ask to remove this assignment of high slope hazard.

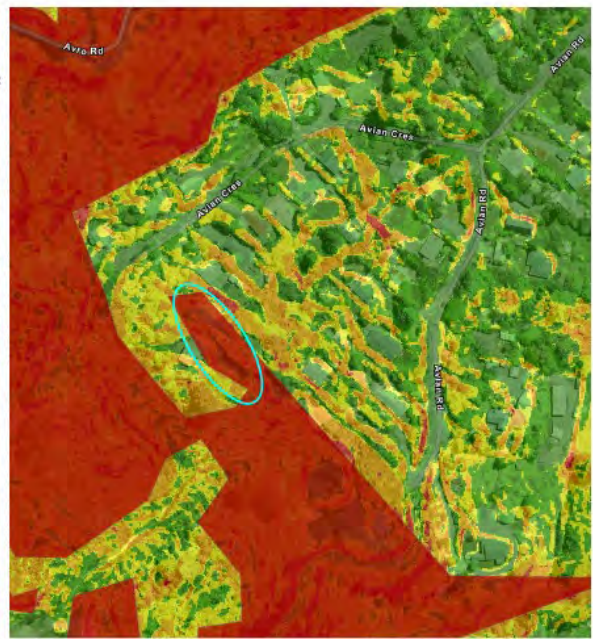
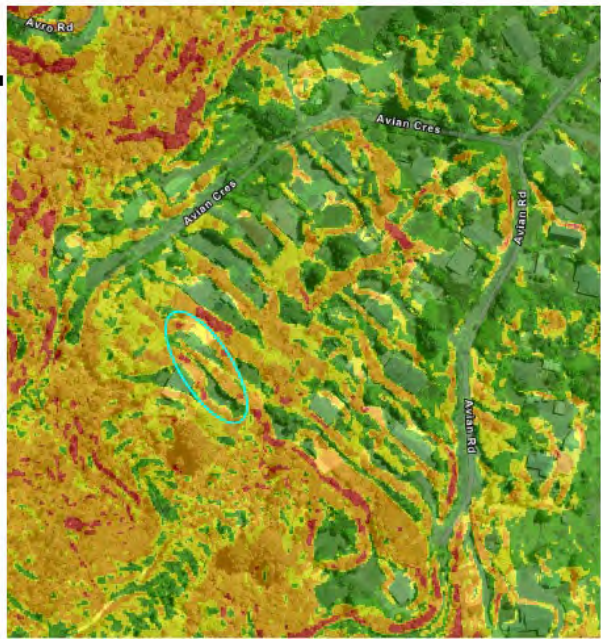
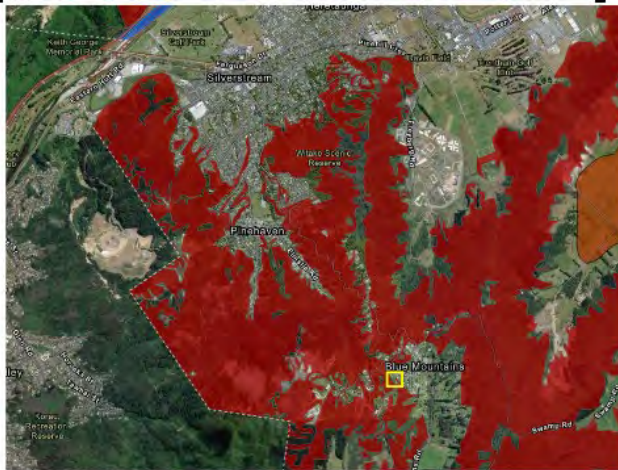


Fig. 1: Location of area of interest shown as yellow square (top right: 17 Avian Crescent, Mountains), bottom left: provided slope map, bottom right; assigned slope hazard.

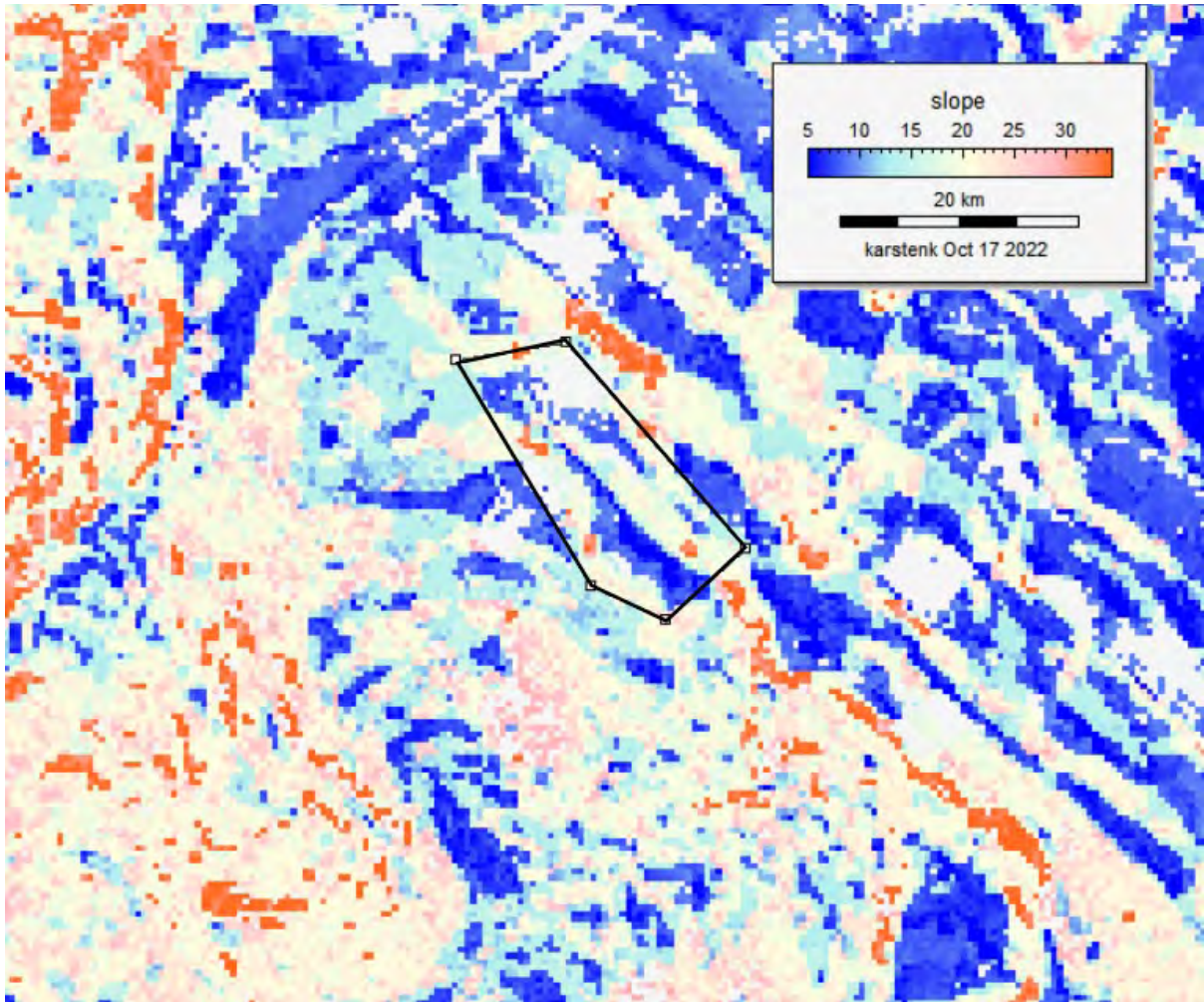


Fig. 2: Adapted slope map from the provided map shown in Fig.1 and polygon of high assigned slope hazard across the 17 Avian Crescent property used to calculate the average slope (15.28°).



OFFICE USE ONLY

Submission number

**28**

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

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NAME OF SUBMITTER **Donna Tofts**

POSTAL ADDRESS OF SUBMITTER **31B Karapoti Road**

**Akatarawa**

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE **0212943990**

CONTACT EMAIL

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I **am**  /  **am not** (tick one ) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.



## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

District plan/PC47 - Submission

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

I believe the high slope overlay for my property is incorrect. You have mapped my house and garage on a high slope and this is incorrect. We have been built on flat ground.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

The plan is amended correctly.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.  
 I **do not** wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.  
 I **do not** wish to make a joint case.

## Signature and date

Donna Tofts. 26th October 2022

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

DATE

# Submission 29

---

Stephen just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Stephen Shand

---

**Postal address of submitter:**

231 Mangaroa Valley Road

---

**Email address:**

sshand@xtra.co.nz

---

**Telephone number:**

5262664

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Nick Tait asked me to complete this so further checks/drones could be checked for my slopes as the map seems over generous in slopes for my address. I'm also asked to note if anything will affect the installation of an in-ground 15metre swimming pool?

---

**My submission is that:**

Nick Tait asked me to complete this so further checks/drones could be checked for my slopes as the map seems over generous in slopes for my address. I'm also asked to note if anything will affect the installation of an in-ground 15metre swimming pool?

---

**I seek the following decision from the local authority:**

Nick Tait asked me to complete this so further checks/drones could be checked for my slopes as the map seems over generous in slopes for my address. I'm also asked to note if anything will affect the installation of an in-ground 15metre swimming pool?

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---



Te Kaunihera o  
Te Awa Kairangi ki Uta  
Upper Hutt City Council

## Submission form (FORM 5)

OFFICE USE ONLY

Submission number

30

### PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN Proposed Plan Change 47—Natural Hazards

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

#### To Upper Hutt City Council

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

#### Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER

WAYNE EDGERLEY

POSTAL ADDRESS OF SUBMITTER

2 TINIROA GROVE, SILVERSTREAM  
UPPER HUTT 5019

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

(04) 528 6411

CONTACT EMAIL

wmedgerley@gmail.com

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I am  /  **am not** (tick one ) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

**Details of submission**

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

The High Slope Hazard Area as it relates to 2 Tiniroa Grove

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

The area of our property at 2 Tiniroa Grove which is identified as High Slope Hazard on the overlay map is flat.

The actual sloping ground is on the opposite side of Tiniroa Grove

We would welcome a visit to discuss this matter.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

To be excluded from the High Slope Hazard Area.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

We would prefer a visit on site.

I do wish to be heard in support of my submission.

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

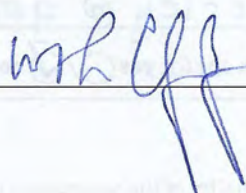
I do wish to make a joint case.

I do not wish to make a joint case.

**Signature and date**

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE

26/10/22

# Submission 31

---

Kaitoke RP just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Rosemary Anne Paddison

---

**Postal address of submitter:**

86C Kaitoke Loop Rd

---

**Address for service (if different from above)**

86C Kaitoke Loop Rd

---

**Email address:**

rosemarypaddison@yahoo.co.nz

---

**Telephone number:**

0221355484

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Part of the area that shows as steep on the map covers half of my house. This area is not correctly shown as the house and the area directly behind it is flat.

---

**My submission is that:**

Please reassess the steep areas on my property so they show correctly

---

**I seek the following decision from the local authority:**

A new corrected map

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---

# Submission 32

---

536 just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Robert Bok

---

**Postal address of submitter:**

536Main Road North Timberlea

---

**Agent acting for submitter (if applicable):**

none

---

**Email address:**

robangiebok@xtra.co.nz

---

**Telephone number:**

045262513

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**If you answered yes to the above, please choose one of the following options:**

I am directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Penalty for properties with high slope requiring resource consent

---

**My submission is that:**

Hi there, I wish to submit official feedback on the proposed extra resource consent required for properties with high slopes in the Upper Hutt area. I'm unsure how to do this



on line so I'll do this here I don't think that all properties with a high slope present a risk to others and an additional resource consent required is an unfair penalty on costs and time to the owner of the property. These consents should either be at no cost/ time lost for owners of these properties or should only be for properties who's slope (determined by degree angle in relation to proximity of closest neighbour or public access area) who's slope present a direct risk. In the meantime, should the proposal go ahead; then all properties that have been identified as a high slope risk-should be given a rebate on their existing council rates as it is unfair that other properties would not have these additional penalties whilst paying for the same council services. You may also contact me on 0210781902 for any further information Thank you Robert Bok

---

**I seek the following decision from the local authority:**

A response/result that is correct pls

---

**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---

OFFICE USE ONLY

Submission number **33**

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER

ALAN KELLY

POSTAL ADDRESS OF SUBMITTER

1368 AKATALWA ROAD, RD2  
UPPER HUTT, 5372

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE 04 5266962

CONTACT EMAIL [kanonze@xtra.co.nz](mailto:kanonze@xtra.co.nz)

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I **am**  /  **am not** (tick one ) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

We own the property at 100 Karapoti Road and are considering building on either the existing house site or possibly decommissioning that and building elsewhere. The 'Pc47' image per attached has areas marked as 'High Slope Hazard', that are not, and potentially <sup>include</sup> a building site. The area marked in blue are flat, a drop off to the river strangely is not marked as such.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

The survey under Pc47 of 100 Karapoti Road contain significant errors and needs to be corrected. We don't want any unnecessary planning issues due to an incorrect survey. Most of the area marked in blue is not just flat but billiard-table level & already include a garage & part of our drive on access.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

That the Pc47 survey for 100 Karapoti Road be corrected.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.  
 I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.  
 I do not wish to make a joint case.

## Signature and date


Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

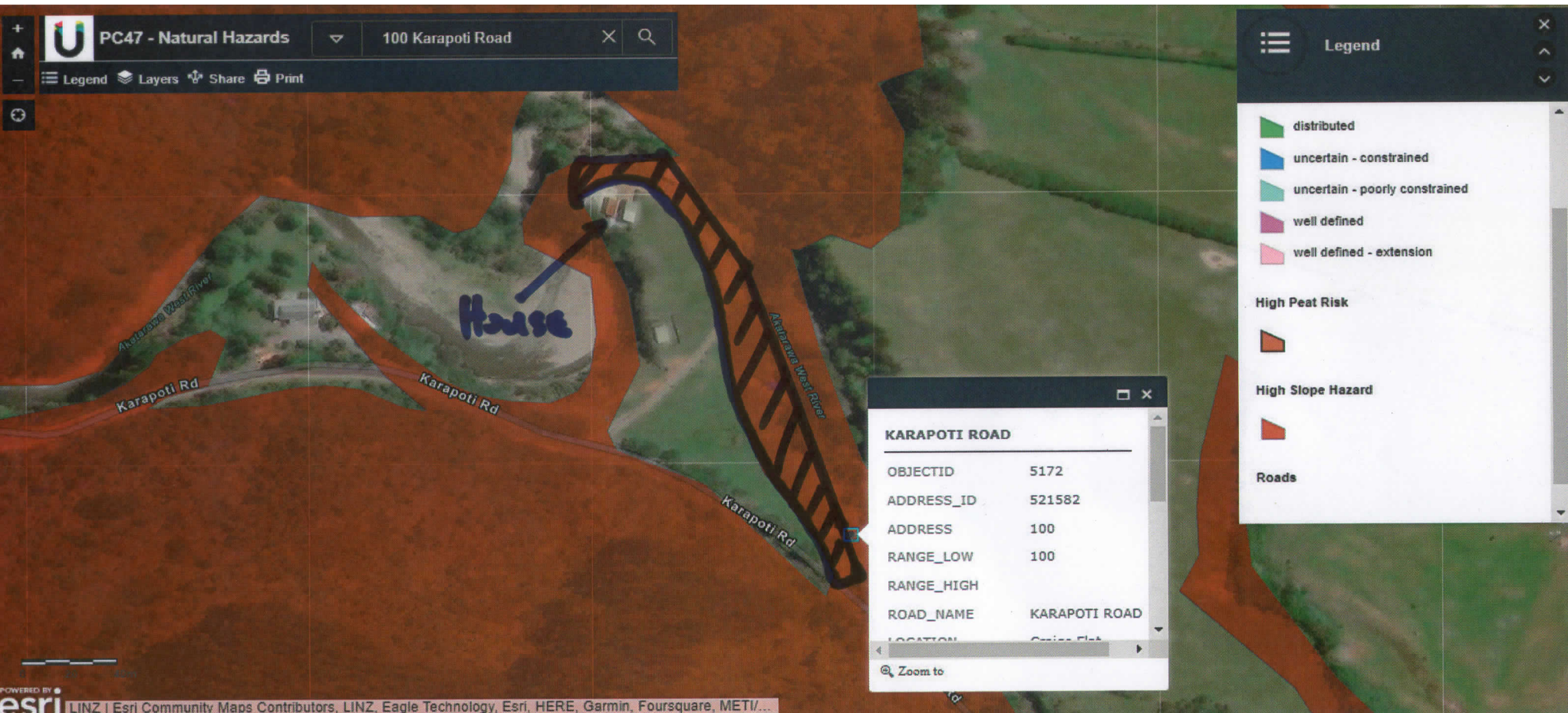


DATE

27/10/22


**PC47 - Natural Hazards**
100 Karapoti Road

Legend Layers Share Print



**Legend**

- distributed
- uncertain - constrained
- uncertain - poorly constrained
- well defined
- well defined - extension

**High Peat Risk**

- 

**High Slope Hazard**

- 

**Roads**

**KARAPOTI ROAD**

OBJECTID	5172
ADDRESS_ID	521582
ADDRESS	100
RANGE_LOW	100
RANGE_HIGH	
ROAD_NAME	KARAPOTI ROAD
LOCATION	Criss Flat

Zoom to

# Submission 34

---

Popsos just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Karen Pugh

---

**Postal address of submitter:**

30 Glide Lane, Whitby, Porirua, 5024

---

**Address for service (if different from above)**

30 Glide Land, Whitby

---

**Email address:**

popsos@hotmail.co.uk

---

**Telephone number:**

0226965361

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

I jointly own just over 4ha of land 7 Turksma Lane, Kaitoke which we intend to build a house on in the next year. The proposed natural hazard overlay (PC47) and associated plan change policies and rules (NH-P1-7 and NH-R1-8) may affect my property

---

**My submission is that:**

In regards to the land at 7 Turksma Lane, Kaitoke the consultation documents and map currently show this area to be classified as 'uncertain constrained' we believe this is not correct as this has been assessed further by GNS and a new report submitted to the UHCC on 25 February 2022 (Letter Report Number: CR 2022/10 LR Project No: 900W2118-00). We understand from this new report that the fault area has been mapped in error and wish it to be removed from the final decision/maps. We also believe the High Slope Hazard overlay along the river/streams to the north and east of the boundary of this land is also not

warranted as these are just shallow banks made by the river and stream and request the UHCC consider this further and remove this classification on the land.

---

**I seek the following decision from the local authority:**

Remove the natural hazard classifications i.e. uncertain constrained and high slope hazard from the land identified as 7 Turksma Lane, Kaitoke therefore removing any related natural hazard policy and rules and building restrictions on this land.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---

# Submission 35

---

WREMO just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Jeremy Holmes

---

**Postal address of submitter:**

PO Box 11646, Wellington 6142

---

**Email address:**

jeremy.holmes@wremo.nz

---

**Telephone number:**

272970811

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Plan Change 47

---

**My submission is that:**

We (WREMO) support the proposed District Plan change to address the updated risk from natural hazards.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---



OFFICE USE ONLY

Submission number

**36**

## PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN

### Proposed Plan Change 47—Natural Hazards

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

#### To Upper Hutt City Council

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

### Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER

**DANIEL BUHLER**

POSTAL ADDRESS OF SUBMITTER

[REDACTED]

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

C/- [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

CONTACT TELEPHONE

[REDACTED]

CONTACT EMAIL

[REDACTED]

I could gain an advantage in trade competition through this submission (please tick one ☑): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I am  /  am not (tick one ☑) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.



## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

High slope hazard mapping

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

The high slope hazard map for my property is not accurate and includes flat land that is clearly flat. I am concerned

The report has not done their due diligence and seem to be generic without considering the actual land layout

I disagree with the proposal for high hazard map as I dont think it has been prepared accurately and is too generic

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

To have the high hazard map on my property reviewed in collaboration with the property owner

Review all high hazard maps to ensure they are accurate.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.  
 I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.  
 I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE 27/10/22

# Submission 37

---

Maymorn Res just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Doug Gillanders

---

**Postal address of submitter:**

1144 Maymorn Road, Maymorn, Upper Hutt 5018, 1144 Maymorn Road

---

**Address for service (if different from above)**

1144 Maymorn Road, Maymorn, Upper Hutt 5018, 1144 Maymorn Road

---

**Email address:**

doug.gillanders@outlook.com

---

**Telephone number:**

021347506

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**If you answered yes to the above, please choose one of the following options:**

I am directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

notifying a large amount of my section as a high slope hazard

---

**My submission is that:**

Of the area marked by "Campbells Stream" very little of this is actually a slope hazard in any way. Most of the area is flat land, so not really sure where it is meant to fall to as it

flat land already. Would appear survey has not actually been done but just computer modelled with no reference to how the area actually is. Note this runs along side my property and doesn't cross into it any where.

---

**I seek the following decision from the local authority:**

That the area be corrected to a realistic outline actually relating to what is there regarding the small stream area. And the designation of high slope hazard removed from my property.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---

## Submission 38

---

Mel21 just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Melanie Smith

---

**Postal address of submitter:**

22 Tacoma Drive

---

**Email address:**

melmels1234@hotmail.com

---

**Telephone number:**

0273501670

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

High Slope Map Identification

---

**My submission is that:**

I have concerns about the high slope mapping of Upper Hutt. It is identifying areas of flat land including roads and current building platforms. I'll use McCarthy Grove as an example. Numbers 3 and 4 have houses built on flat land with a hill behind, yet they show up as high slope. The road is also marked as a high slope yet it is flat.

---

**I seek the following decision from the local authority:**

I would like the mapping to be adjusted so it's not identifying areas of flat land including roads and current building platforms.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---

# Submission 39

---

TMQ12 just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Quinn McCarthy

---

**Postal address of submitter:**

70 Blue Mountains road, Pinehaven

---

**Address for service (if different from above)**

No Answer

---

**Email address:**

quinn.mccarthy@hotmail.com

---

**Telephone number:**

021861969

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

The zoning of the "high Slope Hazard" area on Blue Mountains road between numbers 50 & 82

---

**My submission is that:**

The zoning encroaches further than what is reasonable for any slope instability on number 72 Blue Mountains road

---

**I seek the following decision from the local authority:**

I request that the "High Slope Hazard" zoning on number 70 Blue Mountains road be reduced to run along the boundary line. The boundary line sits approximately 10 meters

back from the bank edge, the risk of any building is greatly reduced and already covered under the building code.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---



OFFICE USE ONLY

Submission number **40**

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

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NAME OF SUBMITTER Dr Boyd BLAKE & Mrs VERNA BLAKE.

POSTAL ADDRESS OF SUBMITTER 27 Sylvan Way, SILVERSTREAM,  
UPPER HUTT.

AGENT ACTING FOR SUBMITTER (IF APPLICABLE) -

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE) -

CONTACT TELEPHONE 021-061 8454 CONTACT EMAIL mitch.blake@hotmail.co.nz.

I could gain an advantage in trade competition through this submission (please tick one ☉): **yes**  / **no**

Only answer this question if you ticked 'yes' above:

I am  /  am not (tick one ☉) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.



## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Attached.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

Attached.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

Attached.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.
- I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.
- I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

Vernia Blake B L Blake

DATE

25/10/2022.

**Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan.**

**Our submission relates to :-**

Drawing your attention to the current “High Slope” hazard map zone boundaries as proposed in “Plan Change 47 – Natural Hazards” and the inaccuracies of the current map boundaries and the huge and unnecessary impact such an incorrect and inaccurate hazard zone map boundaries would have on the property at 23 Sylvan Way, Silverstream and to a lesser extent to the neighbouring properties being 27 and 29 Sylvan Way. (High Slope Hazard Map is attached showing the red impact zone on our properties.)

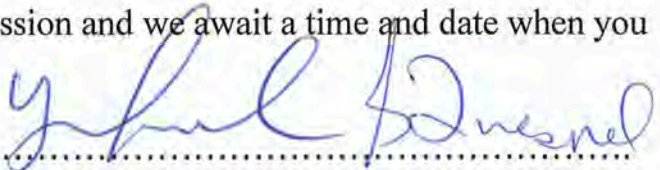
**Our Submission is that: -**

We **do not oppose** Plan Change 47 as we feel it is very important for areas of “Natural Hazards” be identified so the local authority and our community can plan and move forward with confidence. We **do oppose** part of Plan Change 47 being the current “High Slope” hazard zone map and part of its boundaries relating to 23 Sylvan Way, Silverstream as well as the adjacent neighbouring properties at 27 and 29 Sylvan Way, Silverstream. If retained, the current inaccurate “High Slope” map boundaries will have a devastating impact on the values and the insurance premiums particularly on 23 Sylvan Way and to a lesser extent to our neighbours and will create a lot of unnecessary stress and worry which will impact not only our well-being but possibly our mental health. We therefore oppose the current “High Slope” hazard map zone boundaries as they affect Yannick & Sherilyn Quesnel of 23 Sylvan Way, Boyd & Verna Blake of 27 Sylvan Way and Amarjeet & Ripudaman Kanwal of 29 Sylvan Way, Silverstream.

**We seek the following decision from the Local Authority,**

We wish to have amendments made to alter and realign the current “High Slope” hazard map zone boundaries, (highlighted in red) so they accurately depict the true area of “High Slope” hazard for 23 Sylvan Way, 27 Sylvan Way and 29 Sylvan Way, Silverstream. This can be accomplished by the simple realignment of a small area of the “High Slope” hazard map boundary by excluding from the map the level terrace area which runs to the rear of 23 Sylvan Way and continues south sou-east across the back of the neighboring properties being 27 and 29 Sylvan Way. (High Slope hazard map with proposed map boundary changes attached.) An on-site inspection would confirm the above inaccuracies and the need for the realignment of the hazard map zone boundaries. This terrace mentioned above (Map attached showing terrace) would not be known to exist by many and was formed many decades ago by the old Kiln Street Brick and Pipe Works for extracting clay for their manufacturing of bricks and pipes. We thank you for your time in considering our submission and we await a time and date when you can undertake an onsite inspection.

Mr Yan Quesnel & Mrs Sherilyn Quesnel.  
23 Sylvan Way, Silverstream.

  
.....

Dr Boyd Blake and Mrs Verna Blake.  
27 Sylvan Way Silverstream.

  
.....

Dr Amarjeet Kanwal & Mrs Ripudaman Kanwal  
29 Sylvan Way, Silverstream.

  
.....

# Plan Change 47 – Current High Slope Map Zone Boundaries in Red

Legend Layers Print Share

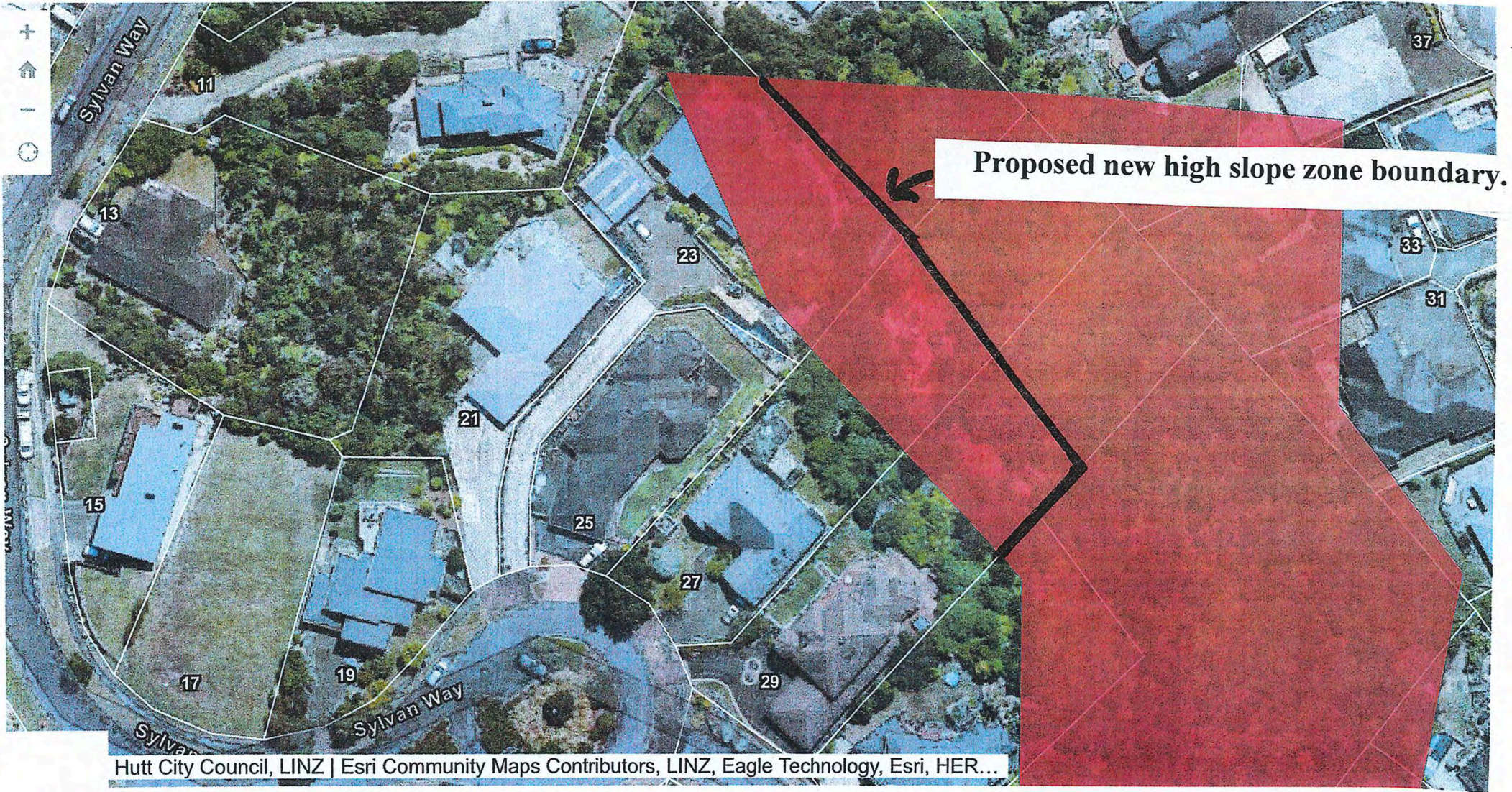


Hutt City Council, LINZ | Esri Community Maps Contributors, LINZ, Eagle Technology, Esri, HER...

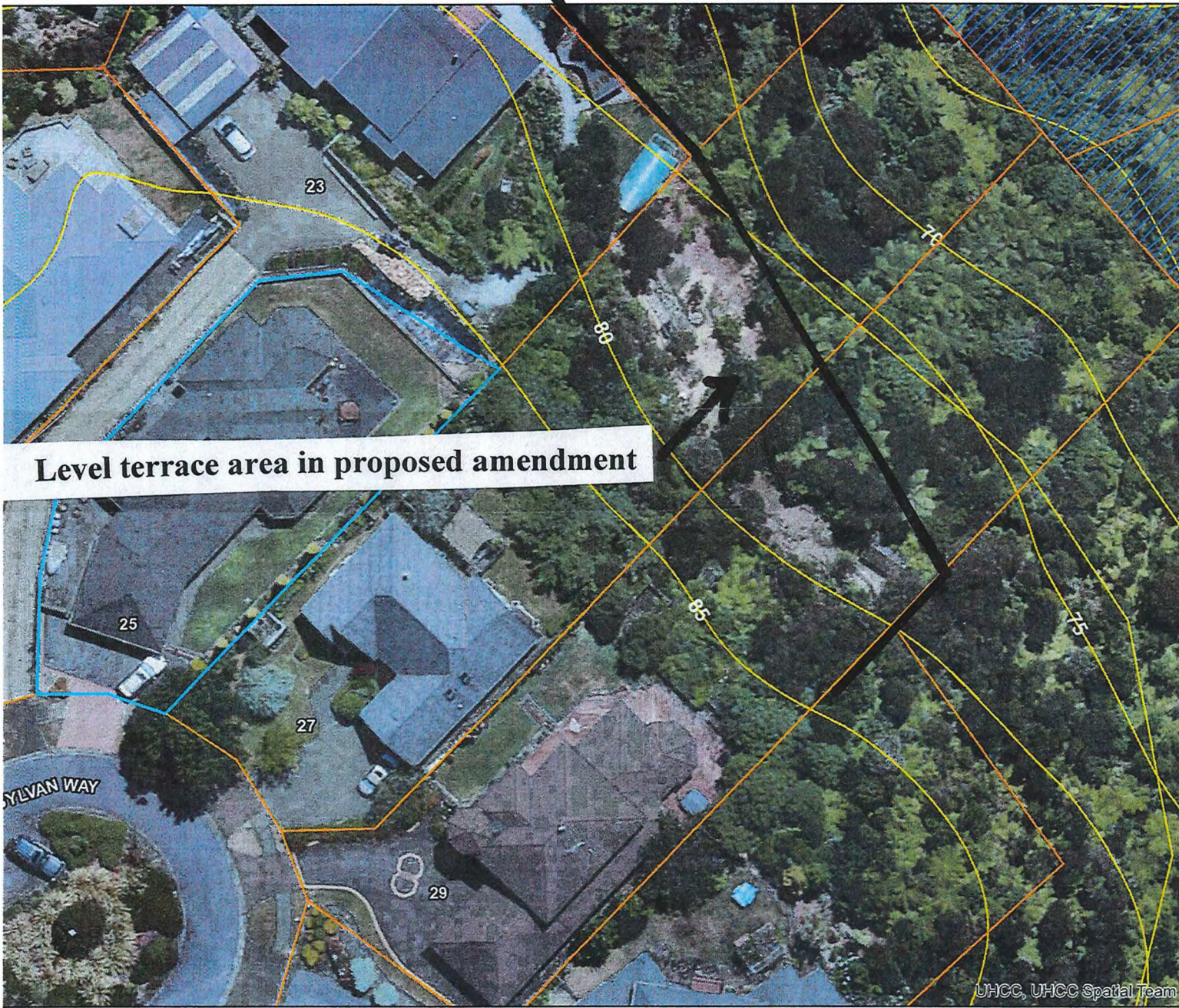
0 10 20m

# Plan Change 47 – Proposed Amendments to High Slope Map Boundaries (new zone boundary - black Line).

Legend Layers Print Share



0 10 20m



Level terrace area in proposed amendment

Property	Zones	Water Services
Land Parcels	Residential	Sewer
Titles	Residential Conservation	Stormwater
Easement	Residential Hill	Water
District Plan	Rural Lifestyle	Water Hydrant
Heritage Features	Rural Valley Floor	Fire Service Valve
Notable Trees	Rural Hill	Water Valve
Fault Band	Rural Hill Blue Mountains	Service Valve
Pylons	Business Commercial	UHCC Reservoir
High Voltage Lines	Business Industrial	Private Reservoir
Urban Tree Groups	Special Activity	Water Pumpstation
Protected Ridgeline	Open Space	
Rivers	Proposed Plan Changes	
100 yr Flood Extent Hutt River	Natural Hazards (PC47): Wellington Fault Band	
Designations	Distributed	
General	Uncertain - constrain	
State Highway	Uncertain - poorly constrained	
Railway	Well defined	
Utilities	Well defined (extension)	
Southern Hills	SNAs & Landscapes:	
Visual	Draft Significant Natural Area	
Landscape	Outstanding Natural Feature Landscape	
Ecological	Special Amenity Landscape	
Pinehaven Flood Hazard Extent	Rural-Residential Review:	
Catchment Overlay	High Peat Risk (Coffey, 2019)	
Stream Corridor	Medium Liquefaction Risk (Coffey, 2019)	
Overflow Path	Water Services	
Ponding Area	Property Drainage	
Mangaroa Flood Hazard Extent	Sewer	
Erosion Hazard	Stormwater	
River Corridor	Water	
Overflow Path	Water	
Ponding Area	Water	
Sub-Zones	Water	
CBD Boundary	Water Hydrant	
Centres Overlay	Fire Service Valve	
Speedway Area	Water Valve	
Other Sub Zones	Service Valve	
	UHCC Reservoir	
	Private Reservoir	
	Water Pumpstation	
	Water Pump	
	Water Meter	
	Water Fitting	
	Water Pipe	
	Service Connection	
	Rider Main	
	Stormwater Pumpstation	
	Manhole	
	Lampole	
	Sump	
	Inlet	
	Outlet	
	Stormwater Node	
	Stormwater Pipe	
	Sump Lead	
	Stormwater Operation Channel	
	Stormwater Connection Pipe	
	Abandoned Stormwater Pipe	
	Wastewater Pumpstation	
	Wastewater Pump	
	Manhole	
	Lampole	
	Valve	
	Chamber	
	Pump	
	Wastewater Node	
	Trunk Main	
	Wastewater Pipe	
	Wastewater Connection Pipe	
	Abandoned Wastewater Pipe	
	Abandoned Node	
	Other	
	Cemetery Plots & Internment	
	Contours	



OFFICE USE ONLY

Submission number

41

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

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NAME OF SUBMITTER YANNICK M. QUESNEL & SHERILYN A QUESNEL.

POSTAL ADDRESS OF SUBMITTER 23 SYLVAN WAY SILVERSTREAM,  
UPPER HUTT.

AGENT ACTING FOR SUBMITTER (IF APPLICABLE) -

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE) -

CONTACT TELEPHONE 027-2208956 CONTACT EMAIL yquesnel14@gmail.com

I could gain an advantage in trade competition through this submission (please tick one ☐): **yes**  / **no**

Only answer this question if you ticked 'yes' above:

I am  /  am not (tick one ☐) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

ATTACHED

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

ATTACHED.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

ATTACHED.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☐):

- I do wish to be heard in support of my submission.  
 I do not wish to be heard in support of my submission.

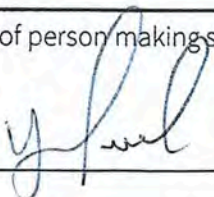
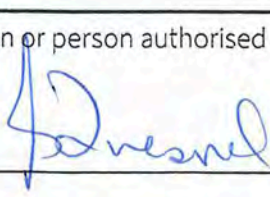
Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☐):

- I do wish to make a joint case.  
 I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

DATE

25/10/2022

**Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan.**

**Our submission relates to :-**

Drawing your attention to the current “High Slope” hazard map zone boundaries as proposed in “Plan Change 47 – Natural Hazards” and the inaccuracies of the current map boundaries and the huge and unnecessary impact such an incorrect and inaccurate hazard zone map boundaries would have on the property at 23 Sylvan Way, Silverstream and to a lesser extent to the neighbouring properties being 27 and 29 Sylvan Way. (High Slope Hazard Map is attached showing the red impact zone on our properties.)

**Our Submission is that: -**

We **do not oppose** Plan Change 47 as we feel it is very important for areas of “Natural Hazards” be identified so the local authority and our community can plan and move forward with confidence. We **do oppose** part of Plan Change 47 being the current “High Slope” hazard zone map and part of its boundaries relating to 23 Sylvan Way, Silverstream as well as the adjacent neighbouring properties at 27 and 29 Sylvan Way, Silverstream. If retained, the current inaccurate “High Slope” map boundaries will have a devastating impact on the values and the insurance premiums particularly on 23 Sylvan Way and to a lesser extent to our neighbours and will create a lot of unnecessary stress and worry which will impact not only our well-being but possibly our mental health. We therefore oppose the current “High Slope” hazard map zone boundaries as they affect Yannick & Sherilyn Quesnel of 23 Sylvan Way, Boyd & Verna Blake of 27 Sylvan Way and Amarjeet & Ripudaman Kanwal of 29 Sylvan Way, Silverstream.

**We seek the following decision from the Local Authority,**

We wish to have amendments made to alter and realign the current “High Slope” hazard map zone boundaries, (highlighted in red) so they accurately depict the true area of “High Slope” hazard for 23 Sylvan Way, 27 Sylvan Way and 29 Sylvan Way, Silverstream.

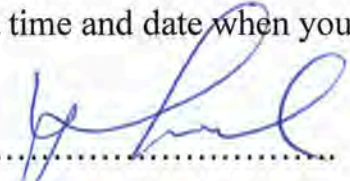
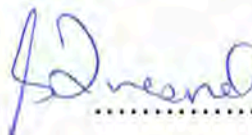
This can be accomplished by the simple realignment of a small area of the “High Slope” hazard map boundary by excluding from the map the level terrace area which runs to the rear of 23 Sylvan Way and continues south sou-east across the back of the neighboring properties being 27 and 29 Sylvan Way. (High Slop hazard map with proposed map boundary changes attached.)

An on-site inspection would confirm the above inaccuracies and the need for the realignment of the hazard map zone boundaries.

This terrace mentioned above (Map attached showing terrace) would not be known to exist by many and was formed many decades ago by the old Kiln Street Brick and Pipe Works for extracting clay for their manufacturing of bricks and pipes.

We thank you for your time in considering our submission and we await a time and date when you can undertake an onsite inspection.

Mr Yan Quesnel & Mrs Sherilyn Quesnel.  
23 Sylvan Way, Silverstream.



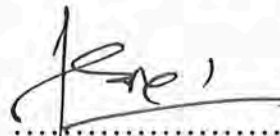
.....

Dr Boyd Blake and Mrs Verna Blake.  
27 Sylvan Way Silverstream.



.....

Dr Amarjeet Kanwal & Mrs Ripudaman Kanwal.  
29 Sylvan Way, Silverstream.



.....



# Plan Change 47 – Current High Slope Map Zone Boundaries in Red

Legend Layers Print Share

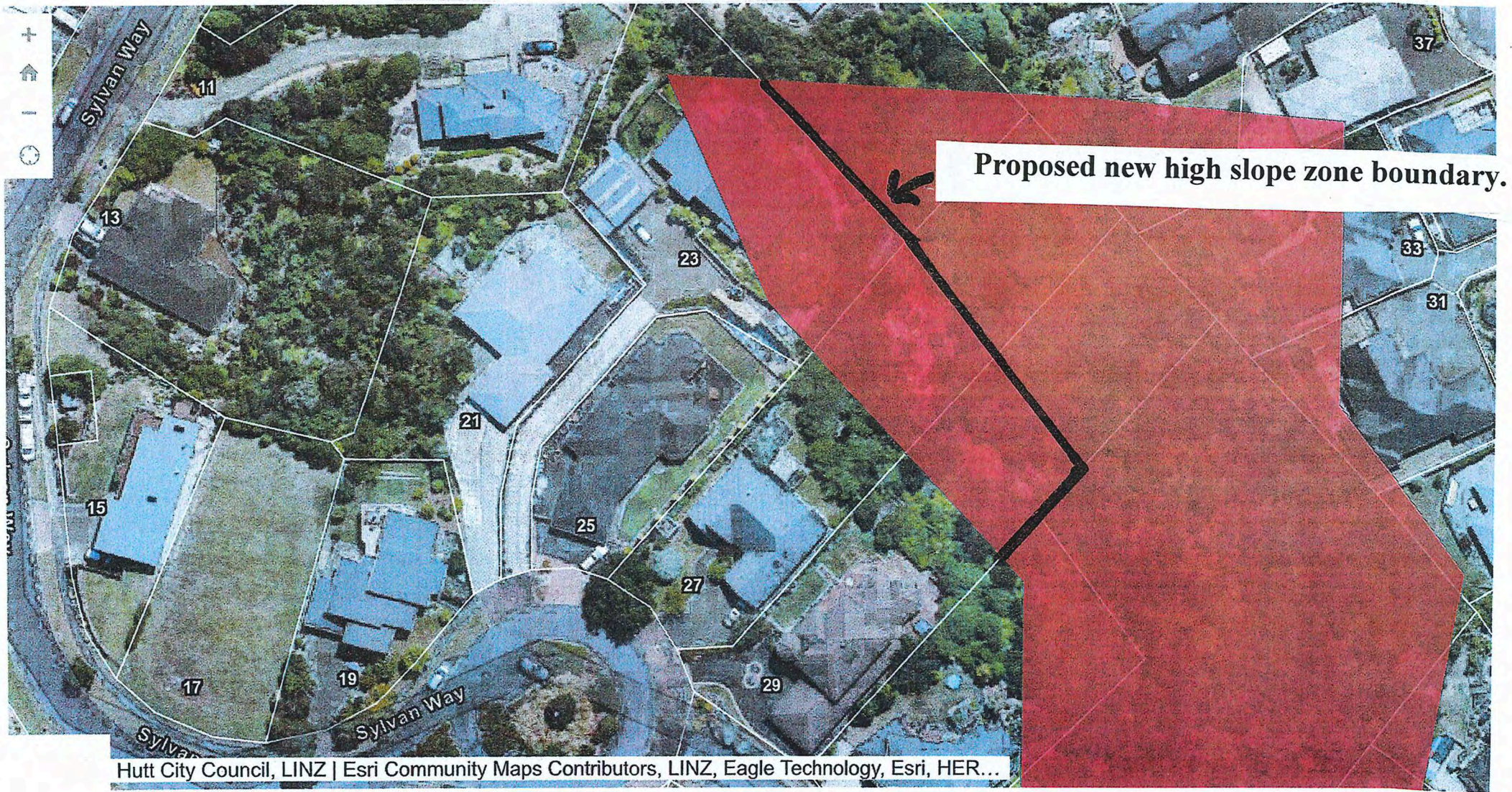


Hutt City Council, LINZ | Esri Community Maps Contributors, LINZ, Eagle Technology, Esri, HER...

0 10 20m

# Plan Change 47 – Proposed Amendments to High Slope Map Boundaries (new zone boundary - black Line).

Legend Layers Print Share



0 10 20m



Level terrace area in proposed amendment





OFFICE USE ONLY

Submission number

42

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER DR AMARJEET KANWAL & MRS RIBUDAMAN KANWAL.

POSTAL ADDRESS OF SUBMITTER 29 Sylvan Way, SILVERSTREAM,  
UPPER HUTT.

AGENT ACTING FOR SUBMITTER (IF APPLICABLE) -

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE) -

CONTACT TELEPHONE 021- 0222 7372. CONTACT EMAIL

I could gain an advantage in trade competition through this submission (please tick one ☐): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I am  /  am not (tick one ☐) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

ATTACHED.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

ATTACHED.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

ATTACHED.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☐):

- I do wish to be heard in support of my submission.  
 I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☐):

- I do wish to make a joint case.  
 I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

Ripudaman Tam.

DATE

25/10/2022.

**Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan.**

**Our submission relates to :-**

Drawing your attention to the current “High Slope” hazard map zone boundaries as proposed in “Plan Change 47 – Natural Hazards” and the inaccuracies of the current map boundaries and the huge and unnecessary impact such an incorrect and inaccurate hazard zone map boundaries would have on the property at 23 Sylvan Way, Silverstream and to a lesser extent to the neighbouring properties being 27 and 29 Sylvan Way. (High Slope Hazard Map is attached showing the red impact zone on our properties.)

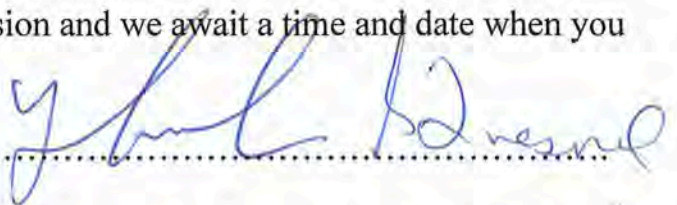
**Our Submission is that: -**

We **do not oppose** Plan Change 47 as we feel it is very important for areas of “Natural Hazards” be identified so the local authority and our community can plan and move forward with confidence. We **do oppose** part of Plan Change 47 being the current “High Slope” hazard zone map and part of its boundaries relating to 23 Sylvan Way, Silverstream as well as the adjacent neighbouring properties at 27 and 29 Sylvan Way, Silverstream. If retained, the current inaccurate “High Slope” map boundaries will have a devastating impact on the values and the insurance premiums particularly on 23 Sylvan Way and to a lesser extent to our neighbours and will create a lot of unnecessary stress and worry which will impact not only our well-being but possibly our mental health. We therefore oppose the current “High Slope” hazard map zone boundaries as they affect Yannick & Sherilyn Quesnel of 23 Sylvan Way, Boyd & Verna Blake of 27 Sylvan Way and Amarjeet & Ripudaman Kanwal of 29 Sylvan Way, Silverstream.

**We seek the following decision from the Local Authority,**

We wish to have amendments made to alter and realign the current “High Slope” hazard map zone boundaries, (highlighted in red) so they accurately depict the true area of “High Slope” hazard for 23 Sylvan Way, 27 Sylvan Way and 29 Sylvan Way, Silverstream. This can be accomplished by the simple realignment of a small area of the “High Slope” hazard map boundary by excluding from the map the level terrace area which runs to the rear of 23 Sylvan Way and continues south sou-east across the back of the neighboring properties being 27 and 29 Sylvan Way. (High Slop hazard map with proposed map boundary changes attached.) An on-site inspection would confirm the above inaccuracies and the need for the realignment of the hazard map zone boundaries. This terrace mentioned above (Map attached showing terrace) would not be known to exist by many and was formed many decades ago by the old Kiln Street Brick and Pipe Works for extracting clay for their manufacturing of bricks and pipes. We thank you for your time in considering our submission and we await a time and date when you can undertake an onsite inspection.

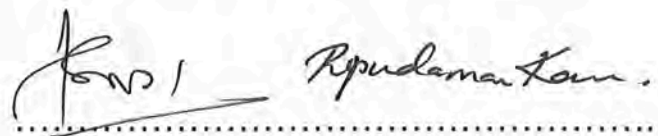
Mr Yan Quesnel & Mrs Sherilyn Quesnel.  
23 Sylvan Way, Silverstream.

  
.....

Dr Boyd Blake and Mrs Verna Blake.  
27 Sylvan Way Silverstream.

  
.....

Dr Amarjeet Kanwal & Mrs Ripudaman Kanwal.  
29 Sylvan Way, Silverstream.

  
.....

# Plan Change 47 – Current High Slope Map Zone Boundaries in Red

Legend Layers Print Share



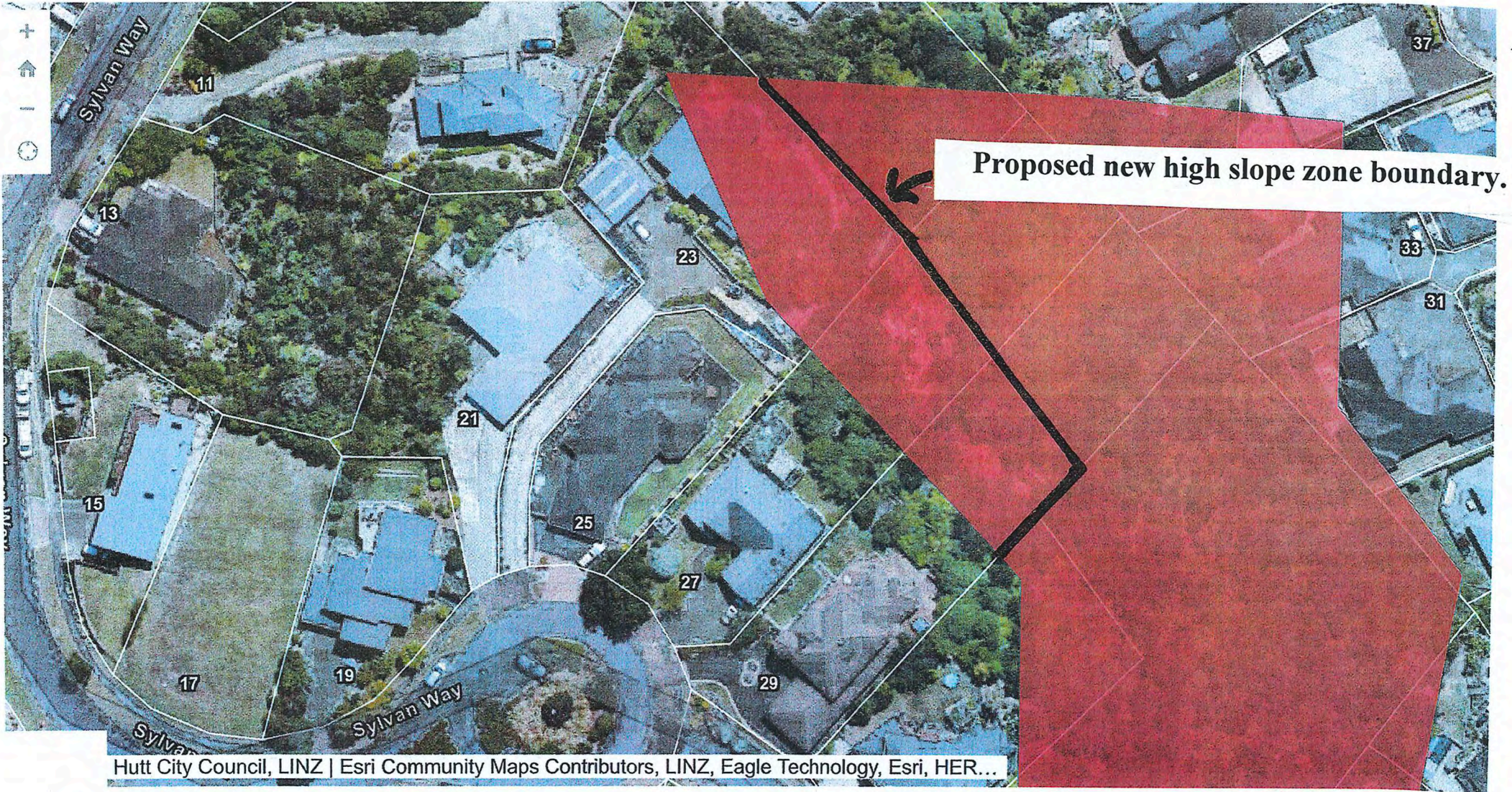
Existing high slope zone boundary

0 10 20m

Hutt City Council, LINZ | Esri Community Maps Contributors, LINZ, Eagle Technology, Esri, HER...

# Plan Change 47 – Proposed Amendments to High Slope Map Boundaries (new zone boundary - black Line).

Legend Layers Print Share



0 10 20m



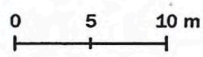


Level terrace area in proposed amendment

<b>Property</b>	<b>Zones</b>	<b>Water Services</b>
Land Parcels	Residential	Water Pump
Titles	Residential Conservation	Water Meter
Easement	Residential Hill	Water Fitting
<b>District Plan</b>	Rural Lifestyle	Water Pipe
<b>Features</b>	Rural Valley Floor	Service Connection
Heritage Features	Rural Hill	Rider Main
Notable Trees	Rural Hill Blue Mountains	<b>Stormwater</b>
Fault Band	Business Commercial	Stormwater Pumpstation
Pylons	Business Industrial	Manhole
High Voltage Lines	Special Activity	Lampole
Urban Tree Groups	Open Space	Sump
Protected Ridgeline	<b>Proposed Plan Changes</b>	Inlet
Rivers	Natural Hazards (PC47): Wellington Fault Band	Outlet
100 yr Flood Extent Hutt River	Distributed	Stormwater Node
<b>Designations</b>	Uncertain - constrain	Stormwater Pipe
General	Uncertain - poorly constrained	Sump Lead
State Highway	Well defined	Stormwater Oper Channel
Railway	Well defined (extension)	Stormwater Connection Pipe
Utilities	<b>SNA &amp; Landscapes:</b>	Abandoned Stormwater Pipe
<b>Southern Hills</b>	Draft Significant Natural Area	<b>Wastewater</b>
Visual	Outstanding Natural Feature Landscape	Wastewater Pumpstation
Landscape	Special Amenity Landscape	Wastewater Pump
Ecological	<b>Rural-Residential Review:</b>	Manhole
<b>Pinehaven Flood Hazard Extent</b>	High Peat Risk (Coffey, 2019)	Lampole
Catchment Overlay	Medium Liquefaction Risk (Coffey, 2019)	Valve
Stream Corridor	<b>Water Services</b>	Chamber
Overflow Path	Property Drainage	Pump
Ponding Area	Sewer	Wastewater Node
<b>Mangaroa Flood Hazard Extent</b>	Stormwater	Trunk Main
Erosion Hazard	Water	Wastewater Pipe
River Corridor	<b>Water</b>	Wastewater Connection Pipe
Overflow Path	Water Hydrant	Abandoned Wastewater Pipe
Ponding Area	Fire Service Valve	Abandoned Node
<b>Sub-Zones</b>	Water Valve	<b>Other</b>
CBD Boundary	Service Valve	Cemetery
Centres Overlay	UHCC Reservoir	Plots & Internment
Speedway Area	Private Reservoir	Contours
Other Sub Zones	Water Pumpstation	

Property boundaries may not be survey-accurate, and can only be verified by a licensed cadastral surveyor. Cadastral information is derived from Land Information New Zealand. Crown Copyright Reserved. This map is drawn on the New Zealand Transverse Mercator projection, using New Zealand Geodetic Datum 2000. The wind zone data may not be used to determine the wind zone or speed for design purposes or a building consent application. Wind zone or speed must be determined by applying the methodologies in NZS 3604:2011 Timber framed buildings or AS/NZS 1170 Structural Design Actions Part 2: 2002 Wind Actions.

Scale to A4  
1:500



# Submission 43

Plan Change 47 – submission

## Proposed Plan Change 47 – Natural Hazards

R. J. Anker

76 Katherine Mansfield Drive

Whitemans Valley

Upper Hutt

I wish to be heard by speaking in support of my submission.

I would consider presenting a joint case at the hearing with others who make a similar submission.

I will not obtain any commercial advantage through the matters contained in my submission.

My submission focusses on the following topics and each will be expanded on:

1. **Mapping** of the peatland only constitutes an approximation and inaccurately conveys the impression that the peat depth is constant.
2. **Coffey report** does not incorporate or examine the peatland.
3. **Peat** is simply a soil type and is not of itself a natural hazard
4. **Incorrect Council mapping** has led to properties being built in what is now high hazard when they were advised they were in low hazard area and vice versa.
5. **Cost Benefit Analysis** is poorly constructed and contains erroneous data, assumptions and conclusions.
6. **S32a report**, para 96 renders the necessity for the peat overlay redundant.

**Mapping of the peatland only constitutes an approximation and inaccurately conveys the impression that the peat depth is constant.**

The peat overlay is only a desk top mapping exercise and little work has been done to ground truth the boundaries.

Where, as a result of community action, ground truthing has taken place it has confirmed the arbitrary broad-brush nature of the original mapping.

It is not acceptable for UHCC to utilise maps produced for one purpose to convey an alternate meaning. Those maps are then able to be used by another organisation to advance its own agenda. Peat is not, of itself, a natural hazard. It may well be correct that it has a relatively low load bearing capacity but that also applies to other soil types.

No work has been done to establishing the depth of the peat or to establish the nature of the ground which underlies the top cover.

**Relief requested:** Prior to incorporating any peat overlay in UHCC documentation the area should be comprehensively surveyed to establish the extent, depth and underlying ground conditions.

**Coffey report does not incorporate or examine the peatland.**

Coffee did not incorporate the Mangaroa Peatlands in their report with the exception of a few isolated patches on the western boundary of the Whitemans Valley block around part of the extent of Katherine Mansfield Drive.

Coffee does lay out the soil types and conditions needed for liquefaction to occur and peat soils do not meet those conditions.

The Cost Benefit Analysis makes the following inaccurate statement:

2.3. Mangaroa peatlands. The geotechnical assessment carried out by Coffey Geotechnical Engineers has identified a “swamp / peat area” in Whitemans Valley. The soil in this area is expected to be soft and organic rich which may result in ground settlement. This hazard may occur even in the absence of an earthquake. This is the first inclusion of peatlands as an identified hazard with implications for land use.

It is concerning that a report commissioned by UHCC is incorporated into PC47 with the implication that its content is accurate.

**Relief requested:** - clarify that the Coffee report does not cover the Mangaroa Peatlands. The observations concerning the nature of the soil and referring to it as a hazard is not supported by any accompanying scientific or technical evidence and I would question as to whether the author of the CBA is qualified to make statements of this nature. See further comments and observations regarding the veracity of the CBA.

### **Peat is simply a soil type and is not of itself a natural hazard**

PC47 states that Peat constitutes a Natural Hazard.

That is arrant nonsense.

Peat is simply another soil type and in that respect is no different from sand, silt, loam, and clay.

Regardless of soil type any dwelling is required to have an appropriately engineered foundation and that is the responsibility of UHCC Building Control Services. I was unable to locate any input from that department as to whether they considered that the Peat Overlay map was necessary from the perspective of Building Control Services who are guided by the Building Act.

The concept of peat presenting a hazard is rather tenuous and appears to consist of a concern that it might shrink. My area of peat is not going to shrink in isolation from that of my neighbour so any relative change will be zero. There is also no data, that I could find within the PC47 documentation, that gave any indication as to what the rate of shrinkage would be. Any shrinkage would be proportionate to the depth of the peat and that is not addressed by the documentation and would appear to be an unknown factor.

S32 report states - Mangaroa Peat Overlay The poor ground conditions area is a geographically constrained area around the Mangaroa Peatlands. This area has soft wet soils, which have the potential to impact the structural integrity of buildings that are not constructed in a manner that responds to these ground conditions.

This section of the report assumes that peat soils are soft and wet and displays minimal understanding of standard operating procedures when it comes to

constructing buildings. Core sampling taken by a close neighbour revealed dry conditions down to 7 plus metres and regardless of soil types building foundations will take ground and load bearing conditions into consideration. Accordingly S32 would appear to be identifying non-existent problemsfer to justify the overlay.

**Relief requested:** - remove all references that refer to peat as constituting a natural hazard.

**Incorrect Council mapping has led to properties being built in what is now high hazard when they were advised they were in low hazard area and vice versa.**

This statement is part of S32 report and clearly demonstrates the importance of getting things right.

If you cannot be sure that a map is correct and complete, then it is irresponsible to incorporate it into planning documents.

In the event that you incorporate erroneous data into plans then you have an obligation to take ownership of the consequences.

By incorporating a statement of this nature into official Council documentation would appear to open the door to potential litigation.

A statement by Council that properties have been constructed in areas that Council is now purporting constitute a Natural Hazard may well create a strong negative financial impact which can be directly sheeted back to the actions of Council. Equally questionable is making ill-considered comments regarding the effect of a “hazard zone” in respect of the availability and price of insurance and the preparedness of banks to lend.

**Relief requested:** - Council recognise that all financially based markets are driven by confidence and that Council has a direct responsibility to the community at large to avoid inflammatory remarks and observations that have the potential to disrupt financial stability

**Cost Benefit analysis is poorly constructed and contains erroneous data, assumptions and conclusions.**

This analysis carries the hallmarks of inadequate research, incorrect assumptions and commencing with a conclusion and then looking for the facts to fit.

**The report says:** Benefits exceed costs for the Mangaroa Peatlands • **There are a range of uncertainties.** Costs include higher construction costs for new builds and the potential for foregone development opportunities. • Benefits include lower settlement risk and reduced risk exposure to properties in the identified hazard area. We find benefits likely outweigh costs.

There are a range of uncertainties – translation – we have no idea which way is up.

**The report says:** Benefits exceed costs for the Mangaroa Peatlands • There are a range of uncertainties. **Costs include higher construction costs for new builds** and the **potential for foregone development opportunities.** • Benefits include lower settlement risk and reduced risk exposure to properties in the identified hazard area. We find benefits likely outweigh costs.

A random claim with no supporting evidence. Makes the assumption that earlier builds have dodgy foundations. What development opportunities are we talking about – when, where, how much???

**The report says:** Benefits exceed costs for the Mangaroa Peatlands • There are a range of uncertainties. Costs include higher construction costs for new builds and the potential for foregone development opportunities. • **Benefits include** lower settlement risk and reduced risk exposure to properties in the identified hazard area. We find benefits likely outweigh costs.

There are no benefits because no risk was present to begin with.

- Mangaroa peatlands – **A new peatland has been identified** which is expected to provide poor ground conditions for development

Words fail me – the peatland has been common knowledge for over 170 years. It is not new!!

**The report says:** The benefits to hazard management are primarily in the form of reduced risk to life.

There is currently no risk to life therefore there is no benefit.

**The report says:** The impact of the **slow settlement of the Mangaroa peatlands does not put lives at risk**. Instead, the impact over time on property could prove large.

This effectively negates the concept of risk to life. The impact on property is equally likely to be zero.

**The report says:** 2.3. Mangaroa peatlands The geotechnical assessment carried out by Coffey Geotechnical Engineers has identified a “swamp / peat area” in Whitemans Valley. The soil in this area is expected to be soft and organic rich which may result in ground settlement. This hazard may occur even in the absence of an earthquake. This is the first inclusion of peatlands as an identified hazard with implications for land use.

Coffey report clearly states that they did not survey the swamp. Their nearest survey point was in Whitemans Valley Road, over the ridge to the east of the swamp.

**The report says:** The peatland overlaps the Mangaroa ponding area and overflow path identified as natural hazards in the operative district plan. These reflect the risk of flood posed by the nearby Mangaroa river. This means that part of the proposed peatland overlay is already subject to resource consent requirements.

Considering this, the additional cost to implementing the proposed peatland overlay may be small.

This overlap area is less than 10% of the total peatland area and cannot be extrapolated to produce any meaningful conclusion. The area considered contains no existing dwellings and is currently zoned farmland with that zoning remaining unchanged in proposed PC50.

**The report says:** Mangaroa Peatlands Assessing the extent of development in Mangaroa, in the absence of Natural Hazard policies is one of the critical questions for the cost-benefit analysis. On the one hand, the area **represents low-cost land** that is in principle near to the city centre.

Which planet is the report author on?? They subsequently state that the area was not included in the 2019 HBA but clearly failed to ask themselves why??

**The report says:** In terms of volume, the Housing and Business Assessment 2019 identified potential capacity for Mangaroa at between 243-274 additional dwellings over the period 2017 to 2047.

Query where in Mangaroo. Not the peatlands. This comment demonstrates a total lack of local knowledge on the part of the author.

**Relief requested:** - This report is fatally flawed and should be struck from the PC47 documentation pending a complete and thorough re-write.

**S32a report, para 96 renders the necessity for the peat overlay redundant.**

Table 17: Natural Hazard Ranking

Mangaroo Peat Overlay Medium

(96) The exception to the above framework is the Mangaroo Peat Overlay. The purpose of this overlay is to ensure that buildings constructed within this area have a foundation design that is appropriate for the poor ground conditions. For the construction of new buildings, this matter is addressed through the Building Code and the Building Act 2004 process. Under this process, new buildings need to demonstrate that their foundations are appropriate for the ground conditions upon which they are located. In instances of poor ground conditions, the foundations of the building are required to be designed by an engineer. To prevent a duplication of process, no land use rules are proposed for this hazard overlay. However, it is still appropriate to have a subdivision rule pertaining to the Mangaroo Peat Overlay. This is to ensure that any new lots created in this area either have an appropriate building platform for any future buildings or to ensure that an appropriate engineer solution exists that will allow for a building to be constructed on the site. This is to prevent instances where lots may be created, but the ground conditions are such there is no practical foundation design available.

**Relief requested:** - This demonstrates a nonsense and establishes that the Mangaroo overlay is not necessary. All the rules are already in place to achieve the controls and protections necessary and another layer of rules achieves nothing.

Remove all references to the Mangaroo Peat Overlay from PC47 documentation.

**Submission ends.**





OFFICE USE ONLY

Submission number

44

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

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NAME OF SUBMITTER

Malcom Ayers

POSTAL ADDRESS OF SUBMITTER

10a Garrett Place, Riverstone Terraces  
UPPER HUTT

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

N/A

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

N/A

CONTACT TELEPHONE

0276074132

CONTACT EMAIL

malcom87w@gmail.com

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I **am**  /  **am not** (tick one ) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

**Details of submission**

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

My Property 10a Garrett Place, Riwstone Terraces, Upper Hutt. Has been identified as a slope hazzard (red area)

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

A significant part of my property has been identified as slope areas where it is in fact flat.

I Therefore request an in person physical site visit before the zoning process is completed

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

Request an in person physical site visit.

Please note: If contacting me by phone leave a txt message with details or email. For safety reasons I do not have access to my cell phone while at work.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.
- I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.
- I do not wish to make a joint case.

**Signature and date**

Signature of person making submission or person authorised to sign on behalf of person making submission:  31/10/22

SIGNATURE  DATE 31/10/22

# Submission 45

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

## Proposed Plan Change 47 - Natural Hazards

**Bruce Ridley**

**230 Katherine Mansfield Drive**

**Whitemans Valley**

**Upper Hutt**

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed

Bruce Ridley

3<sup>rd</sup> November 2022

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Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the **peatland map and/or the high slope map**, which directly affects my land.

### ***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

## ***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and "protecting" peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other "sensitive soils" such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as "peatland" if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with

UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community's lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

## **The peat maps include too much land**

Some members of the Mangaroa Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of GWRC vs *Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called “Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangaroa Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangaroa Valley Soils](#)

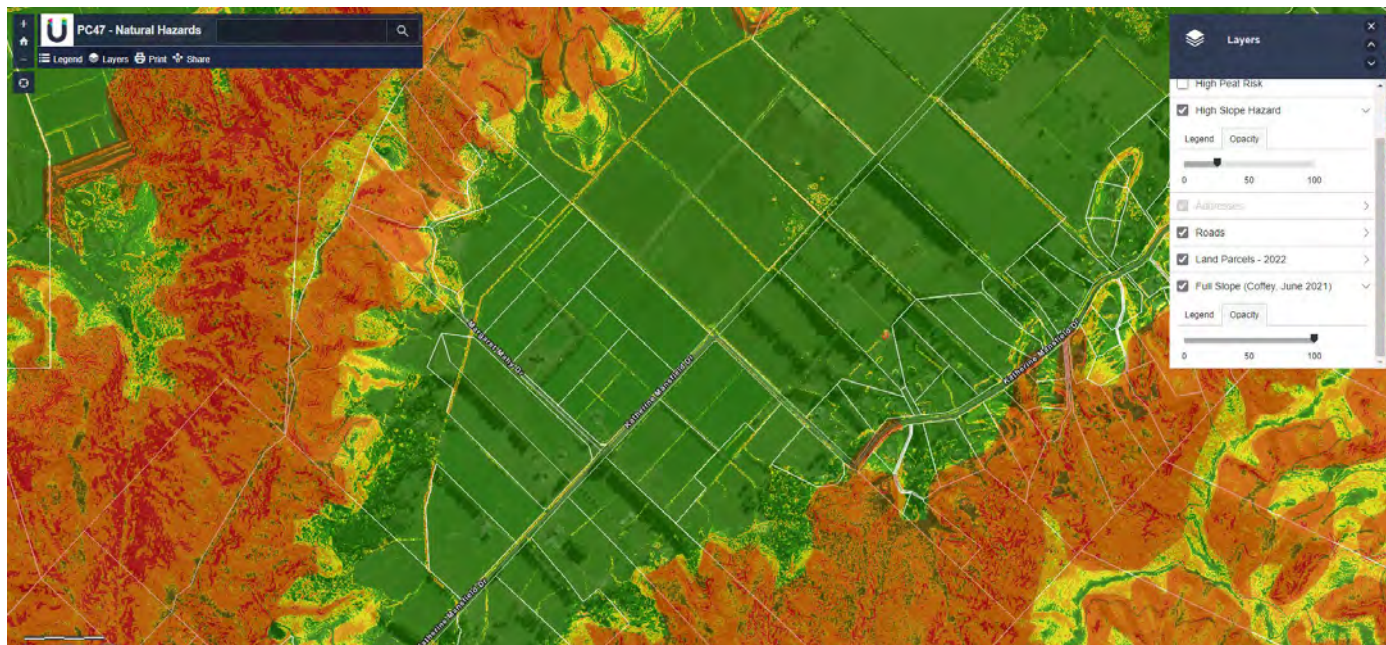
## **How were High Slope maps created?**

It is difficult to figure out how High Slope hazard areas were defined.

The high slope maps do not follow contour maps, property titles, Coffey's Appendix E – Lidar information on ground steepness, GNZ / Manaaki Whenua's slope definitions or soil types. Coffey's report doesn't explain how the red Hazard areas were established.

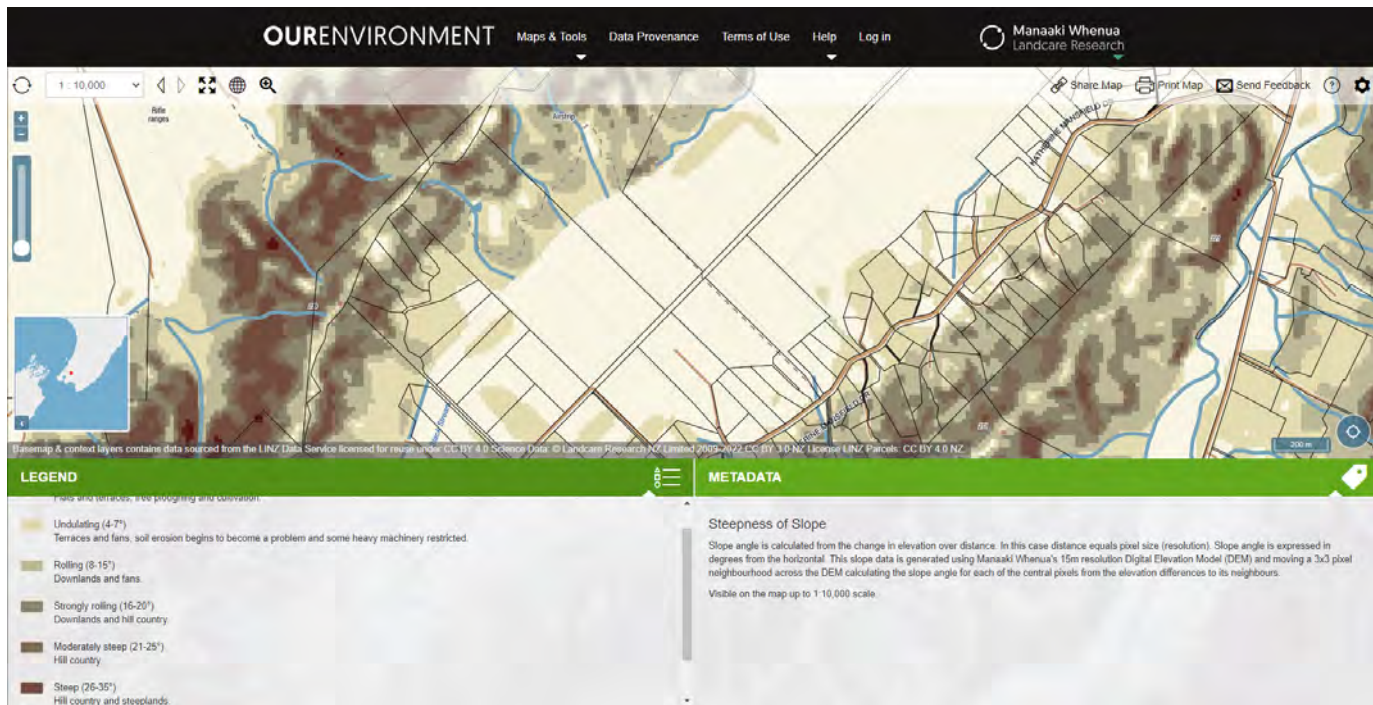
In creating a high slope hazard overlay, UHCC appears to be duplicating existing maps. By doing so, it may create legal liability for UHCC if the maps are inaccurate.

There are at least 4 different slope risk maps that cover Upper Hutt including a Land Use database from Manaaki Whenua, GWRC hazards map, PC47 and Ministry of the Environments erosion risk map. Rather than taking the risk on themselves, UHCC might prefer to adopt the Land Use database from Manaaki Whenua instead. it has 4 scales, low, medium, high, and very high risk based on soil samples and substrate type. it also looks at both the erosion and earthquake risk and is updated regularly.



[PC47 - Natural Hazards \(arcgis.com\)](https://arcgis.com) showing both the high slope overlay and the underlying Lidar data





[Steepness of Slope » Maps » Our Environment \(scinfo.org.nz\)](#) showing a steepness of slope gradient

Decision requested – Adopt either the Manaaki Whenua Land Use slope risk or the Manaaki Whenua Land Steepness overlay to define the area for development earthworks assessment or revisit the Lidar based information provided by Coffey

### Primary Concern – The maps include my property

My property is poorly represented by the current proposed **slope hazard overlay**

The flatter part is in the overlay while the steeper part is outside of it.

Analytical viewing of the Coffey Lidar data, the Manaaki Whenua steepness with the high slope overlay shows that my property is misrepresented.

I feel the High Slope Risk map does not accurately represent the land I currently own

Decision requested – Please feel free to arrange to come and see my property.



End of Submission

# Submission 46

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SHAKEYBOB just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

GRANT BOYD

---

**Postal address of submitter:**

13 EMERALD HILL DRIVE

---

**Agent acting for submitter (if applicable):**

N/A

---

**Address for service (if different from above)**

as above

---

**Email address:**

flin.bun.289@gmail.com

---

**Telephone number:**

5863688

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

PC47 WELLINGTON FAULT PROVISIONS [as they relate to existing residential properties in Emerald Hill Drive ]

---

**My submission is that:**

I CANNOT FIND ANY EVIDENCE OR JUSTIFICATION REQUIRING CHANGES TO THE FAULT LINE LOCATION/HAZARD RATING PROVISIONS/ RESTRICTIONS RELATING TO EXISTING RESIDENTIAL PROPERTIES IN EMERALD HILL DRIVE

---

**I seek the following decision from the local authority:**

IF ANY CHANGES ARE TO BE MADE THEN THEY MUST EXPRESSLY ACKNOWLEDGE AND DECLARE THAT THEY DO NOT APPLY TO EXISTING RESIDENTIAL PROPERTIES IN EMERALD HILL DRIVE. IN PARTICULAR, THE RIGHT TO REBUILD AN EXISTING SINGLE STORY TIMBER FRAMED DWELLING MUST BE RECOGNISED.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do wish to make a joint case.

---



OFFICE USE ONLY

Submission number

47

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN

Proposed Plan Change 47—Natural Hazards

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

To Upper Hutt City Council

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

Deliver to: HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

Post to: Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

Scan and email to: [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

Details of submitter

David De Martin

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NAME OF SUBMITTER

David De Martin

POSTAL ADDRESS OF SUBMITTER

45A Kirtan Drive Upper Hutt

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

0210703647

CONTACT EMAIL

dauidde martin@hotmail.com

I could gain an advantage in trade competition through this submission (please tick one ☐):  yes  no

Only answer this question if you ticked 'yes' above:

I am  am not (tick one ☐) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

**Details of submission**

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Slope hazard.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

Ridiculous, this would have to include Steep sided banks on Rural Roads, the reserve behind me, which cannot ever be built on, has never slipped, covered in dense bush etc. The impact cost wise to people affected could be huge. cut a tree down? notify council, dig a hole with a shovel to plant a tree, notify council etc etc  
Stupid, Stupid, Stupid

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

If this effects the property value on either of my houses I will SUE! SUE! SUE!

Get rid of this rubbish.  
Also note I'm a retired property developer so I know what I am talking about

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☉):

Note in person  
Not on line  
Zoom

- I do wish to be heard in support of my submission.
- I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☉):

- I do wish to make a joint case.
- I do not wish to make a joint case.

**Signature and date**

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE 

DATE 28/10/22



OFFICE USE ONLY

Submission number

48

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

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NAME OF SUBMITTER

DEAN + DEBBIE MOLONY

POSTAL ADDRESS OF SUBMITTER

60 KIRTON DRIVE RIVERSTONE TERRACES

UPPER HUTT

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

DEAN = 027 846 7299  
DEBBIE = 027 323 9620

CONTACT EMAIL

I could gain an advantage in trade competition through this submission (please tick one ☉): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I am  /  **am not** (tick one ☉) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

**Details of submission**

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

I/WE DON'T AGREE WITH PROPOSED PLAN CHANGE 47

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

PROPOSED PLAN MAPPING DOES NOT REFLECT OUR PROPERTY

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.
- I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.
- I do not wish to make a joint case.

**Signature and date**

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE 

DATE 30-10-22





OFFICE USE ONLY

Submission number

49

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

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**Details of submitter**

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NAME OF SUBMITTER

*Nathan James Gardiner*

POSTAL ADDRESS OF SUBMITTER

*91 Gillespie's Road*

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

*021 710395*

CONTACT EMAIL

*nathan@griffithsdrilling.co.nz*

I could gain an advantage in trade competition through this submission (please tick one ☐): yes ☐ /  no

Only answer this question if you ticked 'yes' above:

I am  am not (tick one ☐) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Natural Hazards 47

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

That the mapped area doesn't  
reflect true on my property

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

To Relock at the Red line through my  
property.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.  
 I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.  
 I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

N. J. Graham

DATE

30/10/22



OFFICE USE ONLY

Submission number

50

## PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN

### Proposed Plan Change 47—Natural Hazards

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

#### To Upper Hutt City Council

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

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**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

### Details of submitter

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NAME OF SUBMITTER **Paul Harris**

POSTAL ADDRESS OF SUBMITTER **104 Bullsrun Road & 99 Bullsrun Road.**

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE) **forestgatem@hotmail.com**

CONTACT TELEPHONE **0272431079**

CONTACT EMAIL **forestgatem@hotmail.com**

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I **am**  /  **am not** (tick one ) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

The PC 47 change needs to be removed for the Moonshine western hills.

As Attached:

1. Mapping the 26 degrees not accurate .. based on local knowledge ... do not find this credible.
2. The earthworks rules should be the aligned or the same as GWRC. The limits you set are very low.
3. Clear wording for the maintenance of exist roads, tracks, culverts and drains this should be explicit.
4. My neighbours to the north have no red zones but steeper land ... why?

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:  
5. Existing flat building sites should be excluded.

Further Information:

1. This area is regarded by the GWRC as a low erosion zone. As an ad-hoc add on PC47 this area has using 'local knowledge' been included. This is unusual. Having owned this block for 40 years and my family living locally for 150 years it would have great to have been approached on this. This subjective approach is unacceptable.

I note there is a lot of discussion on visual amenity on the leading ridges on the western side of the moonshine valley. I respectfully note all the changes and additional houses in the valley have been on the valley floor and the low ridges to the east. In the last 15 years one home has been built on this side of the valley and it was tucked out of sight below the west. Having developed many of the tracks and 2 of only houses on the western hills of the valley over 20 years ago now, i have yet to see any slipping erosion or movement in any farm track or house site on that side of the valley ... its very solid rock, way more so than the clay soils on the eastern side.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

1. That PC47 rule be removed from the west of the moonshine valley. My (north western) neighbours have not been included and the mapping is inaccurate on my property. The council contractor offered to correct this but as yet has not dealt with this despite communicating 3 times with him (James Beban).

The mapping after discussion has been completed with drones, low beam Lidar and local knowledge. The Lidar is inaccurate with pasture covered in scrub ... the grade is over stated. There is better technologies more widely used for precession agriculture and slope mapping for the new winter grazing regulations. I have had an outside agency map the block the PC47 mapping done by your outside contactor has overstated land over 26 degrees by 17 ha. (Lynker Analytics 16/10/22))

2. That the earthworks limits of volume and areas reflect the needs of bigger farm properties.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

3. That the earthworks rules be aligned with the GWRC rules to avoid over complexity.

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

I do wish to be heard in support of my submission.

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

I do wish to make a joint case.

I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:



SIGNATURE

1 November 2022

DATE

Moonshine Slope

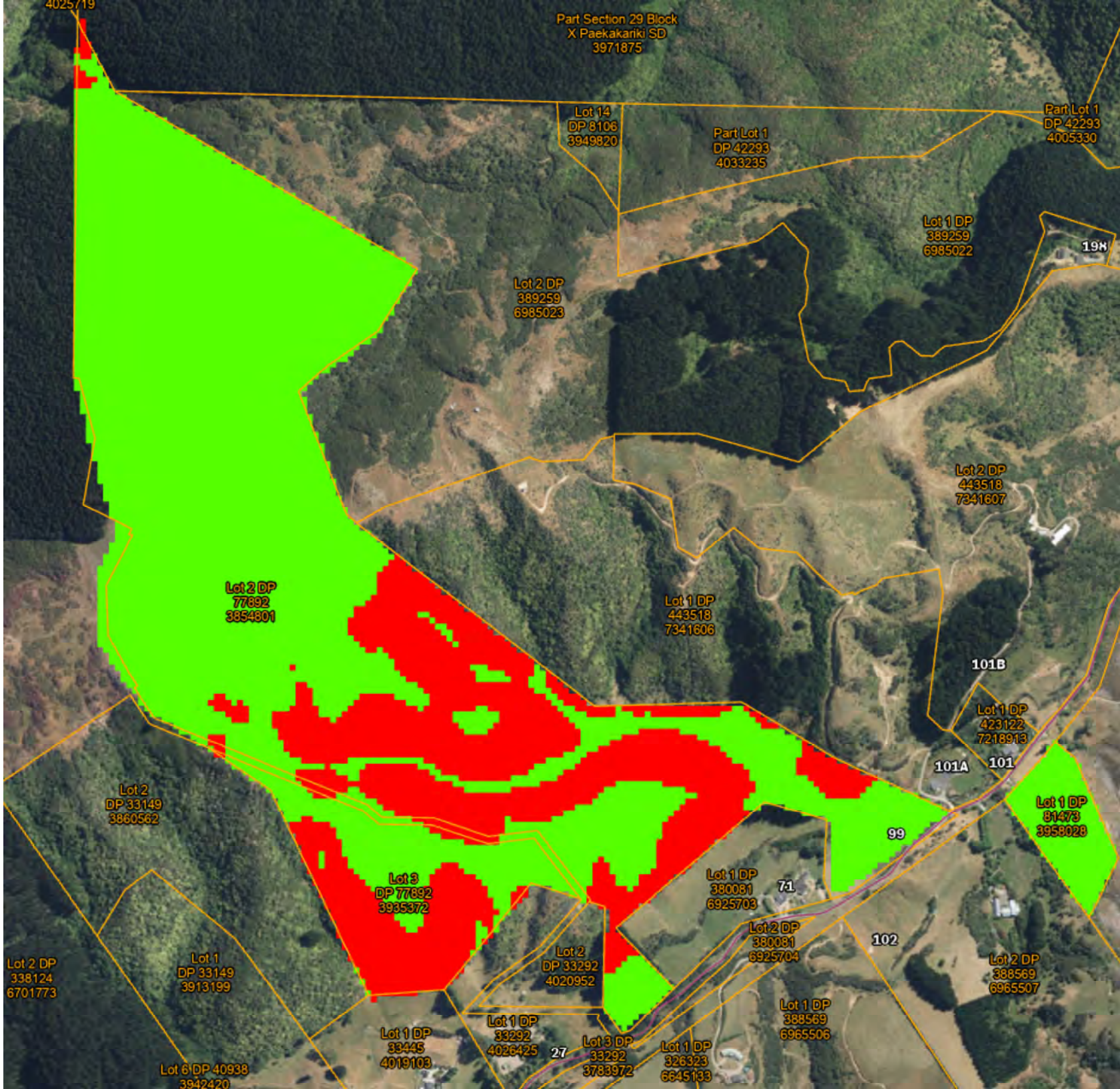
**Legend**  
Rate 1 ( kg/ha)



Google Earth

300 m







Suitability for subdivision and development. The Kaitoke Area is ~12km in a direct line east from Upper Hutt City Centre. The Area appears to be generally suitable for subdivision with allowance for marginal areas of hilly topography and some potentially flood-prone valleys.

### 3.12. Slope Extension – February 2020 Update

We have carried out a high-level assessment of the slope hazard for the Akatarawa Valley, Moonshine Valley and Remutaka Hill areas after the initial reporting was completed. The slope assessment is based on local knowledge, known geology and slope angle maps. We have not carried out specific site walkovers of these areas.



20221016\_PaulHarrisWellington...  
23.32 KB

Sent from my iPhone Bruce

Begin forwarded message:

**From:** GMAPSNZ <[gmapsnz@gmail.com](mailto:gmapsnz@gmail.com)>  
**Date:** 16 October 2022 at 12:19:45 PM NZDT  
**To:** Bruce Peterson | Aerospread <[bruce@aerospread.co.nz](mailto:bruce@aerospread.co.nz)>  
**Subject:** Re: Slope

Kia ora and Hello Bruce

Hmm, my symbology is disappearing from GoogleEarth when I display it (it gets exported with the file out of the geospatial system) so will look into that. In the meantime, here's the areas for both slope classes, and the KML file for use as reference.

1 low slope <26 degrees = 41.4636ha  
2 higher slope >26 degrees = 15.688ha

On Sun, 16 Oct 2022 at 11:52, Bruce Peterson | Aerospread <[bruce@aerospread.co.nz](mailto:bruce@aerospread.co.nz)> wrote:

Hi Gordon

Hope all is well quick question could you please run a slope and aspic for the to map just need 0 to 26 degrees in green and all stepper in red.

Just another test.





OFFICE USE ONLY

Submission number

**51**

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN

**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER

M de Jong

POSTAL ADDRESS OF SUBMITTER

9 Plantagenet Grove, Upper Hutt

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

021 08322482

CONTACT EMAIL

[mdejong@technicorp.com](mailto:mdejong@technicorp.com)

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I **am**  /  **am not** (tick one ) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

I object to the plan. Please see attached submission for details.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

- full impact analysis from the insurance industry is required
- arrange consultation with affected property owners in the High Slope Hazard Overlay
- perform site visits to validate the desk study assessed slope hazard mapping
- determine the rate increase required to cover lost rates
- rework and republish the plan, including cost benefit etc. incorporating public feedback and insurance industry input
- organise a vote for property owners in Upper Hutt as to whether to adopt the revised plan

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

- offer to purchase the properties which as a result of the plan can no longer obtain insurance
- offer to reimburse property owners for the reduced property value as a result of this plan

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.
- I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.
- I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE

2-11-2022

This submission is in response to the proposed plan change 47 - Natural Hazards and in particular the High Slope Hazard Overlay.

There is a major problem with the plan in that it is missing input from the main stakeholders, i.e. affected property owners and the insurance industry. No effort appears to have been made to get them involved.

In addition, the cost benefit analysis is severely flawed. Without input from the insurance industry it is difficult to quantify the financial impact of the plan on affected properties and indeed on Upper Hutt as a whole. Furthermore, assessing the slope hazard from a desk has led to conclusions that are factually wrong making the accuracy of the report questionable

### **Recommendation**

UHCC is advised to:

- requests a full impact analysis from the insurance industry for all hazard areas covering potential insurance premium increases and possible lack of insurance cover for some properties
- consult affected property owners in the High Slope Hazard Overlay as was done for the other hazard areas
- perform site visits to validate the desk study assessed slope hazard mapping
- determine the rate increase required to cover lost rates
- rework and republish the plan, including cost benefit etc. incorporating public feedback and insurance industry input
- organises a vote for property owners in Upper Hutt as to whether to adopt the revised plan

Should the plan be adopted and result in a financial loss for affected properties it is recommended that UHCC;

- offers to purchase the properties which as a result of the plan can no longer obtain insurance
- offers to reimburse property owners for the reduced property value as a result of this plan

### **Missing impact analysis from the insurance industry**

During earlier consultations for the other hazard areas concerns were raised regarding the impacts on property values etc. These same concerns apply to the High Slope hazard. However, it appears UHCC made no effort to consult the insurance industry as to the impact of the plan on insurance premiums or cover.

Although touched on in the "Scale and Significance Evaluation", Factor 4, item (71) and "Quantification of Benefits and Costs" where it scored high, the expected economic cost associated with increased insurance premiums or not being able to obtain insurance cover has not been detailed in section 10 as stated or covered in the cost benefit analysis.

There also appears to be no plan to mitigate the economic risk which as can be seen in the revised cost benefit shows that the financial impact from this could be considerable.

**Lack of consultation with main stakeholders**

The "Scale and Significance Evaluation", Item (80), requires consultation with impacted property owners. While consultation was undertaken with property owners impacted by the proposed Wellington Fault Overlay and Mangaroa Peat Overlay, UHCC has not undertaken any consultation with property owners that are impacted by the proposed High Slope Hazard Overlay.

**No site visits to validate the desk study assessment**

No site visits were performed to validate the results from the desk study assessment. The findings from this assessment have resulted in anomalies that should have been investigated further. For instance, properties on the corner of Park Street and King Charles drive have been designated as not being in the Hazard zone while clearly they are. Similarly properties with 5-meter high retaining walls or build on poles to cater for slope are also shown as not being affected. Yet properties shown to be hanging over a cliff can in fact have multiple cars parked beside them.

**Incomplete cost assessment from proposed plan changes.**

Consultation with property owners that are impacted by the proposed Wellington Fault Overlay and Mangaroa Peat Overlay raised as major concerns "Request for what the proposed provisions mean for future development or insurance" at 61% and "Opposition to the mapping or provisions" at 76%.

The major concerns still haven't been addressed as the input from the insurance industry is missing and opposition to the plan is simply ignored. This is not surprising as the objective of the plan is to satisfy the RMA requirements regardless of cost to or impact on property owners. Hence there is no accounting for costs associated with

- Economic value destroyed
- Increased Insurance premiums
- Rates forgone

The benefits identified are nebulous to say the least. It is implied that the current building standards are inadequate and that the adoption of the hazard areas will fix everything.

**Incomplete Cost Benefit High Slope Hazard**

The only benefit identified in the cost benefit analysis for the High Slope Hazard is a saving of \$393,087 associated with preventing the destruction of one house out of 30 possible new builds over the next 20 years. The only cost identified is increased construction costs of \$150,000 over 20 years for 30 properties or \$5000 per property.

Therefore, the projected cost benefit is a saving of \$243,087 over 20 years. Most likely this cost saving has already been spent on producing the report.

Despite the absence of a natural hazards policy, no danger to existing properties in the High Slope hazard area has been identified.

What is concerning is that the cost to affected properties or Upper Hutt as a whole from potential insurance impact has been completely ignored. A property which is unable to be insured risks a significant drop in property value while properties identified as being in a hazard zone can similarly expect to drop in value.

Also not costed is the impact on insurance premiums that are bound to increase for the properties in a hazard zone. Neither has the loss of rates due to reduced rateable values been costed nor the rate increase required to make up for this loss.

### **Amended Cost Benefit Analysis**

The cost benefit only identifies three key costs: (i) increased costs of construction, (ii) foregone development and (iii) underutilised infrastructure.

For this submission, the cost benefit has been updated only for the High Slope hazard to include:

- Economic value destroyed

With the various hazard areas implemented, there will certainly be an impact on either insurance premiums or insurance cover.

It is estimated that the average drop in property value per affected property is around 25% or an average of \$200,000<sup>1</sup> per property. The estimated drop in value of properties that can no longer obtain insurance is estimated to be 80% or an average of \$640,000 per property

A drop of 25% for the 3247<sup>2</sup> properties affected by the High Slope Hazard Overlay will result in a \$649,400,000 economic value destroyed. A drop of 80% for an estimated 10 properties results in \$6,400,000 value destroyed.

Total economic value destroyed is \$655,800,000

- Increased insurance premiums

Following the Kaikoura earthquake, the average insurance premium in Upper Hutt increased approximately 25% <sup>3</sup> It is estimated that the average insurance premium for properties affected by the High Slope Hazard Overlay will increase by 25% or \$800 per property.

For this hazard alone, the total cost will be \$2,597,600 in increased insurance premium fees.

- Rates forgone

With \$655,800,000 total economic value destroyed because of the High Slope Hazard Overlay, the loss in rates will be \$2,130,843 per year for Upper Hutt and \$761,157 per year for the Greater Wellington Regional Council.

For this hazard alone the total rates forgone is \$2,892,000 per year in reduced rates take.

Obviously, the loss of rates will be even bigger once the impact from the other two hazards is included.

At this stage it is unknown by how much rates will have to be increased to make up for the shortfall.

Reference:

1. QV values dated October 2022
2. UHCC Planning input
3. AMI insurance premium increase 2017

**Revised Cost Benefit Analysis**

<b>Item</b>	<b>Costs</b>	<b>Value</b>
Wellington Fault		
- Increased construction costs		\$227,931
- Foregone development		\$2,226,033
Subtotal		\$2,453,964
Mangaroa Peat lands		
- Increased construction costs		\$1,964,362
- Foregone development		\$2,114,731
Subtotal		\$4,079,094
Slope Area		
- Increased construction costs		\$150,000
- Foregone development		nil
- Economic value destroyed		\$655,800,000
- Increased insurance premiums		\$2,597,600
- Rates forgone		\$2,892,000
- Rates increase required		unknown
Subtotal		\$661,439,600
Under-utilised infrastructure		nil
<b>Total Costs</b>		<b>\$667,972,658</b>
	<b>Benefits</b>	
Wellington Fault		
- Health and safety		\$2,118,141
- Economics		\$255,483
- Buildings		\$2,114,731
Mangaroa Peatlands		\$13,337,684
High-slope Hazard		\$393,087
<b>Total Benefits</b>		<b>\$18,219,126</b>
<b>Benefits – Costs</b>		<b>\$-649,753,532</b>
<b>Benefit/Cost Ratio (BCR)</b>		<b>0.0273</b>

OFFICE USE ONLY

Submission number

**52**

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN

**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

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NAME OF SUBMITTER [Greater Wellington](#)

POSTAL ADDRESS OF SUBMITTER [100 Cuba St, Te Aro, Te Whanganui-a-Tara | Wellington, 6011](#)

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE [Iain Dawe](#)

CONTACT EMAIL [iain.dawe@gw.govt.nz](mailto:iain.dawe@gw.govt.nz)

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I **am**  /  **am not** (tick one ) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.



## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Please see submission attached

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

Please see submission attached

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

Please see submission attached

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.  
 I **do not** wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.  
 I **do not** wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE **Iain Dawe**

DATE **1-11-2022**

## By email

31 October 2022

100 Cuba Street  
Te Aro, Wellington 6011  
PO Box 11646  
Manners Street  
Wellington 6142  
T 04 384 5708  
F 04 385 6960

Upper Hutt City Council  
HAPAI Service Centre, 879 – 881 Fergusson Drive  
Upper Hutt 5019  
Submitted to: [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

Tēnā koutou

### **Greater Wellington submission on proposed plan change 47 (natural hazards) to the Upper Hutt City Council district plan**

Thank you for the opportunity to comment on proposed plan change 47 (natural hazards) to the Upper Hutt City Council district plan.

Greater Wellington (GW) broadly supports the strategic direction of the proposed draft hazard provisions. In particular, the risk-based approach taken to managing development in natural hazard overlays using the framework of less sensitive, potentially sensitive and hazard sensitivity activities.

The issue that GW would most like to see clarified or addressed is within rules 7, 9 and 10 regarding clauses that require a consideration of the Wellington Fault relative to a development. GW would like to see a robust assessment of the fault location as part of the consent process to allow safe siting of buildings in the fault areas in order to fulfil this requirement.

Specific comments regarding the provisions are detailed in Attachment 1.

If you have any questions or queries regarding our submission, please do not hesitate to contact us.

Nāku noa, nā





**Matt Hickman**  
Manager  
Environmental Policy

**Address for service:**

Iain Dawe  
Senior Natural Hazards Analyst  
Te Pane Matua Taiao | Greater Wellington  
PO Box 11646 Manners Street  
Wellington 6142  
T 021 933 723  
E [iain.dawe@gw.govt.nz](mailto:iain.dawe@gw.govt.nz)

**Attachment 1: Specific comments by Greater Wellington on Upper Hutt City district Plan Change 47 – Natural Hazards**

Specific provision / matter	Position	Reason for submission	Decisions requested/relief sought
Objective NH-O1	Support with amendment	<p>GW supports the intent of this objective but has questions over the use of the term ‘does not significantly increase’ and whether a different term may be more appropriate in signalling the intent to reduce the impact from natural hazards as per Objective 19 of the Regional Policy Statement (RPS). It is noted that the draft version did not include the word significant. GW acknowledges that it is difficult to not increase the risk with new development, however, there are an increasing number of methods and opportunities to reduce the risk from natural hazards through innovative development, through the use of green infrastructure or nature based solutions, as promoted by the RPS and discussed in the background to this chapter. The RPS change 1 natural hazard provisions promote the minimisation of risks from natural hazards and this may be an appropriate term to use in this Objective. The Natural Resources Plan defines minimise as ‘to the lowest extent practicable’.</p>	<p>Replace wording ‘does not significantly increase’ with ‘minimises’:</p> <p>“Subdivision, use and development within the Natural Hazard Overlays <del>does not significantly increase</del> <u>minimises</u> the risk to life or property.”</p>
Policy NH-P1	Support	<p>Is consistent with Policy 29 of the RPS and RPS change 1.</p>	<p>Retain as worded.</p>

Policy NH-P2	Support	Is consistent with Policy 29 of the RPS and RPS change 1.	Retain as worded.
Policy NH-P3	Amend	<p>GW seeks that the policy also include a requirement that new builds and building platforms be located to avoid the fault within these zones, as advised by a geotech consultant similar to the requirements in policy 5 and 6.</p> <p>This will also require the rule to be modified to include the need to identify the fault trace, especially for Hazard Sensitive Activities, in the <i>uncertain - poorly constrained</i> and <i>uncertain - constrained</i> fault areas identified in the Wellington Fault Overlay.</p>	<p>Reword the policy to include:</p> <p>Provide for Hazard Sensitive and Potentially Hazard Sensitive Activities within the poorly constrained or the uncertain constrained areas of the Wellington Fault Overlay, <u>provided</u></p> <p>(a) <u>New buildings and building platforms are located to avoid the fault, as advised by an appropriately qualified specialist.</u></p> <p>Specify in the associated rules that the fault in the <i>uncertain - poorly constrained</i> and <i>uncertain - constrained</i> fault areas be required to be identified by an appropriately qualified specialist, especially for Hazard Sensitive Activities, and that that building platforms avoid the fault.</p>
Policy NH-P4	Support	Is consistent with Policy 29 of the RPS and RPS change 1.	Retain as worded.

Policy NH-P5	Support with amendments	GW seeks a change to the wording to include minimise rather than reduce the likelihood of damage from poor ground conditions. Mitigation methods have advanced sufficiently to point where this is achievable.	<p>Clause (b) should be reworded to minimise the likelihood of damage</p> <p>“A geotechnical assessment shows that there is the ability for appropriate mitigation options to be incorporated into the design of a future building to <del>reduce</del> minimise the likelihood of damage as a result of poor ground conditions on the identified building platform.</p>
Policy NH-P6	Support with amendments	GW seeks rewording to say that earthworks minimise the risk from slope instability. Slopes over 26 degrees as classified in this overlay are steep and prone to failure during wet conditions. Climate change will increase the risk of intense rainfall events and as a result increase the risk from land slips.	<p>Delete ‘will not unacceptably increase’ from clause (a) and replace with ‘minimise’</p> <p>“A geotechnical assessment confirms that the proposed earthworks <del>will not unacceptably increase</del> <u>minimise</u> the risk from slope instability to people, and buildings”</p>
Policy NH-P7	Support with amendments	GW seeks rewording to say that the subdivision will not cause any increase in land instability in adjacent areas.	<p>Delete ‘will not increase or accelerate’ and replace with ‘does not cause’</p> <p>“The subdivision <del>will not increase or accelerate</del> <u>does not cause</u> land instability on the site or adjoining properties.”</p>

<p>Rule NH-R1 NH-R2 NH-S1</p>	<p>Support</p>	<p>Is consistent with the direction and intent of the RPS and RPS change 1.</p>	<p>Retain as worded.</p>
<p>Rule NH-R7</p>	<p>Amend</p>	<p>The fault zones identified in the Wellington Fault Overlay relate to the degree of uncertainty about the location of the fault trace. The <i>uncertain - poorly constrained</i> and <i>uncertain - constrained</i> areas have been classified as such by GNS Science because there isn't enough information to locate the fault on the surface. This requires a site specific investigation. An indicative trace is used to define the zone, but the uncertainty remains. Therefore, in the matters of control clause (b) where there is a requirement to consider the location of the building relative to the fault, which GW supports, there should also be a requirement for a suitably qualified expert to provide advice on the best location for building platforms for new builds, especially for hazard sensitive activities.</p> <p>The clause also refers to the fault as a line. As GNS states in the Upper Hutt City Fault Trace Report (2005), generally, a fault is a zone of deformation rather than a single linear feature. For this reason, seismic hazard science refers to faults as a 'fault trace' rather than a 'fault line' as this creates a misleading impression that the feature is a neat easily identified line in the landscape. As the fault zones attest to, this is not the</p>	<p>Require a suitably qualified expert to provide advice on the best location for building platforms for new builds in the <i>uncertain - poorly constrained</i> and <i>uncertain - constrained</i> fault areas:</p> <p>(b) <u>The location of the building relative to the fault trace <del>line</del> as advised by a suitably qualified expert</u> and any mitigation measures to reduce the impacts from fault rupture.</p>

		case. GW seeks that the word 'line' be either deleted or replaced with 'trace'.	
Rule NH-R9	Amend	<p>It's unclear what clause (b) of the matters of discretion will actually achieve. The <i>well defined</i> and <i>well defined - extended</i> areas of the Wellington Fault Overlay are essentially the fault. Thus, assessing the location of the additions relative to the fault will achieve little considering that the extension will effectively be occurring on the Wellington Fault. In addition to giving effect to clause (c) of NH-P4, there should also be a requirement to comply with area limitations specified in NH-S1, thereby limiting increasing risk by building and further intensifying on the Wellington Fault. This is a high hazard area and additions to buildings should be limited.</p> <p>Also, as per the discussion for NH-R7, GW seeks that the word 'line' be either deleted or replaced with 'trace'.</p>	<p>Delete clause (a) Compliance is not achieved with NH-R2-1(a) and make compliance with this standard a matter of discretion:</p> <p><del>(a) Compliance is not achieved with NH-R2-1(a) or</del>  (b) The additions are located within the well-defined or well-defined extension areas of the Wellington Fault Overlay.</p> <p>Matters of discretion are restricted to:</p> <p>a) The change in risk to life as a result of the additions being undertaken on the site;  b) The location of the additions relative to the fault <u>trace</u> <del>line</del> and any mitigation measures to reduce the impacts to life and buildings from fault rupture <u>and</u>;  c) <u>Where the proposal meets NH-S1.</u></p>



Rule NH-R10	Amend	Also, as per the discussion for NH-R7, GW seeks that in the matters of control clause (c) where there is a requirement to consider the location of the building relative to the fault, there should be a requirement for a suitably qualified expert to provide advice on the best location for building platforms for new builds, especially for hazard sensitive activities and that the word 'line' be either deleted or replaced with 'trace'.	Require a suitably qualified expert to provide advice on the best location for building platforms for new builds in the <i>uncertain - poorly constrained</i> and <i>uncertain - constrained</i> fault areas:  (c) The location of the building relative to the fault <del>line</del> <u>is as advised by a suitably qualified expert</u> and any mitigation measures to reduce the impacts from fault rupture.
Rule NH-R23	Support	Is consistent with the direction and intent of the RPS and RPS change 1.	Retain as worded.
AER NH-AER1	Support with amendments	GW seeks that the AER be reworded to say that development minimises the risk.	Subdivision, use and development within the Natural Hazard Overlays <del>minimises</del> <del>does not</del> <del>significantly increase</del> the risk to life or property.

Appendix 4 - Definitions Hazard sensitivity classifications	Support with amendment	GW seeks that service stations be removed from the Potentially Hazard Sensitive Activities list and added to the Hazard Sensitive Activities list, considering they contain storage facilities for highly flammable fuels and gas.	Include service stations in the Hazard Sensitive Activities list.
SUB-GEN-R3	Support with consequential amendments	GW seeks a change to the wording to include minimise in NH-P5 rather than reduce the likelihood of damage from poor ground conditions. Mitigation methods have advanced sufficiently to point where this is achievable.	Clause (b) of NH-P5 should be reworded to minimise the likelihood of damage  “A geotechnical assessment shows that there is the ability for appropriate mitigation options to be incorporated into the design of a future building to <del>reduce</del> minimise the likelihood of damage as a result of poor ground conditions on the identified building platform.
SUB-GEN-R4	Support with consequential amendments	GW seeks rewording to NH-P7 say that the subdivision will not cause any increase in land instability in adjacent areas.	Delete ‘will not increase or accelerate’ in NH-P7 and replace with ‘does not cause’  “The subdivision <del>will not increase or accelerate</del> <u>does not cause</u> land instability on the site or adjoining properties.”

SUB-GEN-R5	Amend	<p>In the matters of discretion clause (c) where there is a requirement to consider the location of the building platform relative to the fault, which GW supports, there should also be a requirement for a suitably qualified expert to provide advice on the best location for these building platforms, especially for hazard sensitive activities.</p> <p>As discussed in the natural hazard’s rules above, replace fault line with fault trace.</p>	<p>Require a suitably qualified expert to provide advice on the best location for building platforms for building platforms in the <i>uncertain - poorly constrained</i> and <i>uncertain - constrained</i> fault areas and replace fault line with fault trace:</p> <p>(b) The location of the building platform relative to the fault <del>line</del> <u>trace</u> <del>line</del> <u>as advised by a suitably qualified expert</u> and any mitigation measures to reduce the impacts from fault rupture.</p>
SUB-GEN-R10	Support	GW supports this as a non-complying activity.	Note that the abbreviation in the table should be corrected from DIS to NC.
EW-R9	Support with consequential amendments	GW seeks rewording to NH-P6 to say that earthworks minimise the risk from slope instability. Slopes over 26 degrees as classified in this overlay are steep and prone to failure during wet conditions. Climate change will increase the risk of intense rainfall events and as a result increase the risk from land slips.	<p>Delete ‘will not unacceptably increase’ from clause (a) in NH-P6 and replace with ‘minimise’</p> <p>“A geotechnical assessment confirms that the proposed earthworks <del>will not unacceptably increase</del> <u>minimise</u> the risk from slope instability to people, and buildings”</p>

## Submission 53

---

Kevin just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Kevin Trotter

---

**Postal address of submitter:**

PO Box 40274, Fire Logical

---

**Agent acting for submitter (if applicable):**

None

---

**Address for service (if different from above)**

Same as above

---

**Email address:**

fire.logical@xtra.co.nz

---

**Telephone number:**

045277441

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

I disagree with the data of red coloured high slope hazard in my rural property in Moonshine

---

**My submission is that:**

You should dismiss contractor's report as erroneous and ask for refund of service paid for by ratepayers

---

**I seek the following decision from the local authority:**

Find someone more competent to assess the matter and if needed try at a later date

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do wish to make a joint case.

---

## Submitter 54

---

123mememe just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

D Johnson

---

**Postal address of submitter:**

11 Ronald Scott Grove, Riverstone Terraces, Upper Hutt, 5018

---

**Email address:**

dddandj111@gmail.com

---

**Telephone number:**

021977080

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Slope: I believe that the small section of my property that has been identified in this consultation relating to the hazard 'slope' is NOT CORRECT, I think that it needs to be reassessed to ensure accuracy.

---

**My submission is that:**

I believe that the small section of my property that has been identified in this consultation relating to the hazard 'slope' is NOT CORRECT, I think that it needs to be reassessed to ensure accuracy. I oppose PC47 proposed changes as relates to my property at 11 Ronald Scott Grove because in my opinion it has not been adequately investigated to inform the proposed change. I believe that that hazard has been incorrectly identified and I would like it to be further looked into.

---

**I seek the following decision from the local authority:**

Remove the slope hazard from 11 Ronald Scott Grove, Riverstone Terraces, Upper Hutt.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do wish to make a joint case.

---



OFFICE USE ONLY

Submission number

55

## PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN

### Proposed Plan Change 47—Natural Hazards

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

#### To Upper Hutt City Council

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

### Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER **Katelyn King**

POSTAL ADDRESS OF SUBMITTER **148 Kakariki Way, Whitemans Valley, Upper Hutt, 5371**

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE **0273238720**

CONTACT EMAIL **[katelyn.o.king@gmail.com](mailto:katelyn.o.king@gmail.com)**

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I **am**  /  **am not** (tick one ) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.



## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

**High Slope Hazard areas identified on our property at 148 Kakariki Way.**

**The naming of the 'High Slope Hazard' is inflammatory.**

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

**I wish to have amendments made to the proposed plan change.**

**Two areas indicated on the mapping tool need to be amended as they cover flat areas of our property. at 148 Kakariki Way I have attached photos showing these two areas.**

**The 'High Slope Hazard' provision should be renamed to a less inflammatory title. The naming of the 'High Slope Hazard' is inflammatory as it makes all these areas sound like they are dangerous when each individual slope has not been assessed to see if it an actual hazard. I could see that people could be put off buying properties due to this classification when some of the slopes identified will not be a hazard. Something more like "Slope Area" would be a more apt description.**

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

**Alterations to the mapping of our property at 148 Kakariki Way  
Consider changing the title of the 'High Slope Hazard' provision to a less inflammatory title to capture what is actually intended by this provision. A suggestion is "Slope Area'.**

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I **do** wish to be heard in support of my submission.  
 I **do not** wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I **do** wish to make a joint case.  
 I **do not** wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

*Katelyn King*

DATE

2/11/22

**Plan Change 47 - Submission attachment  
Katelyn King**

**Photos of areas needing amending at 148 Kakariki Way**

Snapshot of mapping tool - yellow line shows where the red area should stop.



Photos of areas -









OFFICE USE ONLY

Submission number

**56**

## PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN

### Proposed Plan Change 47—Natural Hazards

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

### To Upper Hutt City Council

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

### Details of submitter

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NAME OF SUBMITTER Elena Goff Elena Goff

POSTAL ADDRESS OF SUBMITTER 31 Aragon Grove , kingsley Heights Upper hutt

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE 0272182638

CONTACT EMAIL [elena\\_goff@hotmail.com](mailto:elena_goff@hotmail.com)

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I **am**  /  **am not** (tick one ) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

My house is 31 Aragon Grove, Kingsley Height Upper Hutt on the plan is within the proposed new natural Hazards overlay.

I realize that the slop could be a hazard ,but why the whole area of my property is marked in red.

I am sure with the free access to this plan my house will loose the market value. 12 years ago before buying this property I called city council and asked if this area is dangerous. I have got an answer "No" Now who will compensate our loses?

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

I believe that if the slope is a hazard ,it should be in red colour ,,but not the whole property.I would like to see all my property in usual colours.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

Only slope is a hazard not the whole property.

Only slope should be in red color on the plan not the property.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box 

I **do** wish to be heard in support of my submission.

I **do not** wish to be heard in support of my submission.

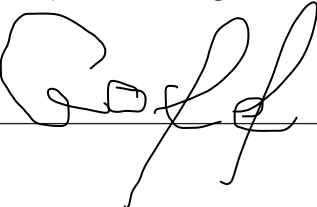
Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box 

I **do** wish to make a joint case.

I **do not** wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE 

DATE 3.11.2022

## Submission 57

---

Christine just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Christine Lehmann

---

**Postal address of submitter:**

80D Gilbert Road, Kaitoke, Upper Hutt 5018

---

**Email address:**

christine.lehmann2@gmail.com

---

**Telephone number:**

0210733732

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**If you answered yes to the above, please choose one of the following options:**

I am directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Peat Risk

---

**My submission is that:**

I would like to request a review of the map details. Currently the map identifies a small portion of slope potentially affected by peat risk on my property, This is incorrect. The identified 'slope' is across a flat road. The nearest hills are at least at a wild guess 200-300 metres away. The slope is a small collection of mulch onto which a tree has been planted. This small hill is not actually on my property, it is across the road on the neighbouring property 80C. It does under no circumstances create a risk to anyone.

---



**I seek the following decision from the local authority:**

Remove peat risk band of my property

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---

**From:** [David Teckman](#)  
**To:** [UHCC Planning](#)  
**Subject:** Re: FW: Christine completed PC47 Submission Form (FORM 5)  
**Date:** Thursday, 3 November 2022 3:32:00 pm

---

Hi Hayley,

thank you so much for following-up with me.  
You are absolutely correct. My submission should have been about the High Slope Hazard. When looking at the Map, the legend wasn't fully visible, and the colour coding for Peat Risk is a similar colour. Therefore, while I was talking about Peat Risk, I actually meant High Slope Hazard, but wasn't aware of that categorization.

In short, I request that the small High Slope risk identified on the eastern border of my property is removed, because it is a road, and not on a slope.

Please do get back to me, if you have any other questions.

Thanks a million again,

Christine Lehmann  
021 0733 732

On Thu, 3 Nov 2022 at 14:08, UHCC Planning <[UHCC.Planning@uhcc.govt.nz](mailto:UHCC.Planning@uhcc.govt.nz)> wrote:

Hi Christine,

Thank you for your submission (as below)

I noticed that you have mentioned “peat risk” however I think from the conversation you had with Nick and looking at the mapping on your property that you mean “high slope hazard”?

Can you please confirm this is the case and we can add this confirmation email to your submission form.

Regards

Hayley

---

**From:** Upper Hutt City Council <[notifications@engagementhq.com](mailto:notifications@engagementhq.com)>  
**Sent:** Thursday, 3 November 2022 11:56 am  
**To:** UHCC Planning <[UHCC.Planning@uhcc.govt.nz](mailto:UHCC.Planning@uhcc.govt.nz)>

**Subject:** Christine completed PC47 Submission Form (FORM 5)

Christine just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Christine Lehmann

---

**Postal address of submitter:**

80D Gilbert Road, Kaitoke, Upper Hutt 5018

---

**Email address:**

[christine.lehmann2@gmail.com](mailto:christine.lehmann2@gmail.com)

---

**Telephone number:**

0210733732

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**If you answered yes to the above, please choose one of the following options:**

I am directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Peat Risk

---

**My submission is that:**

I would like to request a review of the map details. Currently the map identifies a small portion of slope potentially affected by peat risk on my property, This is incorrect. The identified 'slope' is across a flat road. The nearest hills are at least at a wild guess 200-300 metres away. The slope is a small collection of mulch onto which a tree has been planted. This small hill is not actually on my property, it is across the road on the neighbouring property 80C. It does under no circumstances create a risk to anyone.

---

**I seek the following decision from the local authority:**

Remove peat risk band of my property

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---

---

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OFFICE USE ONLY

Submission number

**58**

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

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NAME OF SUBMITTER

**JEFF PRICE**

POSTAL ADDRESS OF SUBMITTER

**54 MOUNT MANUA DRIVE**

**TIMBERCEA U/H 5019**

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

**NA**

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

**NA**

CONTACT TELEPHONE

**027 2210 394**

CONTACT EMAIL

**pricetfamily26@gmail.com**

I could gain an advantage in trade competition through this submission (please tick one ☑): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I am  /  **am not** (tick one ☑) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

**Details of submission**

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

High SCOPE HAZARDS IN OR NEAR  
54 MOUNT MARIA DRIVE AS PER MAP

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

- LITTLE HAZARDS IN.
- : LOWER DRIVEWAY ON SOUTH SIDE
  - : LOWER DRIVEWAY ON NORTH SIDE INTO BUSH.
  - : SOUTH WEST SIDE OF HOUSE - TO CLOSE
  - : BACK YARD - BUSH FENCE INTERNAL AREA OF
  - : 'LANDING' AT NORTH WEST CORNER OF PROPERTY
  - : BELOW HOUSE ABOUT HALF WAY TO PROPERTY BORDER

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

- ADDED PAGE

I seek the following decision from the local authority:

TO HAVE THE ABOVE AREAS REMOVED AS  
'HIGH SCOPE HAZARDS' I.E. NOT IN RED, AS PER  
PLAN OF LOCAL AREA

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☐):

- I do wish to be heard in support of my submission.
- I do not wish to be heard in support of my submission.

NOT AREA TO HAVE TIME OFF WORK

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☐):

- I do wish to make a joint case.
- I do not wish to make a joint case.

**Signature and date**

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE

4th Nov 2022

Submission PC47

- I believe that the slope failure is due to at least 3 factors
- a) slope angle
  - b) water catchment area
  - c) vegetation type and cover

So noting the above I disagree with some of the high slope hazards you show for 54 Mount Marua Drive

On the 1<sup>st</sup> page, the group of properties along the ridge, on the driveway down to the house I don't agree with the hazard shown on the south side of the bottom half of the driveway. The slope is not high and the catchment area is small

On the north side of the bottom half of the driveway I would say that the area is too big. If we take the area as a rectangle ending where the whole area is shown as hazard I would say that the north side of the rectangle needs to be shaped more like a crescent, not the straight line as shown, lining up better with the nature valley that is there.

I would also suspect the block of red, taken from the house and down perpendicular to the property border has a couple of low slope [semi flat] areas as against the complete block. At this point I am unable to describe the suspect low slope areas.

On taking the 2<sup>nd</sup> page, the one showing the house more, I disagree with the clipping of the south west corner of the house. It should be around a couple of metres off the roof footprint but not going into the little flat area between the angled roof and flat roof.

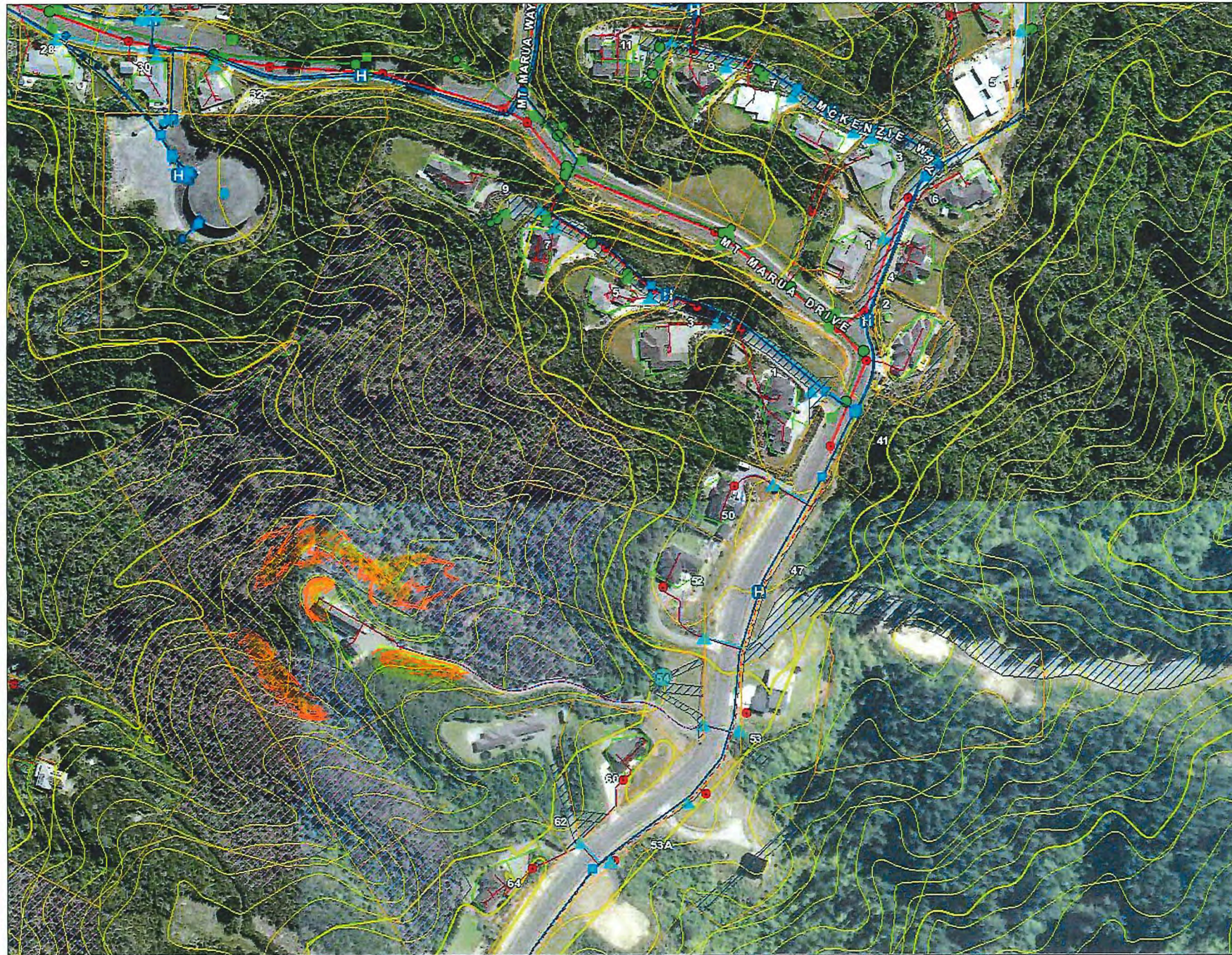
I also do not agree with the back yard area. The area within the bush fence is flat and the water run off into the flat area would not be enough to cause it to slide.

Another small area below on the north west side of the house, and looking at the photo, you can see a track going down to a small flat area. Again the slope above it is a big angle and so the flat area should also be excluded

The ridge area on the south side opposite the house and around halfway to the property border should not be included. This would be a strip like rectangle area.

Finally another area, hard to describe but is below the house and is above the halfway point to the property border is a low slope area and I would call it a crest area after the initial slope from the back yard bush fence, with low sloping on its 2 sides [north and south] and a gentle slope to around halfway [to big pine] before the slope increases down to the stream in the reserve area.

# Upper Hutt City Map Print

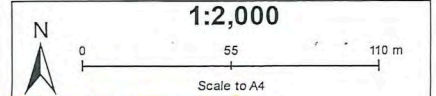


Property	Zones
Land Parcels	Residential
Titles	Residential Conservation
Easement	Residential Hill
<b>Features</b>	Rural Lifestyle
Heritage Features	Rural Valley Floor
Notable Trees	Rural Hill
Fault Band	Rural Hill Blue Mountains
Pylons	Business Commercial
High Voltage Lines	Business Industrial
Urban Tree Groups	Special Activity
Protected Ridgeline	Open Space
Rivers	<b>Water Services</b>
100 yr Flood Extent	Water Main
<b>Designations</b>	Rider / Lateral
General	Toby
State Highway	Hydrant
Railway	Valve
Utilities	Meter
<b>Southern Hills</b>	Junction
Visual	<b>Sewer Services</b>
Landscape	Sewer Main
Ecological	Sewer Manhole
<b>Mangaroa Flood Hazard Extent</b>	Sewer Junctions
Erosion Hazard	<b>Storm Services</b>
River Corridor	Storm Main
Overflow Path	Sump Laterals
Ponding Area	Open Drains
<b>Pinehaven Flood Hazard Extent</b>	Soak Trench
Catchment Overlay	Sumps
Stream Corridor	Storm Manholes
Overflow Path	Storm Junction
Ponding Area	<b>Property Drainage</b>
<b>Sub Zones</b>	Sewer
CBD Boundary	Stormwater
Centres Overlay	Water
Speedway Area	
Other Sub Zones	

Use of this data requires Upper Hutt City Council to be acknowledged as the data custodian and data owner respectively. Assets, water and drainage information is approximate and must not be used for detailed engineering design. Please contact Upper Hutt City Council if you require more detailed spatial information. Cadastral information derived from Land Information New Zealand, Crown Copyright Reserved. Property boundaries may not be survey-accurate, and can only be verified by a licensed cadastral surveyor. This map is drawn on the New Zealand Transverse Mercator projection, using New Zealand Geodetic Datum 2000.



## Upper Hutt City Council



AREA TO BE REMOVED AS NOT EXACT HIGH SCOPE HAZARD



SUBMISSION 59

planning@uhcc.govt.nz

**Proposed Plan Change 47 - Natural Hazards**

**Name** JOHN AND LYNNE HILL

**Address** 198a KATHERINE MANSFIELD DR

**Suburb**

**City**

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed

3<sup>rd</sup> November 2022



JOHN HILL



Lynne Hill

-----

Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the **peatland map and/or the high slope map**, which directly affects my land. **(delete as appropriate – you can submit on both if you wish)**

### ***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and "protecting" peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other "sensitive soils" such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as "peatland" if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with

UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community's lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

### **Use this section if your primary concern is – Mangaroa Peat Hazard maps / Zone**

#### **The peat maps include too much land**

Some members of the Mangaroa Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called “Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangaroa Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangaroa Valley Soils](#)

### **Use this section if your primary concern is with the Hill slope Hazard maps / Zone**

#### **How were High Slope maps created?**

It is difficult to figure out how High Slope hazard areas were defined.

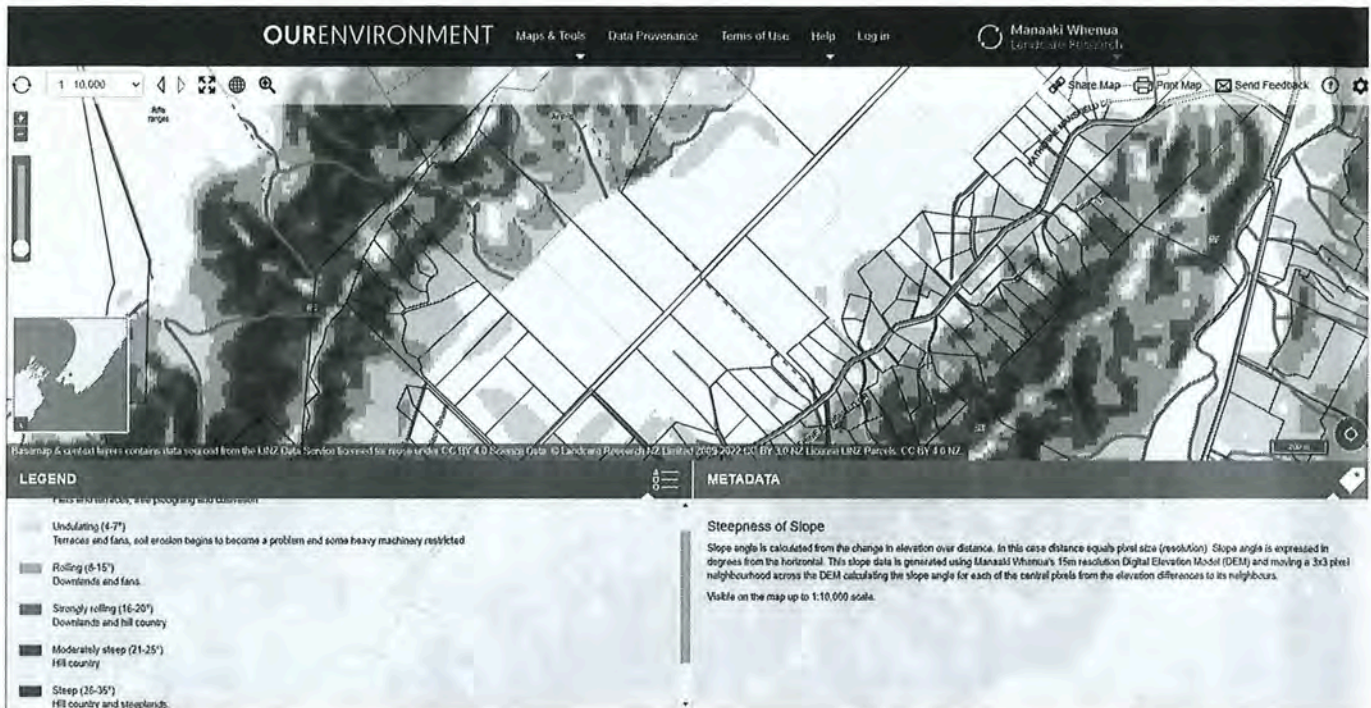
The high slope maps do not follow contour maps, property titles, Coffey's Appendix E – Lidar information on ground steepness, GNZ / Manaaki Whenua's slope definitions or soil types. Coffey's report doesn't explain how the red Hazard areas were established.

In creating a high slope hazard overlay, UHCC appears to be duplicating existing maps. By doing so, it may create legal liability for UHCC if the maps are inaccurate.

There are at least 4 different slope risk maps that cover Upper Hutt including a Land Use database from Manaaki Whenua, GWRC hazards map, PC47 and Ministry of the Environments erosion risk map. Rather than taking the risk on themselves, UHCC might prefer to adopt the Land Use database from Manaaki Whenua instead. it has 4 scales, low, medium, high, and very high risk based on soil samples and substrate type. it also looks at both the erosion and earthquake risk and is updated regularly.



[PC47 - Natural Hazards \(arcgis.com\)](#) showing both the high slope overlay and the underlying Lidar data



[Steepness of Slope » Maps » Our Environment \(scinfo.org.nz\)](#) showing a steepness of slope gradient

Decision requested – Adopt either the Manaaki Whenua Land Use slope risk or the Manaaki Whenua Land Steepness overlay to define the area for development earthworks assessment or revisit the Lidar based information provided by Coffey

**Use this if you don't think your land should be included in the maps**

**Primary Concern – The maps include my property**

My property is poorly represented by the current proposed slope hazard overlay/peatland overlay [delete one] The flatter part is in the overlay while the steeper part is outside of it.

Insert a paragraph here to explain why. For example, Philip is telling the Council:

Analytical viewing of the Coffey Lidar data, the Manaaki Whenua steepness with the high slope overlay shows that my property is misrepresented.

I feel the High Slope Risk map does not accurately represent the land I currently own

Decision requested – Please feel free to arrange to come and see my property.

-----

End of Submission



SUBMISSION 60

planning@uhcc.govt.nz

**Proposed Plan Change 47 - Natural Hazards**

**Name** WESTON HILL

**Address** 198a KATHERINE MANSFIELD DR.

**Suburb**

**City**

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

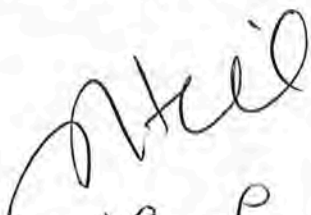
I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed

3<sup>rd</sup> November 2022

  
on behalf of Weston Hill.

-----

Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the **peatland map and/or the high slope map**, which directly affects my land. **(delete as appropriate – you can submit on both if you wish)**

### ***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and "protecting" peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other "sensitive soils" such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as "peatland" if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with

UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community's lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

### **Use this section if your primary concern is – Mangarua Peat Hazard maps / Zone**

#### **The peat maps include too much land**

Some members of the Mangarua Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangarua valley and peat. The document is in the Upper Hutt Library and is called "Soils of Mangarua-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangarua Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangarua Valley Soils](#)

### **Use this section if your primary concern is with the Hill slope Hazard maps / Zone**

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It is difficult to figure out how High Slope hazard areas were defined.

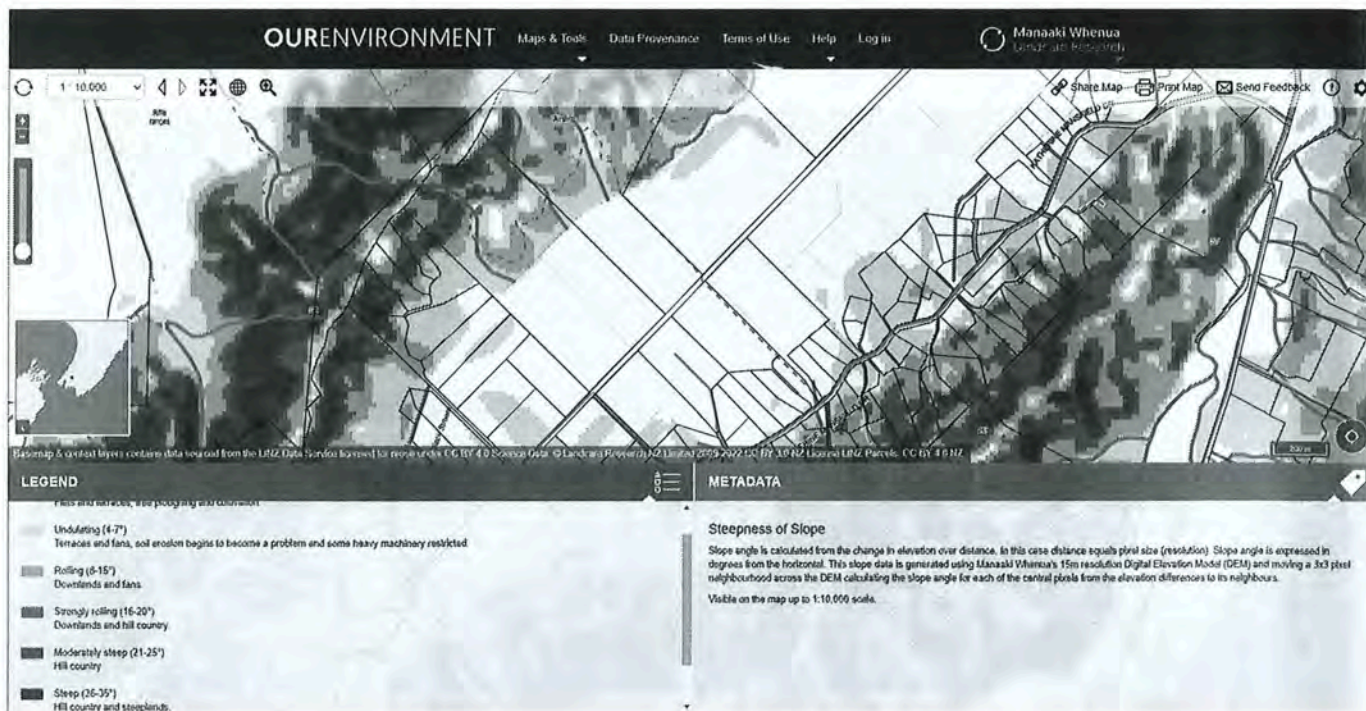
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[PC47 - Natural Hazards \(arcgis.com\)](#) showing both the high slope overlay and the underlying Lidar data



[Steepness of Slope » Maps » Our Environment \(scinfo.org.nz\)](#) showing a steepness of slope gradient

Decision requested – Adopt either the Manaaki Whenua Land Use slope risk or the Manaaki Whenua Land Steepness overlay to define the area for development earthworks assessment or revisit the Lidar based information provided by Coffey

**Use this if you don't think your land should be included in the maps**

**Primary Concern – The maps include my property**

My property is poorly represented by the current proposed slope hazard overlay/peatland overlay [delete one] The flatter part is in the overlay while the steeper part is outside of it.

Insert a paragraph here to explain why. For example, Philip is telling the Council:

Analytical viewing of the Coffey Lidar data, the Manaaki Whenua steepness with the high slope overlay shows that my property is misrepresented.

I feel the High Slope Risk map does not accurately represent the land I currently own

Decision requested – Please feel free to arrange to come and see my property.

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End of Submission



OFFICE USE ONLY

Submission number

61

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER

Mark Robbins

POSTAL ADDRESS OF SUBMITTER

1291 Akatarawa Road

RD 2 Upper Hutt 5372

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

n/a

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

n/a

CONTACT TELEPHONE

5266517

CONTACT EMAIL

snibbor.kram.48@gmail.com

I could gain an advantage in trade competition through this submission (please tick one ☑): yes  /  no

Only answer this question if you ticked 'yes' above:

I am  /  am not (tick one ☑) directly affected by an effect of the subject matter of the submission that:

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Plan Change 47 - Natural Hazards

High Slope hazard identification at  
1291 Akatarawa Rd.

I downloaded your interactive map of natural hazards - The high slope hazard shading is not accurate -

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

1. The shading on the map does not reflect the actual slope hazard.
2. U.H.C.C. has shaded many square metres of my land as high slope hazard when it is not -
3. The area most affected is the north-western corner of my property

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION, CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

1. Amendment of the high slope hazard to accurately reflect the actual situation  
- this may necessitate a site visit by UHCC officers -

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.  
 I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.  
 I do not wish to make a joint case.

Signature and date



7 November 2022

Signature of person making submission or person authorised to sign on behalf of person making submission:

SUBMISSION 62

planning@uhcc.govt.nz

**Proposed Plan Change 47 - Natural Hazards**

**Name Anna Brodie & Mark Leckie**

**Address 9 Ashton Warner Way,**

**Suburb Whitemans Valley**

**City Upper Hutt**

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed

3<sup>rd</sup> November 2022



Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the **peatland map** which directly affects my land.

### ***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

We acknowledge that UHCC need to ensure that subdivisions or additional buildings are consented. Peat is a soil type not a hazard and there are existing structures built within this existing peat boundary that meet UHCC existing consent process and built within the last 5 years.

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. For certain ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

- When a family subdivides their land to build a home for a family member, it creates a duplicative processes.
- UHCC already requires building platforms to be identified as a process requirement in building consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for building. That may mean a more streamlined approach for an additional dwelling ie for an elderly relative. In those cases, a single approach to an engineer is to be preferred to keep costs down.

### ***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and “protecting” peat-based soils and peat-based areas as carbon stores. The RPS change 1 document

asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other “sensitive soils” such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as “peatland” if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don’t work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no horses, goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn’t any real information about the peat on the peatland. The proposed peat map doesn’t differentiate whether you’ve got 2 cm or 2 m of peat and whether it’s 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation. This is not adjusted for all properties and does not reflect the terrain.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC’s submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City’s aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like Katherine Mansfield and surrounding areas(referred to as Managaroa Peatlands) and its surrounding hills.

We do not support the current UHCC’s hazard overlays to be released in their current form, it is not clearly identified as to why it is a hazard needing special resource process outside the current building consent and the overlay is generalised

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” instead of Mangaroa Peatlands Hazard or remove hazard from PC47 as it is unsubstantiated hazard

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the building consenting process if an area is considered to **possibly** contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk to feed into the building consent process with appropriate engineering report is required.

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community’s lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

## **The peat maps include too much land**

Some members of the Mangarua Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangarua valley and peat. The document is in the Upper Hutt Library and is called "Soils of Mangarua-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangarua Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangarua Valley Soils](#)

## **Primary Concern – The maps include my property**

My property is poorly represented by the current proposed peatland overlay. Includes area known to be clay or sloping or missed soil types with existing dwellings and flooding could be rectified with better maintenance of the waterways.

Decision requested – please review your map overlays with accurate topical evidence.

---

End of Submission

SUBMISSION 63

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Proposed Plan Change 47 - Natural Hazards**

Name Gregor + Stephanie Kempf

Address 3 Ashton Warner Way

Suburb RD 1

City Upper Hutt

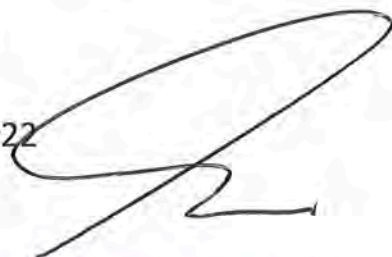
The following is my submission on Plan Change 47 - Natural Hazards (PC47).

- I do /  I do not wish to be heard by speaking in support of my submission.
- I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.
- I could /  I could not obtain any commercial advantage through this submission
- I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.
- I will /  I will not obtain any commercial advantage through the matters contained in my submission.
- I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed

3<sup>rd</sup> November 2022





Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the peatland map which directly affects my land.

### ***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

**Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.**

***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and "protecting" peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other "sensitive soils" such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as "peatland" if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with

UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

**Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones**

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

**Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk**

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community's lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

**Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.**

### **The peat maps include too much land**

Some members of the Mangaroa Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called "Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangaroa Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

**Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangaroa Valley Soils](#)**

### **Primary Concern – The maps include my property**

My property is poorly represented by the current proposed peatland overlay. The flatter part is in the overlay while the steeper part is outside of it.

My paddock was engineered to include drainage so does not show the vegetation other non engineered land does i.e. tussock etc. I have dug relatively deep holes on the land and no sign of peat more top soil than clay.

Decision requested – Please feel free to arrange to come and see my property.



End of Submission

SUBMISSION 64

planning@uhcc.govt.nz

**Proposed Plan Change 47 - Natural Hazards**

Name *Richard & Carol Dormer*  
Address *156 Kathrine Mansfield drive*  
Suburb *Whitemans Valley Rd1*  
City *Upper Hutt.*

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

- I do /  I do not wish to be heard by speaking in support of my submission.
- I would /  ~~I would not~~ consider presenting a joint case at the hearing with others who make a similar submission.
- I could /  I could not obtain any commercial advantage through this submission
- ?  I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.
- I will /  I will not obtain any commercial advantage through the matters contained in my submission.
- I ~~would~~ <sup>Have had</sup> /  ~~I would not like to have~~ Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed

3<sup>rd</sup> November 2022

*Richard & Carol Dormer.*

## Proposed Plan Change 47 - Natural Hazards

The opportunity to submit is both welcomed and appropriate with best outcomes resulting from dialog and understanding. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1.

### ***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is misguided and mischievous in my opinion, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the overlays as a planning process.

(see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented creating duplication.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, duplication increases cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

**Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.**

***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and "protecting" peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other "sensitive soils" such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as "peatland" if their aim is to protect the peat from disturbance.

The wetland use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

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Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with



UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland from GWRC's goals.

**Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones**

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This report shows that the land ~~is~~ on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Clay soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangaroa Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

**Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangaroa Valley Soils](#)**

I have some observations to make about the peatland map which directly affects my land.

In summary: I take great exception to the reference that my property is in any way a "HAZARD". Reference to a hazard is associated with danger to life and limb. Hazards of a property nature are fault lines, rivers and water ways, mature trees near dwellings, slips, fire to list a few. I fail to comprehend how degraded organic matter (peat) integrated with clay is in some way a danger to human wellbeing. I further wish to dispel the notion that peat is the equivalent of quick sand that may be depicted in some Indiana Jones movie devouring the hasty escapees.

The map of the peat overlay is of so little consequence to local government that a random definition in the KMD valley identifies ridiculous extremities into hills plus inaccuracies highlighted in previous text. Included with that is clay house sights such as ours. KMD drive is built on the peat according to mapping. We invited UHCC to walk our property and identify what constituted overlay and what was not. A measure of common sense prevailed with appropriate changes being made. My point being that no one is interested in the evidence until residents of KMD appropriately make objection and introduce common sense to this nonsensical extremism and vindictive attention to one sector of Upper Hutt's community.

I also object to any lien over our property without compensation for its perceived contribution to the planet, the retrospective easements implied, the misinformation and the disregarding of our rights as the lawful land owners and occupants.

Nothing has altered with the appropriate building requirements that already exist for any resident wanting to place a further dwelling on their property. No need for further hoops to jump and expense to incur and the inference we are a zone worthy of extra attention.

In the interest of letting Upper Hutt residents get on with their lives. I recommend the "Greatest Hazard" that of constant intimidation and attention by government bodies regarding KMD, Cease forthwith.

Richard & Carol Dormer.

156 KMD

OFFICE USE ONLY

Submission number **65**

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER

*Gavin Burgess*

POSTAL ADDRESS OF SUBMITTER

*85 Garnett Place, Riverstone Tce  
Upper Hutt*

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

*0274446650*

CONTACT EMAIL

*hegextra.co.nz*

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I am  /  am not (tick one ) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

PC 47 Natural Hazards.  
The Hazard line is incorrect.

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

That Hazard area over my lounge area  
and round about is not correct.  
This was cut and lowered from original ground,  
lower 1 meter.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

The Hazard line is lower to the bush  
line, and removed from lounge area where  
is this point.

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box ☑):

- I do wish to be heard in support of my submission.  
 I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ☑):

- I do wish to make a joint case.  
 I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE



DATE

4.11.2022

## SUBMISSION 66

planning@uhcc.govt.nz

### Proposed Plan Change 47 - Natural Hazards

Name Judith + Sandy Kauika-Stevens

Address 4 Margaret Mahy Drive

Suburb Whitemans Valley

City Upper Hutt

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed

3<sup>rd</sup> November 2022



Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the **peatland map and/or the high slope map**, which directly affects my land. **(delete as appropriate – you can submit on both if you wish)**

### ***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and "protecting" peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other "sensitive soils" such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as "peatland" if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with



UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community's lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

### **Use this section if your primary concern is – Mangarua Peat Hazard maps / Zone**

#### **The peat maps include too much land**

Some members of the Mangarua Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangarua valley and peat. The document is in the Upper Hutt Library and is called “Soils of Mangarua-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangarua Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangarua Valley Soils](#)

### **Use this section if your primary concern is with the Hill slope Hazard maps / Zone**

#### **How were High Slope maps created?**

It is difficult to figure out how High Slope hazard areas were defined.

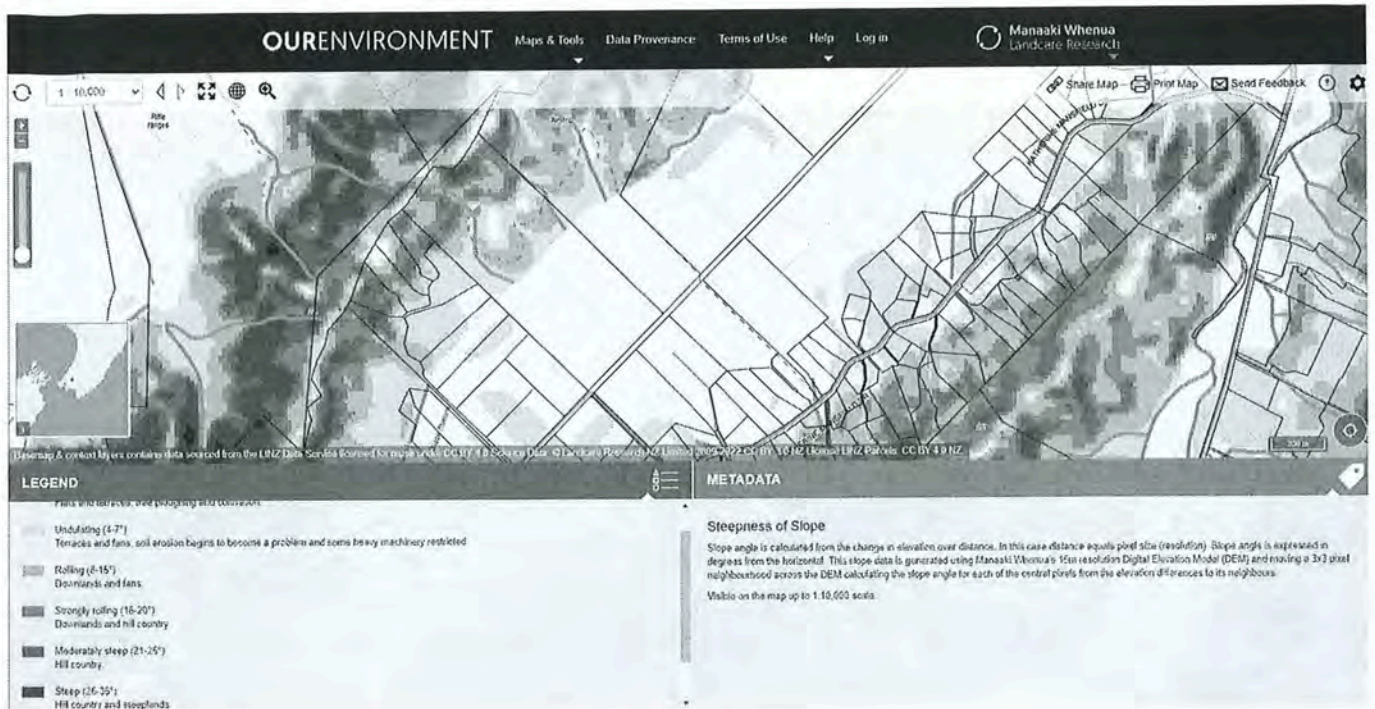
The high slope maps do not follow contour maps, property titles, Coffey's Appendix E – Lidar information on ground steepness, GNZ / Manaaki Whenua's slope definitions or soil types. Coffey's report doesn't explain how the red Hazard areas were established.

In creating a high slope hazard overlay, UHCC appears to be duplicating existing maps. By doing so, it may create legal liability for UHCC if the maps are inaccurate.

There are at least 4 different slope risk maps that cover Upper Hutt including a Land Use database from Manaaki Whenua, GWRC hazards map, PC47 and Ministry of the Environments erosion risk map. Rather than taking the risk on themselves, UHCC might prefer to adopt the Land Use database from Manaaki Whenua instead. it has 4 scales, low, medium, high, and very high risk based on soil samples and substrate type. it also looks at both the erosion and earthquake risk and is updated regularly.



[PC47 - Natural Hazards \(arcgis.com\)](#) showing both the high slope overlay and the underlying Lidar data



[Steepness of Slope » Maps » Our Environment \(scinfo.org.nz\)](#) showing a steepness of slope gradient

Decision requested – Adopt either the Manaaki Whenua Land Use slope risk or the Manaaki Whenua Land Steepness overlay to define the area for development earthworks assessment or revisit the Lidar based information provided by Coffey

**Use this if you don't think your land should be included in the maps**

**Primary Concern – The maps include my property**

My property is poorly represented by the current proposed slope hazard overlay/peatland overlay [delete one] The flatter part is in the overlay while the steeper part is outside of it.

Insert a paragraph here to explain why. For example, Philip is telling the Council:

Analytical viewing of the Coffey Lidar data, the Manaaki Whenua steepness with the high slope overlay shows that my property is misrepresented.

I feel the High Slope Risk map does not accurately represent the land I currently own

Decision requested – Please feel free to arrange to come and see my property.

End of Submission

SUBMISSION 67

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

## **Proposed Plan Change 47 - Natural Hazards**

**Philip Clegg**

**5 Margaret Mahy Drive**

**Blue Mountains**

**Upper Hutt**

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I wish to be heard by speaking in support of my submission.

I would consider presenting a joint case at the hearing with others who make a similar submission.

I will not obtain any commercial advantage through the matters contained in my submission.

I am happy to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Philip Clegg

3<sup>rd</sup> November 2022

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### **Some opening observations**

Thank you for the opportunity to make a submission.

We moved to Upper Hutt 3 years ago to build a better life for ourselves and children. This process saw us escape from the hustle and crowdedness of urban Auckland to build our dream home in the picturesque Whitemans Valley area.

We purchased a section from a developer based on a rough plan and a sales and purchase contract. During this time, we had 3 days to remotely decide if this was the place for us or not. We did do a great deal of due diligence and that included detailed research on the geology, underlying land structure and contours as well as building processes and land stabilisation possibilities. However, should the land have had the words Slope Hazard or Mangaroa Peatlands, we would not have completed our purchase.

In hindsight, we couldn't have been happier with our decision. Our temporary home in Brown Owl introduced us to the people and Council of Upper Hutt.

Just as we moved in, we were served papers from GWRC that threatened to kill our dream and destroy our life savings and home.

Through the following process we got to know more of the inner workings of Upper Hutt City Council and some of the people within it.

### ***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended outcomes***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted several areas of focus for the regional council. There is a great emphasis on retaining and "protecting" peat-based soils and peat based areas as carbon soaks under the guise of Climate Change. The RPS change 1 document mentioned Peat based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

The peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil. What that means is the rules need to allow for sensible assessment of risk and decisions need to stay with UHCC rather than going to GW, given their clear predetermination of the matter.

My belief is that GWRC will impose similar land use rules that currently apply in other "sensitive soils" or ecosystems to areas defined as "peatland" This would see harsh land use rules like the wetland and natural wetland land use restrictions imposed if they could easily define your land as having peat-based soils. These include no machinery, no large animals (sheep perhaps, but no goats, cows, or pigs). Setbacks of 15-50m for buildings and septic fields.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

This means that despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, Greater Wellington Regional Council now has a mapped overlay they can impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The peat maps are too large**

This is more an observation on the age of the data used to make the maps for the Mangaroa Peatlands zone.



With the recent court actions of GWRC vs Adams ors etc, many expert witnesses were called to discuss the land, soil, vegetation, and science about what is known about the Mangaroa end of the valleys.

What came from that was there has been very little study done into the peat extent or soils on the fringes of the Mangaroa Peatlands. The Landcare science and charts are all based on soil samples and estimations performed in the 1980's and take no account for the natural shrinkage of the peat over time.

The peat isn't a hard fixed line and soils blend into each different type. This means that on the edges, there will be a blend of peat and other soil types which will be suitable building platforms was explained to the court during the expert witness cross examination.

The map of the proposed peatlands seems based on an older GWRC definition which also included our build site that is on rock and well above the valley floor which the Geotech report defined as Wellington Greywacke bedrock.

What was discovered in the court case was the most accurate Peat boundary is using the only survey of soil types done in of the Mangaroa valley and peat. The document is housed in the Upper Hutt Library and is called "Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

This was a key part of the court case arguments as part of GWRC's case was the soil is peat therefore it must be wetland. However, the judges agreed with Dr Craig Ross that this report showed that the land in the North Valley Estate Subdivision was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. The soil types are recorded here: [ArcGIS - Mangaroa Valley Soils](#)

The GNS and GWRC maps of "peat" is a mix of both Peat based soils and a rim of Golans / Gely soil with a small peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay and does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay

**Decision requested – Amend the map to be the Peat defined in the Soil Bureau survey of the peatland and documented in this Overlay: [ArcGIS - Mangaroa Valley Soils](#)**

## **How were High Slope maps created?**

It is very difficult to figure out how High Slope hazard areas were defined.

The high slope maps do not follow contour maps, property titles, Coffey's Appendix E – Lidar information on ground steepness, GNZ / Manaaki Whenua's slope definitions or soil types.

Figuring out how the red Hazard soles were established is not documented in the Coffey report, rather it is commented that this is a smoothed area taken across the whole city to make it easier to see large zones where slip hazards may be.

Recent Geotech reports and subsequent engineering requirements for earth stabilisation and not included in the mapping. Neither is slope information prepared for Subdivision consents.

In our new rural hill-based subdivision, we have extensive Geotech reports performed, engineering done as part of our build process and an engineering sign off that the ground preparations were performed. These detail the large flat areas of our build pad and the engineered stable bluff sides.

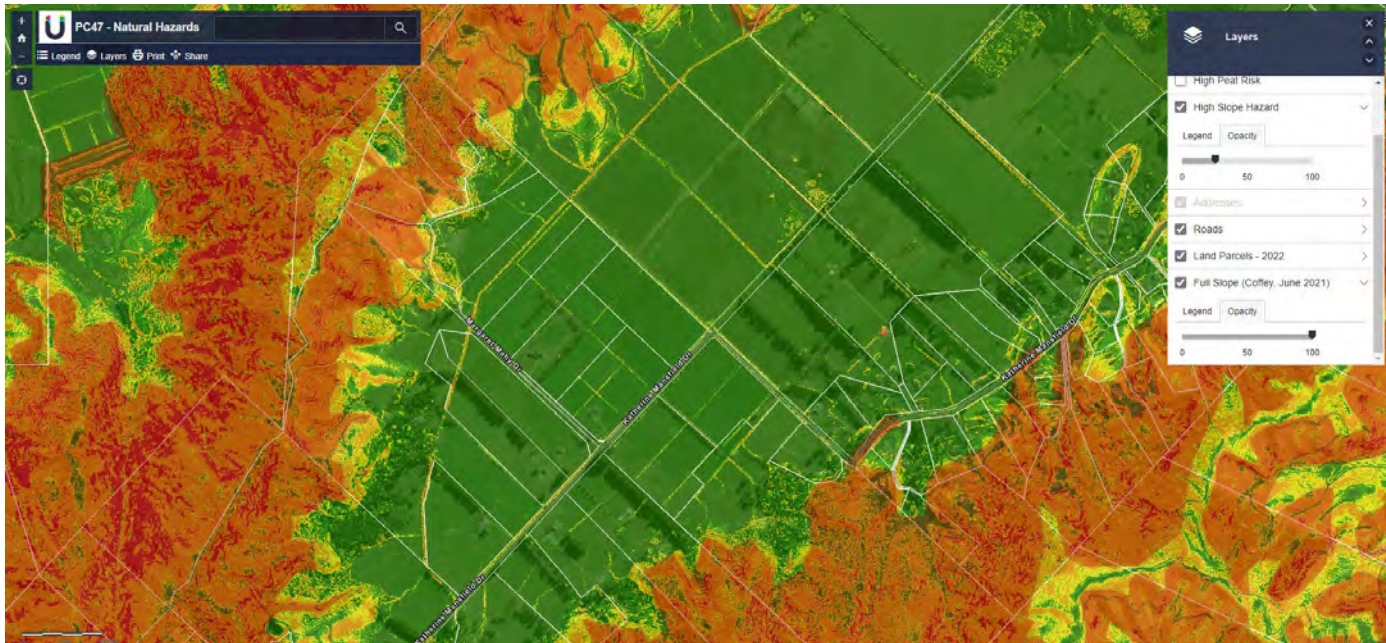
Your planning team and the building inspection team were regular visitors to our neighbour who has a section full of infill and gullies. They were initially concerned about the earthworks undertaken by my neighbour to our hillside bluff. On inspection, they informed me that they were happy as our entire hillside was rock based with almost no soil on top so was extremely stable.

This information is not reflected in the High Slope maps.

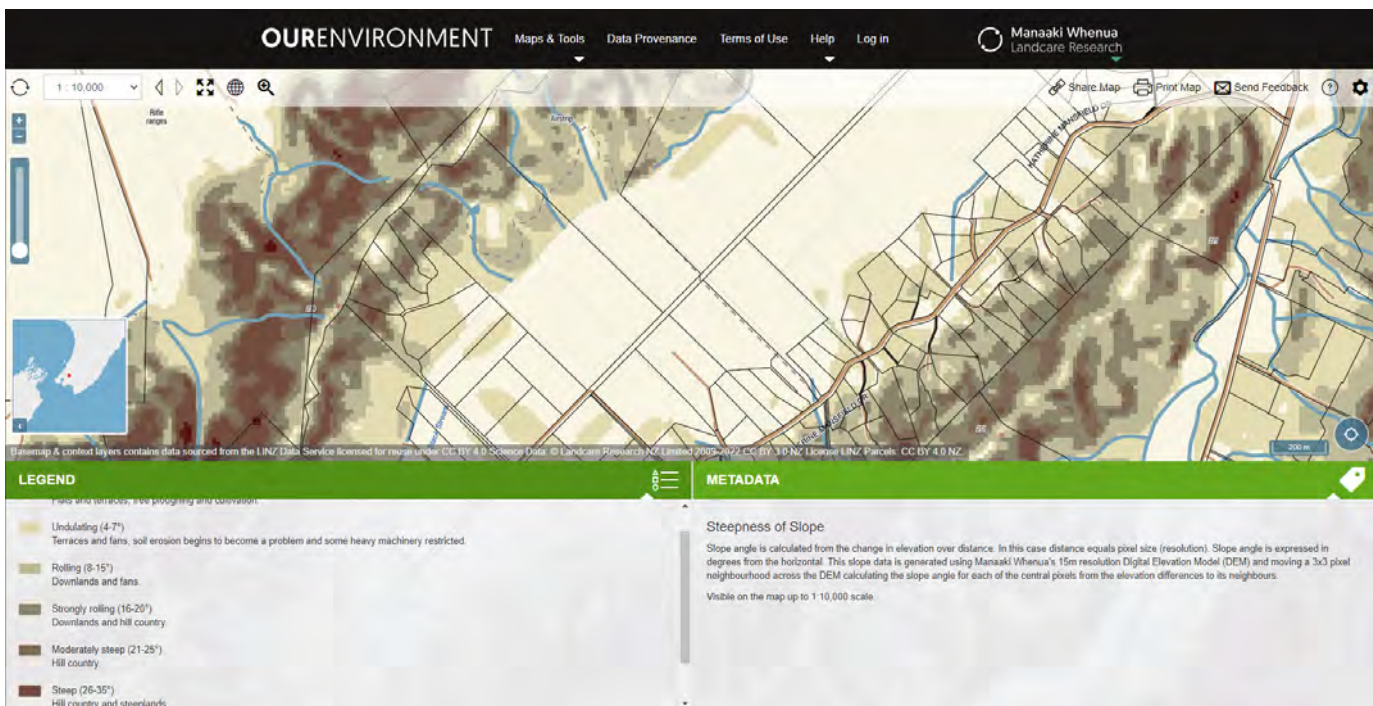
Looking around the neighbouring properties, large flat areas on ridge and bluff tops show on the Lidar images, are clearly visible, yet are shown as high slope risk areas despite them having sides less than 26Degrees in both the Lidar images and the Landcare NZ slope map overlays.

As a small side note, there are at least 4 different slope risk maps that cover Upper Hutt including a Land Use database from Manaaki Whenua, GWRC hazards map, PC47 and Ministry of the Environment's erosion risk map. Perhaps rather than take the risk on themselves, UHCC should adopt the Land Use database from Manaaki Whenua instead. It has 4 scales, low, medium, high, and very high risk based on soil samples and substrate type. It also looks at both the erosion and earthquake risk and is updated at every 2 years.

The Manaaki Whenua Steepness of Slope map includes a gradient of slopes including the desired 26% which will make mapping simpler as it is already predefined.



[PC47 - Natural Hazards \(arcgis.com\)](https://arcgis.com) showing both the high slope overlay and the underlying Lidar data



[Steepness of Slope » Maps » Our Environment \(scinfo.org.nz\)](https://scinfo.org.nz) showing a steepness of slope gradient

Decision requested – Adopt either the Manaaki Whenua Land Use slope risk or the Manaaki Whenua Land Steepness overlay to define the area for development earthworks assessment or revisit the Lidar based information provided by Coffey

My property is poorly represented by the current proposed slope hazard overlay. We are on a hill. However, the current proposed overlay is showing my 3000m<sup>2</sup> build pad that was bulldozed to be flat as a high slope risk. My lower “paddock” is split in half by the High slope Risk overlay. The flatter part is in the overlay while the steeper part is outside of it.

Half of my “top paddock” is at least as steep, if not more so than the sides of my hills and these are shown as not in the high slope risk.

Analytical viewing of the Coffey Lidar data, the Manaaki Whenua steepness with the high slope overlay shows that my property is misrepresented.

Decision requested – Please feel free to arrange to come and see my property and we can see the disparity between the overlay and the actual land on my property and those of my neighbours.

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End of Submission

# Submission 68

Plan Change 47- Natural Hazards.

Submission from Jeff and Noeline Berkett

We own and farm 300hectares at 528 & 748 Whitemans Valley. The majority of that 300ha is within the proposed new natural hazard overlay, what ever that means!

We disagree with the extent of the proposed “hazard areas”. Mainly because there is no evidence that soil and ground composition have been taken into account.

Over the last 6 months we have had almost 1200mls rain, very close to our annual average. However, there are no slips or subsidence, which one would expect if the land was a natural hazard area. Also, we have experienced several “noticeable” earthquakes during the “wet” period, surely we could expect subsidence if it were a vulnerable area.

We drive through Grays Road, Plimmerton , SH 59, and north Wairarapa from time to time and see lots of large, recently formed slips around those areas, but none locally. They have had lots of rain as we have, why aren't there lots of slips in our valley if our slopes are that instable

We bought the property at 528 Whitemans Valley in 2000, at that time the only grass was the flats and about 4ha on the north boundary. Over time we developed and cultivated about another 80ha. Clearing was done by digger and bulldozer, but all the cultivation and grass seeding was done by Jeff with a 4 wheel drive, rubber tyred tractor. That area is fertilised with a tractor and spreader once or twice a year, with no tractor slippage. The last application of fertiliser was 2 weeks ago, end of October. And you tell us it is prone to slippage!!

Before this Plan is discussed, there should be some study of soil and ground composition throughout the affected areas.

We wish to speak to our submission.

Jeff and Noeline Berkett,  
1 Whitemans Valley,  
RD1, Upper Hutt 5371 email [jrberkett@xtra.co.nz](mailto:jrberkett@xtra.co.nz)  
ph 5286933 (home)  
Jeff 0274445422  
Noeline 0274473593

**From:** [jrberkett](#)  
**To:** [UHCC Planning](#)  
**Subject:** RE: Submission Plan Change 47  
**Date:** Sunday, 6 November 2022 8:39:51 pm

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the answers are. 1) No 2) No, we will do our own case.

Thanking you, Jeff ad noeline Berkett

Sent from my Galaxy

----- Original message -----

**From:** UHCC Planning <UHCC.Planning@uhcc.govt.nz>  
**Date:** 6/11/22 5:08 pm (GMT+12:00)  
**To:** Noeline <JRBERkett@xtra.co.nz>, UHCC Planning <UHCC.Planning@uhcc.govt.nz>  
**Subject:** RE: Submission Plan Change 47

Hi Noeline and Jeff,

Thank you for your submission, I confirm we have received this.

For submissions to be accepted they are required to be completed on a Form 5, however if could please just answer the following questions (yes or no) I can add these to your submission:

1. Could you gain an advantage in trade competition through this submission?
2. Please indicate whether you wish to make a joint case at the hearing if others make a similar submission.

Regards,  
Hayley

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**From:** Noeline <JRBERkett@xtra.co.nz>  
**Sent:** Thursday, 3 November 2022 2:57 pm  
**To:** UHCC Planning <UHCC.Planning@uhcc.govt.nz>  
**Subject:** Submission Plan Change 47

SUBMISSION 69

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Proposed Plan Change 47 - Natural Hazards**

**Name Nicole & Dave Tyson**

**Address 16 Ashton Warner Way,**

**Suburb Whitemans Valley**

**City Upper Hutt**

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed

3<sup>rd</sup> November 2022

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Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the **peatland map** which directly affects my land.

### ***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

We acknowledge that UHCC need to ensure that subdivisions or additional buildings are consented. Peat is a soil type not a hazard and there are existing structures built within this existing peat boundary that meet UHCC existing consent process and built within the last 5 years.

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. For certain ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

- When a family subdivides their land to build a home for a family member, it creates a duplicative processes.
- UHCC already requires building platforms to be identified as a process requirement in building consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for building. That may mean a more streamlined approach for an additional dwelling ie for an elderly relative. In those cases, a single approach to an engineer is to be preferred to keep costs down.

### ***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and “protecting”



peat-based soils and peat-based areas as carbon stores. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other “sensitive soils” such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as “peatland” if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don’t work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no horses, goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn’t any real information about the peat on the peatland. The proposed peat map doesn’t differentiate whether you’ve got 2 cm or 2 m of peat and whether it’s 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation. This is not adjusted for all properties and does not reflect the terrain.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC’s submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City’s aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like Katherine Mansfield and surrounding areas(referred to as Managaroa Peatlands) and its surrounding hills.

We do not support the current UHCC’s hazard overlays to be released in their current form, it is not clearly identified as to why it is a hazard needing special resource process outside the current building consent and the overlay is generalised

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” instead of Mangaroa Peatlands Hazard or remove hazard from PC47 as it is unsubstantiated hazard

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the building consenting process if an area is considered to **possibly** contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk to feed into the building consent process with appropriate engineering report is required.

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground trothed and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community’s lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

## **The peat maps include too much land**

Some members of the Mangaroa Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called "Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangaroa Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangaroa Valley Soils](#)

## **Primary Concern – The maps include my property**

My property is poorly represented by the current proposed peatland overlay. Includes area known to be clay or sloping or missed soil types with existing dwellings and flooding could be rectified with better maintenance of the waterways.

Decision requested – please review your map overlays with accurate topical evidence.

---

End of Submission

SUBMISSION 70

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Proposed Plan Change 47 - Natural Hazards**

**Name : Roger O'Brien**

**Address : 110 Katherine Mansfield Drive**

**Suburb RD1, Whitemans Valley**

**City : Upper Hutt 5371**

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

- I do wish to be heard by speaking in support of my submission.
- I would not consider presenting a joint case at the hearing with others who make a similar submission.
- I could not obtain any commercial advantage through this submission
- I am directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.
- I will not obtain any commercial advantage through the matters contained in my submission.
- I would like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed

3<sup>rd</sup> November 2022

Dr. Roger O'Brien

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I would like to open this note by discussing what Peat is, and some general properties. I consider that the use of emotionally charged language such as 'hazardous' and 'high risk' misrepresent what peat means in practical terms, and place an unnecessary bias on how it is discussed. Furthermore the use of such terminology is highly prejudicial, and can lead to unintended consequences, such as the ability of land owners to obtain insurance at reasonable rates.

## PEAT

Peat is an organic soil derived from leafy and other plant detritus that accumulates over time, and is then compacted and modified by bacteria. It can be overlain by other soil types, such as volcanic ash or silts. Over extended time periods (> centuries) it can be compacted further by burial due to tectonic action and as it is heated it will convert to coals of various types.

As the organic matter is laid down it captures carbon from the plant matter but it also emits various gases in the process until bacterial action slows. Peat fields in large concentrations generate light hydrocarbons such as methane and waxes. An example is the Chatham Islands, which hold one of the largest known deposits in New Zealand.

The nature of the fibrous material that makes up leaves etc, means that as the peat is formed it becomes an entangled mat and behaves in a similar fashion to a blanket. Water does drain through peat but it becomes acidic and coloured brown by tannins. That water would not be described as potable any more than sea water.

In a soil layer system such as on the edge of Katherine Mansfield Drive, the peat lies on a layer of blue/grey clay and that in turn lies on a layer of gravels, all laid down naturally.

Recent geo-engineering work on my property, to design foundations for a house, has indicated that none of the porous layers are water charged. Water does, of course, drain through surface layers and they have a variable water content as a result.

The various references to peat in Plan Change 47, also confer the titles 'Hazardous' and 'High Risk' to what is a benign soil material.

It would be preferable to delete such terminology as it gives a false impression of the real properties.

Peat is neither hazardous from a 'liquefaction' perspective or a foundation design viewpoint.

Liquefaction requires there to be an over pressured water bearing zone that can stir up material and let it settle, with the water rising to the surface. There are no known such water layers down to at least 7 metres, and probably deeper. Surface water disperses by drainage laterally. The clay prevents it getting deeper. Peat is not subject to liquefaction.

The term 'high risk' applied to the peat is extremely misleading. If the intention is to say there is high likelihood of peat being present, then the wording should be changed to say so.

Peat soil requires a sensible design approach to any building foundation. The Building Consent process covers this. The UHCC currently seems to require that this approval also applies to the sub-division application too.

There is no need to add a third layer of expense by requiring a Resource consent unless the intention is to make sure all applications will be refused....

In summary, peat only captures carbon as it is being laid down, and then releases some back to the atmosphere by biological action as it is consolidated.

The terms 'hazardous' and 'risk' used in the discussion paper are emotionally charged and very misleading and should be changed to what they mean. Restoration is another vague and misleading term as there is no definitive means of establishing a base-case.

Peat is really only hazardous if it catches fire, another reason why mowing long grass is an essential activity for people who live on, or near peat fields.

The best way to protect peat is to cover it. Houses do that quite well....

Other comments include that the 'peat extent' map, originating from GNS, being circulated as definitive is incorrect.

110 KMD is built on a clay/rotten rock spur but the map indicates is as being overlaid by peat. It looks likely that the map may have been constructed by tracing around levels without any inspection to see if that was correct.

Apparently the road of KMD is also built on peat which is instantly disproved by looking at the drains either side of it.

**Continuing, I support the submission attached below for completeness.**

Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the **peatland map and/or the high slope map**, which directly affects my land.

### ***PC47 s one-size-fits-all approach won t work for all subdivisions - or for the Mangaroa Peatland***

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

### ***The names of the proposed zones are also defined in GWRC s RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and “protecting” peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other “sensitive soils” such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as “peatland” if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possible contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance



with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community’s lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

### **The peat maps include too much land**

Some members of the Mangaroa Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called “Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangaroa Valley Soils.](#)

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangaroa Valley Soils](#)

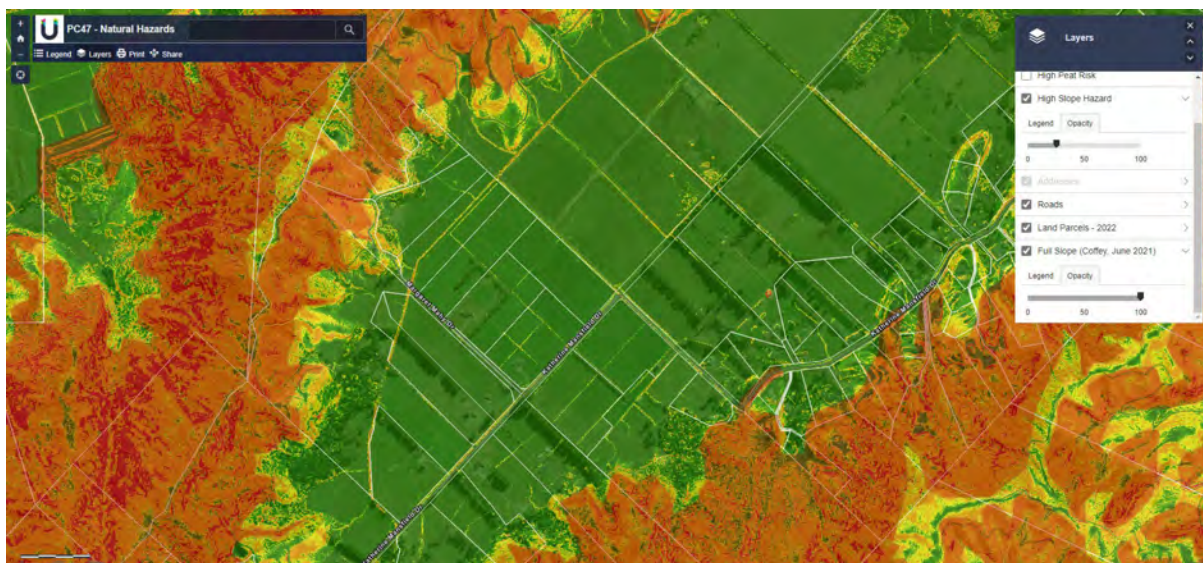
## How were High Slope maps created?

It is difficult to figure out how High Slope hazard areas were defined.

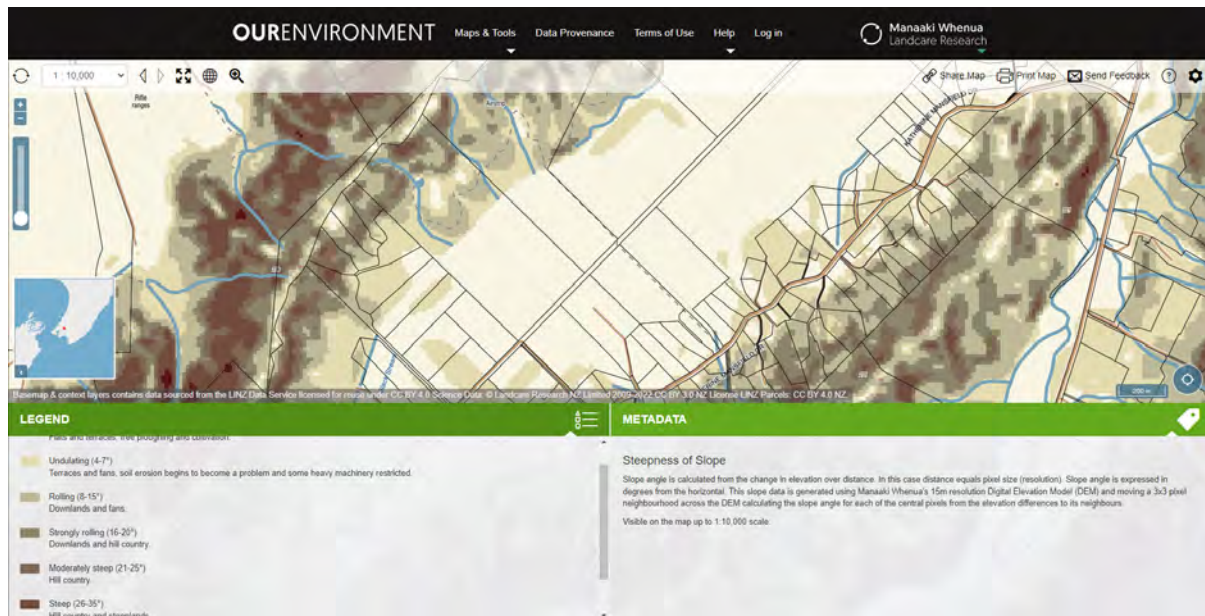
The high slope maps do not follow contour maps, property titles, Coffey's Appendix E – Lidar information on ground steepness, GNZ / Manaaki Whenua's slope definitions or soil types. Coffey's report doesn't explain how the red Hazard areas were established.

In creating a high slope hazard overlay, UHCC appears to be duplicating existing maps. By doing so, it may create legal liability for UHCC if the maps are inaccurate.

There are at least 4 different slope risk maps that cover Upper Hutt including a Land Use database from Manaaki Whenua, GWRC hazards map, PC47 and Ministry of the Environments erosion risk map. Rather than taking the risk on themselves, UHCC might prefer to adopt the Land Use database from Manaaki Whenua instead. it has 4 scales, low, medium, high, and very high risk based on soil samples and substrate type. it also looks at both the erosion and earthquake risk and is updated regularly.



[PC47 - Natural Hazards \(arcgis.com\)](https://arcgis.com) showing both the high slope overlay and the underlying Lidar data



[Steepness of Slope » Maps » Our Environment \(scinfo.org.nz\)](https://scinfo.org.nz) showing a steepness of slope gradient

Decision requested – Adopt either the Manaaki Whenua Land Use slope risk or the Manaaki Whenua Land Steepness overlay to define the area for development earthworks assessment or revisit the Lidar based information provided by Coffey

**Primary Concern – The maps include my property**

My property is poorly represented by the current proposed peatland overlay.

Decision requested – Please feel free to arrange to come and see my property.

---

End of Submission

# SUBMISSION 71

## Proposed Plan Change 47 - Natural Hazards

Name Paul Dyson

Address 74A Katherine Mansfield Drive

Suburb Whitemans Valley

City Upper Hutt

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

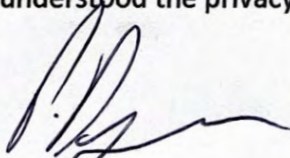
I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed



3<sup>rd</sup> November 2022

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Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and "protecting" peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other "sensitive soils" such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as "peatland" if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community's lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance

risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

### **The peat maps include too much land**

Some members of the Mangaroa Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of GWRC *vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called "Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangaroa Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangaroa Valley Soils](#)



## SUBMISSION 72

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MikeP just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Mike Philpott

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**Postal address of submitter:**

4 Morepork Close, Brown Owl

---

**Email address:**

4philpotts@gmail.com

---

**Telephone number:**

0211909948

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

The current Hazard Slip zone markings.

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**My submission is that:**

Please note that I am seeking to have an amendment to the current Natural Hazards slip zone marking. The current marked hazard slip zone as marked on the map cuts directly through my dwelling which is built on flat land. With the current markings on the map 90 % of my dwelling is currently marked in the red zone. There is a bank in the Shanley Street property overlooking my dwelling but the rear of my section is terraced and flat. If the map could be redrawn this would be appreciated.

---

**I seek the following decision from the local authority:**

Please correct the current hazard slip zone map surrounding 4 Morepork Close, Brown Owl

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**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

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# Submission 73

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

## Proposed Plan Change 47 - Natural Hazards

**Name Sarah Kerkin & Paul Dansted**

**Postal address 79 Hill Road, Belmont, Lower Hutt, 5010**

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

  
Paul Dansted (Nov 3, 2022 19:53 GMT+13)  
Sarah Kerkin (Nov 3, 2022 19:53 GMT+13)

Signed

3<sup>rd</sup> November 2022

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Thank you for the opportunity to make a submission on Proposed Change 47. We own land on the Mangaroa Peatland and are directly included in the peatland hazard overlay. Our experience in regulation gives us some sympathy for UHCC's purposes in developing the PC47. That said, our bruising experience with Greater Wellington Regional Council since buying our land has made us alert to the potential for unintended consequences. We think the potential for unintended consequences and scope creep with the hazard overlays is significant, given that GWRC has already signalled it wants to use them in the Regional Policy Statement proposed change 1. We have some suggestions for how UHCC might avoid those unintended consequences.

We also have some observations to make about the peatland map, which directly affects our land.

### ***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

The goal of PC47 seems to be to ensure that subdivisions are consented with viable building platforms. That's a worthy goal, and one we can agree with.

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. They are soil types that need special treatment, but are not necessarily hazardous in and of themselves. This might seem like semantics, but given GWRC's desire to see the Peatland depopulated, flooded, and restored to a functioning peatland, calling peat hazardous is highly likely to play into GWRC's hands and result in regional-level planning statements and rules that drive that agenda.

Rather than defining peat as a hazard, it would be better to call things by their proper names. It seems to us that the hazard overlays are really tools in a planning process, to help ensure that the right considerations are taken into account (see the next point, which discusses this further).

We note that PC 47 may create some duplicative requirements for small, family-based subdivisions. PC47 seems to assume that the subdivision resource consent and building consents will be lodged by different people. That is true in subdivisions like ours, and PC47 process makes sense: it gave us confidence to buy knowing that thought had been given to a building platform. However, if a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building. Ideally, a pragmatic approach could be taken so that subdivisions adding a single dwelling could use a single engineer's report to identify the building platform and design the foundations.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That

may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of GWRC's Regional Policy Statement proposed change 1 has highlighted that the GWRC is intent on retaining and "protecting" peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other "sensitive soils" such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as "peatland" if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, limited types of animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use on the lifestyle blocks in the area, but with little environmental gain given that much of the peatland is not also functioning natural wetland.

Compounding this situation is a lack of up-to-date, ground-truthed information about the peat on the peatland. The proposed peat overlay doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given our experience to date, including with the recent litigation, we seriously distrust GWRC's motives in making these amendments and using the hazard

overlays once they are available. We know there is considerable disquiet amongst the Mangaroa Peatland community in this regard.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good.

In our view, the best protection is for the overlays to be named for what they are – planning zones requiring specific information. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with UHCC. That can be done by ensuring that the Mangaroa Peatlands and slope hazards are not high risk matters (see next issue). Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of matters relating to the Mangaroa Peatland.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have three categories for each hazard, No risk, some risk, and High risk. Classify the Mangaroa Peatlands and High slope zone as some risk.

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the Peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community's lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

### **The peat maps include too much land**

Some members of the Mangaroa Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called "Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat.

[ArcGIS - Mangaroa Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangaroa Valley Soils](#)

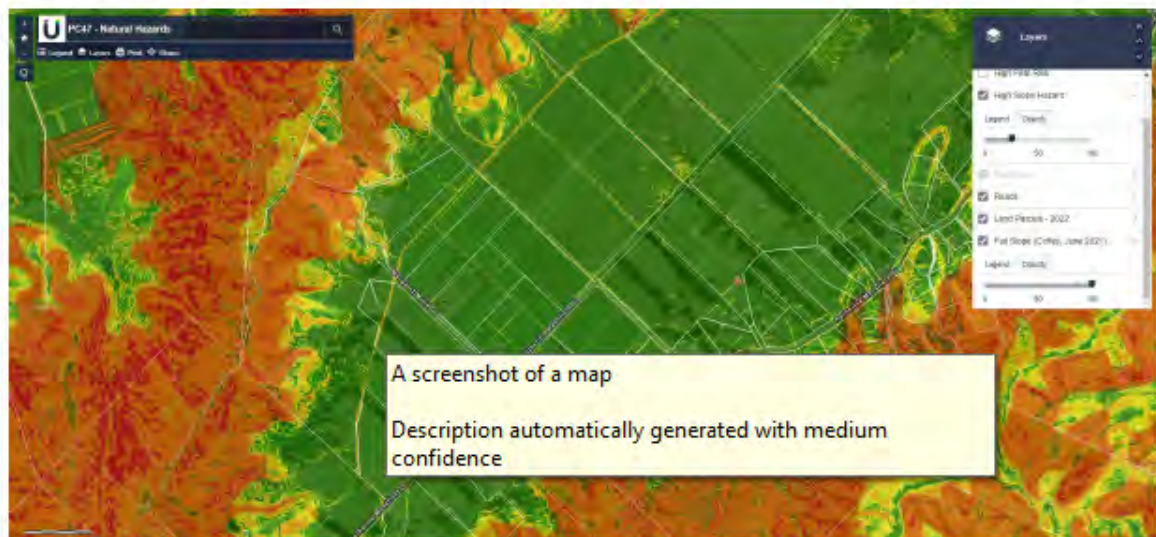
## How were High Slope maps created?

It is difficult to figure out how High Slope hazard areas were defined.

The high slope maps do not follow contour maps, property titles, Coffey's Appendix E – Lidar information on ground steepness, GNZ / Manaaki Whenua's slope definitions or soil types. Coffey's report doesn't explain how the red Hazard areas were established.

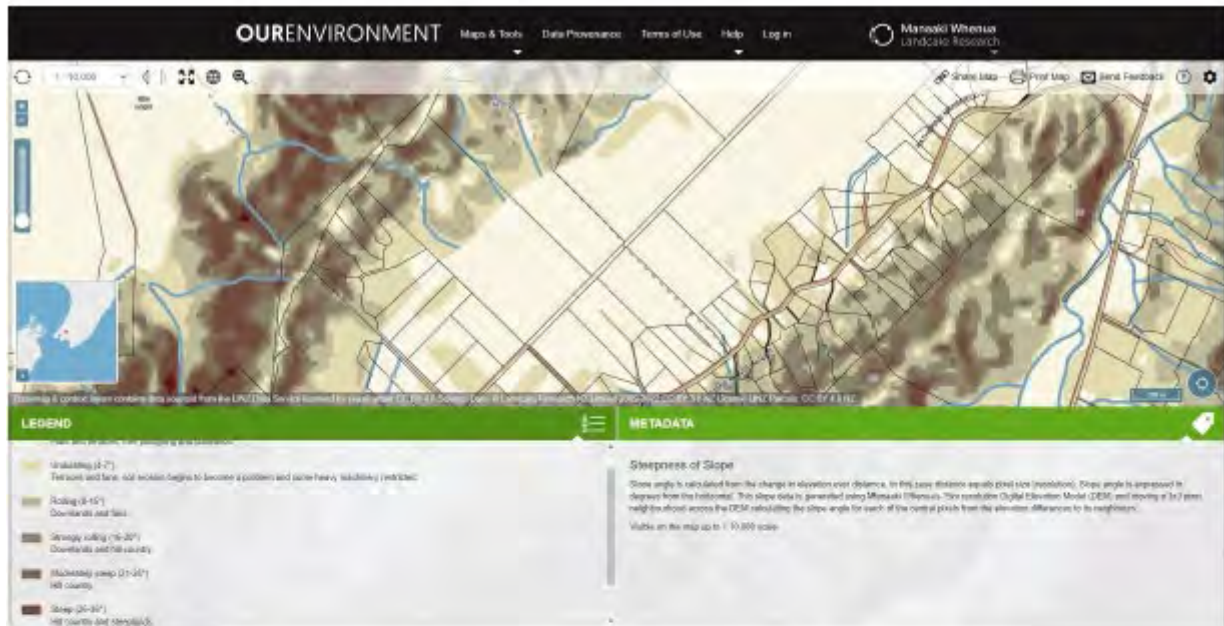
In creating a high slope hazard overlay, UHCC appears to be duplicating existing maps. By doing so, it may create legal liability for UHCC if the maps are inaccurate.

There are at least 4 different slope risk maps that cover Upper Hutt including a Land Use database from Manaaki Whenua, GWRC hazards map, PC47 and Ministry of the Environments erosion risk map. Rather than taking the risk on themselves, UHCC might prefer to adopt the Land Use database from Manaaki Whenua instead. it has 4 scales, low, medium, high, and very high risk based on soil samples and substrate type. it also looks at both the erosion and earthquake risk and is updated regularly.



[PC47 - Natural Hazards \(arcgis.com\)](#) showing both the high slope overlay and the underlying Lidar data





[Steepness of Slope » Maps » Our Environment \(scinfo.org.nz\)](#) showing a steepness of slope gradient

Decision requested – Adopt either the Manaaki Whenua Land Use slope risk or the Manaaki Whenua Land Steepness overlay to define the area for development earthworks assessment or revisit the Lidar based information provided by Coffey

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End of Submission

## SUBMISSION 74

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Paul Lunn just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Paul Lunn

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**Postal address of submitter:**

5 Valley view way, Timberlea, Upper Hutt

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**Email address:**

prlunn@gmail.com

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**Telephone number:**

0275091150

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**Could you gain an advantage in trade competition through this submission?**

No

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Plan change 47 - natural Hazards

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**My submission is that:**

I wish to have amendments made to the high slope hazard that affects my property in part. Our dwelling and the land that it occupies would be partially affected by this change and I do not believe our property is situated in the high slope hazard area. The red layered lines appear to be a bit hit and miss and I would like more evidence to suggest that our property should be included as it currently is. We have not suffered any slippage in the 10 years that we have lived here. Our house has several piles down to rock and this has been professionally engineered at the time of building.

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**I seek the following decision from the local authority:**

I would like our property at 5 valley view way to be excluded from the proposed high slope risk area.

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**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

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**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do wish to make a joint case.

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## SUBMISSION 75

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Calmini just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

adam pawlak

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**Postal address of submitter:**

1195 omanawa road, Tauranga

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**Email address:**

safpolltd@gmail.com

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**Telephone number:**

0210567736

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**Could you gain an advantage in trade competition through this submission?**

No

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Plan Change 47 - Natural Hazard, All earthworks for building platforms for identified Hazard Sensitive Activities would need resource consent in the High Slope Hazard Overlay.

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**My submission is that:**

Don't support proposed rules in there current form regarding All earthworks for building platforms for identified Hazard Sensitive Activities would need resource consent in the High Slope Hazard Overlay. 1) The overlay is highly in accurate, it is rather a blanket mark over a vast number of properties & captures areas of properties that have area less than 26deg, slopes greater than 26deg are considered slope hazard. 2) I have a approved subdivision and was required to get a geotech report because of the proposed hazard overlays, it was conclude by the engineer that the mapping is not accurate and The Coffey report does not take into account ridge line which are suitable to be built on 3) There was a cost analysis report done that concluded it would only effect about 30 properties, I don't see how this is possible as the overlay as they are covers hundreds of property's and the way the proposed rules are worded, anyone wanting a granny flat or accommodation unit or larger extension to a dwelling etc, which may need to do minimal earthworks will now

have to get a geotech report and go through the resource consent application it was mention that the harzard overlay only effects a small part of upper hutts land area. while this is correct it effects more of the city's zoned land as the other area are public and regional council forest that are highly unlikely to be built on 4) The existing earth works standards provided for in the district plan are minimal eg cut and fill heights 5) building consent officers now want to place section-72-notifications-on-a-certificate-of-title as they are going off in accurate mapping overlay, if a hazard can be mitaged then there is know need for a section 72 notice as per legislation or look at <https://www.aucklandcouncil.govt.nz/building-and-consents/Documents/ac2229-building-on-land-subject-to-natural-hazards.pdf>

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**I seek the following decision from the local authority:**

1) council is to accurately map properties or inspect proposed build sites so area that are less than the propsed 26deg slope hazard are excluded from the draft mapping rather than the blanket mapping that is happening now. or go off existing geotech reports so there is no reduplication occurring requireing new owners to prove that the propsed earthworks are not on a slope hazard 2) existing earthworks standards are minimal, if are to incl to build on slopes greater than 26deg (Cut off for earth works is 28degs under currret plan) then fine but is it would be more suitable for the owner to provide a geotech report covering proposed earthworks if they meet the permitted standard, earthworks rules already provide for earthworks not on a slope of greater than 28degs requires a resource consent, The proposed slope hazard to match 28degs in existing earthworks rules (what effect will 2degs create) as consultant do not provide the reports in a timely manner to applicants / owners . 3) existing earthworks standards retained, if the mapping is done accurately then owners will be able to see where they can do earthworks and where they will require a resource consent,

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**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

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**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do wish to make a joint case.

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SUBMISSION 76

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Proposed Plan Change 47 - Natural Hazards**

**Name** Heather Mckay

**Email:** [heather.mckay.nz@gmail.co.nz](mailto:heather.mckay.nz@gmail.co.nz)

**Address** 198c Katherine Mansfield Drive

**Suburb** Whitemans Valley

**City** Upper Hutt

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed

3<sup>rd</sup> November 2022

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Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the **peatland map** which directly affects my land.

### ***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and "protecting" peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other "sensitive soils" such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as "peatland" if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or



community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC’s clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC’s goals.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions

about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community's lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

### – Mangaroa Peat Hazard maps / Zone

#### **The peat maps include too much land**

Some members of the Mangaroa Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called "Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangaroa Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

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I would like like to add that according to you map our house on build on peat  
which it is not our house is on a clay type mound

End of Submission

SUBMISSION 77

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Proposed Plan Change 47 - Natural Hazards**

**Name** [Colin Hawes](#)

**Email:** [colin.hawes.nz@gmail.co.nz](mailto:colin.hawes.nz@gmail.co.nz)

**Address** [198c Katherine Mansfield Drive](#)

**Suburb** [Whitemans Valley](#)

**City** [Upper Hutt](#)

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

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I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

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3<sup>rd</sup> November 2022

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The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was

discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community's lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

### – Mangaroa Peat Hazard maps / Zone

#### The peat maps include too much land

Some members of the Mangaroa Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called "Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangaroa Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangaroa Valley Soils](#)

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I would like like to add that according to you map our house on build on peat  
which it is not our house is on a clay type mound

End of Submission

## SUBMISSION 78

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stever just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

steven robertson

---

**Postal address of submitter:**

6a chatsworth road silverstream

---

**Address for service (if different from above)**

No Answer

---

**Email address:**

strob1968@aol.com

---

**Telephone number:**

045285019

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

High Slope Natural Hazards

---

**My submission is that:**

NH-P6 requires geotechnical assessments but the only references to this policy in the rules (NH-R5 and NH-R6) are limited to building platforms. I believe that that is too narrow a scope as significant earthworks could occur without a building platform being put in. For example digging out part of a slope for a driveway to allow access to a back section across a high slope area could have an adverse impact on the slope itself and thus an assessment ought to be obtained before work is done. Another example would be if a significant number of trees are totally removed (i.e. dug out by the roots rather than simply being chainsawed and the stumps left in place).

---

**I seek the following decision from the local authority:**

Add or amend the proposed rules to require a geotechnical assessment for significant earthworks rather than just those earthworks related to building platforms.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do wish to make a joint case.

---

## SUBMISSION 79

---

Known as Heather just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Heather Blissett

---

**Postal address of submitter:**

c/- 2 Gybe Place, Whitby

---

**Address for service (if different from above)**

No fixed abode Upper Hutt

---

**Email address:**

outdoorblissupperhutt@gmail.com

---

**Telephone number:**

0273515211

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**If you answered yes to the above, please choose one of the following options:**

I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Preferred Terminology. Examples provided..

---

**My submission is that:**

First and foremost I would like to suggest a change of the wording 'Natural Hazard' as it puts the environment in a deficit position. I recommend a change to "Environmental Assets

affecting people” or “Human Hazards affecting Environmental Assets.” They are a hazard to people not to herself (Papatūānuku). Page 3 and elsewhere Change ‘management of natural hazards’ to protection of ‘Environmental Assets affecting people’. Page 3 1.1 (4) The proposed Plan Change framework for natural hazards Environmental Assets affecting people seeks to manage the significant natural hazard Environmental Assets affecting people risks associated with the following natural hazards Environmental Assets affecting people while protecting Papatūānuku from risk from human hazards. Page 4 (2 (9) 6h Councils are now obligated to recognise and provide for the management protection of Environmental assets affecting people of the significant risks of natural hazards. Page 5 and elsewhere Replace the word ‘climate change’ with human induced climate destruction Let’s start owning it. Page 5 (101) 1a (a) there is a significant risk from natural hazards; or..... (b) (include) there is significant risk to the natural environment

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**I seek the following decision from the local authority:**

Using terminology that demonstrates that we are living with the whenua and not in opposition to with Papatuanuku already being the enemy.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---

SUBMISSION 80

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Proposed Plan Change 47 - Natural Hazards**

**Scott and Nicola Whitman**

**9 Margaret Mahy Drive**

**Blue Mountains (Whitemans Valley)**

**Upper Hutt**

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do not wish to be heard by speaking in support of my submission.

I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could not obtain any commercial advantage through this submission

I am directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

I will not obtain any commercial advantage through the matters contained in my submission.

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed

4th November 2022

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Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional

Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the maps directly affects my land.

### ***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

### ***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and “protecting” peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and

restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other “sensitive soils” such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as “peatland” if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don’t work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn’t any real information about the peat on the peatland. The proposed peat map doesn’t differentiate whether you’ve got 2 cm or 2 m of peat and whether it’s 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC’s submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City’s aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community’s experience to date, and the recent litigation, the community distrusts GWRC’s motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC’s hazard overlays to be released in their current form if they can be used to achieve GWRC’s goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC’s clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC’s goals.



Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

## **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

## **How were High Slope maps created?**

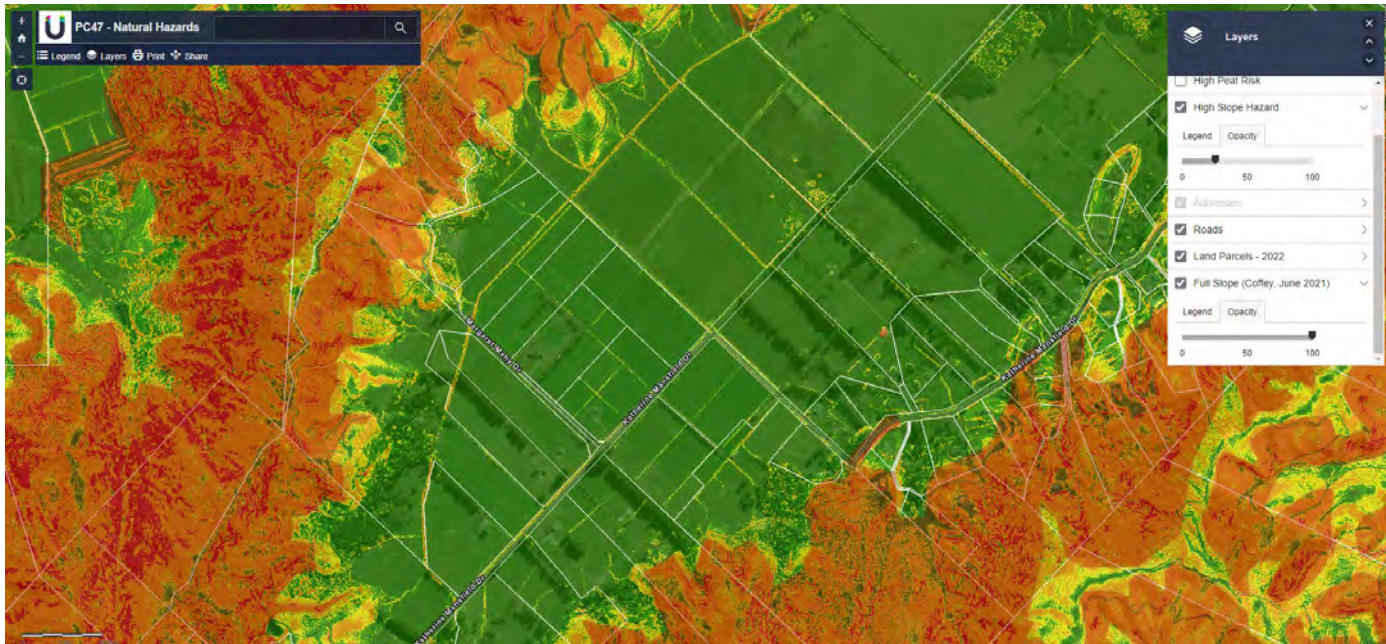
It is difficult to figure out how High Slope hazard areas were defined.

The high slope maps do not follow contour maps, property titles, Coffey’s Appendix E – Lidar information on ground steepness, GNZ / Manaaki Whenua’s slope definitions or soil types. Coffey’s report doesn’t explain how the red Hazard areas were established.

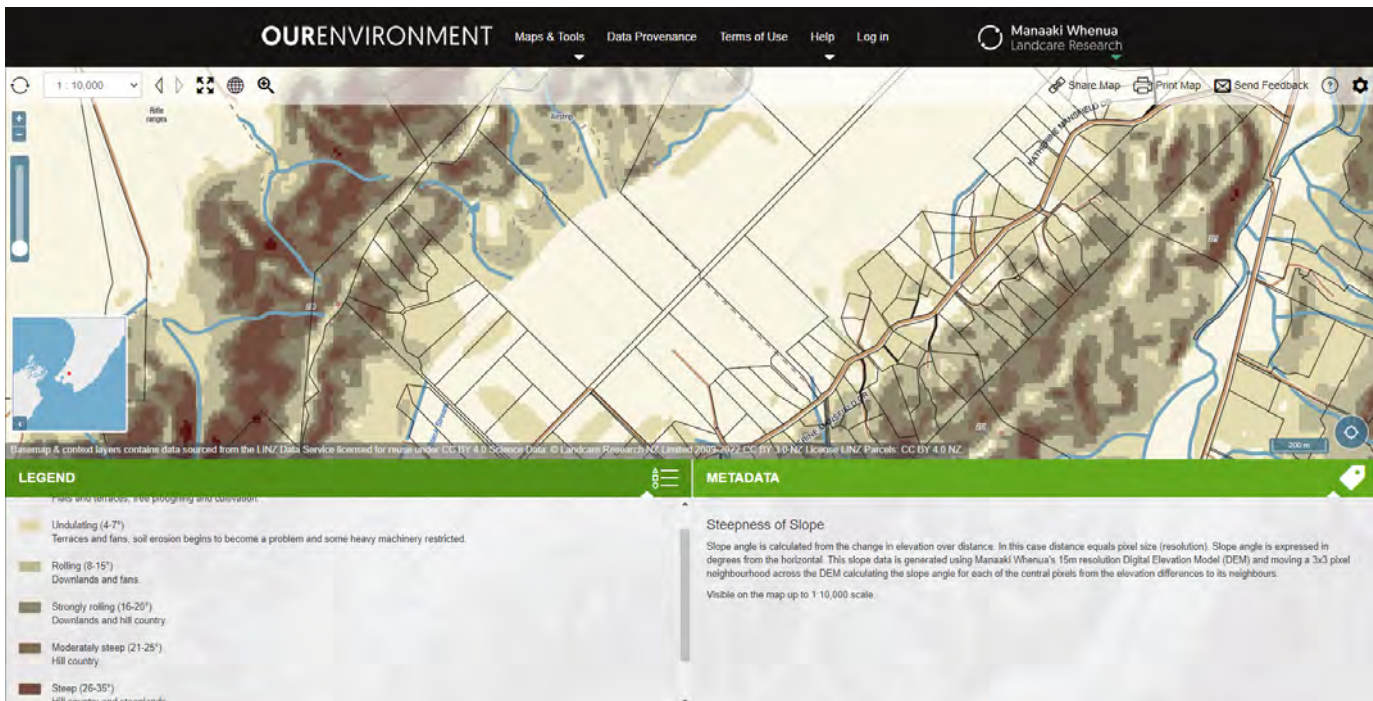
In creating a high slope hazard overlay, UHCC appears to be duplicating existing maps. By doing so, it may create legal liability for UHCC if the maps are inaccurate.

There are at least 4 different slope risk maps that cover Upper Hutt including a Land Use database from Manaaki Whenua, GWRC hazards map, PC47 and Ministry of the Environment’s erosion risk map. Rather than taking the risk on themselves, UHCC might prefer to adopt the Land Use database from Manaaki Whenua instead. It has 4 scales, low,

medium, high, and very high risk based on soil samples and substrate type. it also looks at both the erosion and earthquake risk and is updated regularly.



[PC47 - Natural Hazards \(arcgis.com\)](https://arcgis.com) showing both the high slope overlay and the underlying Lidar data



[Steepness of Slope » Maps » Our Environment \(scinfo.org.nz\)](https://scinfo.org.nz) showing a steepness of slope gradient

Decision requested – Adopt either the Manaaki Whenua Land Use slope risk or the Manaaki Whenua Land Steepness overlay to define the area for development earthworks assessment or revisit the Lidar based information provided by Coffey



End of Submission

**From:** [nikki.whitman16@gmail.com](mailto:nikki.whitman16@gmail.com)  
**To:** [UHCC Planning](#)  
**Subject:** Submission for Plan Change 47  
**Date:** Friday, 4 November 2022 10:02:22 am  
**Attachments:** [20221103 submission UHCC - Plan Change 47 - Natural Hazards for 9 Margaret Mahy Dr.docx](#)

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To whom it may concern,

Please see the attached submission and include this email as verification that I agree to the information attached and request this as my written signature on the document.

If you have any queries, please let me know

Kind regards

Nikki Whitman

0274043793

OFFICE USE ONLY

Submission number **81**

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER

KAREN LEISHMAN + CHRISTOPHER GRIFFIN

POSTAL ADDRESS OF SUBMITTER

36 AKUTARAWA RD, BROWN OWL, UPPER HUTT

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE

020 4013 5874

CONTACT EMAIL

kallyann2015@gmail.com

griffkiwi@yahoo.com

I could gain an advantage in trade competition through this submission (please tick one ): **yes**   **no**

Only answer this question if you ticked 'yes' above:

I am   am not (tick one ) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

PC 47 MAPPING IDENTIFICATION CHANGE - NATURAL HAZARDS  
36 AKATAPAWA RD, BROWN OWL, UPPER HUTT

My submission is that:

USE ADDITIONAL PAPER IF NECESSARY

WE DISAGREE WITH THE SLOPE IDENTIFICATION OF OUR PROPERTY.

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

A REASSESSMENT OF THE SLOPE IDENTIFICATION

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box 

I do wish to be heard in support of my submission, if the mapping is not changed

I do not wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box 

I do wish to make a joint case.

I do not wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

DATE

3/11/2022





## FORM 5

### Submission on publicly notified proposal for policy statement or plan, change or variation under Clause 6 of Schedule 1, Resource Management Act, 1991

To: Upper Hutt City Council

**Name of submitter:** **Ministry of Education ('the Ministry')**

Address for service: C/- Beca Ltd  
PO Box 3942  
Wellington 6140

Attention: Aabhas Moudgil

Phone: +64 4-460 1793

Email: [aabhas.moudgil@beca.com](mailto:aabhas.moudgil@beca.com)

#### **This is a submission on Plan Change 47- Natural Hazards (PC47)**

##### **Background:**

The Ministry of Education ('the Ministry') is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry assesses population changes, school roll fluctuations and other trends and challenges impacting on education provision at all levels of the education network to identify changing needs within the network so the Ministry can respond effectively.

The Ministry has responsibility not only for all State schools owned by the Crown, but also those State schools that are not owned by the Crown, such as designated character schools and State integrated schools. For the Crown owned State school this involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing.

The Ministry is therefore a considerable stakeholder in terms of activities that may impact on existing and future educational facilities and assets in Upper Hutt.

##### **The Ministry's feedback is:**

The Ministry has a particular interest in the parts of PC47 that, either directly or indirectly, have the potential to impact on the Ministry's interests such as the management and operation of existing educational facilities or the establishment of new educational facilities.

Upper Hutt City Council (Council) proposes to change rules for land use and subdivision in Upper Hutt to address the risk of natural hazards. PC47 will introduce a definition for Hazard Sensitive Activities which will include educational facilities and update the land use, earthworks, and subdivision provisions. Therefore, the Ministry has an interest in the proposed changes that relate to Hazard Sensitive Activities.



The Ministry relies primarily on the designation process for new educational facilities and most of the existing educational facilities are designated within the Upper Hutt District. However, not all educational facilities are designated, and therefore PC47 provisions are still important for the Ministry to consider.

There are two existing educational facilities located within the Natural Hazard Overlays, including the Plateau School which is designated for educational purposes (Ref: ED9) and is located within the High Slope Hazard Overlay and Irmgard Ritchie Kindergarten which is not designated and is located within the Wellington Fault Band Overlay. Therefore, it is important to make sure the overlays do not unnecessarily restrict the ability of the Ministry to provide education facilities for communities in natural hazard overlays areas.

The Ministry recommends additions, amendments, and retentions to PC47 on the proposed provisions regarding fault rupture, poor ground conditions, and slope instability. This Ministry also recommends two new activity status for Hazard Sensitive Activities as a discretionary activity to better align with Council's proposed policy framework that seeks to enable Hazard Sensitive Activities in hazard overlays, provided it has an operational need and can demonstrate it is well designed to protect the users from natural hazard.

The Ministry's additions, amendments, and retentions are outlined in Appendix 1, that will enable the Ministry to continue to provide educational facilities to existing and future communities that are located in areas exposed to natural hazards within the Upper Hutt district

**The Ministry seeks the following from the Upper Hutt City Council:**

That the requested additions, amendments, or retentions to PC47, as set out in **Appendix 1**, be adopted and any consequential amendments required to give effect to the matters raised in this submission.



Aabhas Moudgil

Planner- Beca Ltd

(Consultant to the Ministry of Education)

Date: 4<sup>th</sup> November 2022

Appendix 1- The Ministry of Education's Feedback on Plan Change 47					
ID	Section of Plan	Proposed Provision	Support/Oppose /Neutral/New Provision	Reason for Submission	Relief Sought
<b>3. Interpretation</b>					
<b>3.1 Definitions</b>					
1	New definition	<p><b>Hazard Sensitive Activity:</b></p> <p>Means any building that contains one or more of the following activities:</p> <ul style="list-style-type: none"> <li>• Community Facility</li> <li>• Early Childhood Centre</li> <li>• Educational Facility</li> <li>• Emergency Service Facilities</li> <li>• Hazardous Facilities and Major Hazardous Facilities</li> <li>• Healthcare Activity</li> <li>• Kōhanga reo</li> <li>• Marae</li> <li>• Residential Activity</li> <li>• Retirement Village</li> <li>• Research Activities</li> <li>• Visitor Accommodation</li> </ul>	Support	The Ministry supports the addition of Hazard Sensitive Activity, which includes Educational Facilities, as it promotes the management of hazard risks and effects on educational facility.	Retain as proposed.
NH- Natural Hazards					
2	NH-O1	<p><b>Risk from Natural Hazards:</b></p> <p>Subdivision, use and development within the Natural Hazard Overlays does not significantly increase the risk to life or property.</p>	Support	The Ministry acknowledges the risk that natural hazards pose to educational facilities.	Retain as proposed.
3	NH-P3	<p><b>Hazard Sensitive and Potentially Hazard Sensitive Activities within the poorly constrained or the uncertain constrained areas of the Wellington Fault Overlay.</b></p> <p>Provide for Hazard Sensitive and Potentially Hazard Sensitive Activities within the poorly constrained or the uncertain constrained areas of the Wellington Fault Overlay.</p>	Support	The Ministry support NH-P3 to allow for the establishment of educational facilities in the poorly constrained or the uncertain constrained areas of the Wellington Fault Overlay.	Retain as proposed.
4	NH-P4	<p><b>Hazard Sensitive and Potentially Hazard Sensitive Activities within the well-defined or well-defined extension areas of the Wellington Fault Overlay.</b></p> <p>Avoid the construction of new buildings, undertake substantial additions to existing buildings, or subdivision associated with, or the of establishment, of Hazard Sensitive and Potentially Hazard Sensitive Activities within the well-defined or well-defined extension areas of the Wellington Fault Overlay, unless it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>a. The activity or subdivision has a critical regional or nationally important operational and functional need to locate or occur within the High Hazard Areas and locating or occurring outside the High Hazard Areas is not a practicable option; and</li> <li>b. The building, activity or subdivision incorporates mitigation measures that demonstrate that risk to people, and property is avoided; and</li> <li>c. For additions to existing buildings, the change in risk from fault rupture to people, buildings is not increased.</li> </ol>	Support	Although the Ministry would typically try to avoid the location of new schools in the well defined and well defined extension area, the Ministry can have an operational need to establish educational facilities in the Wellington Fault Overlay to provide social infrastructure for existing communities located in and around the fault line. The Ministry supports the policy to consider whether there is an operational need for buildings to be located within the High Hazard Area, provided it can be designed to avoid any risks to people and property.	Retain as proposed.
5	NH-P5	<p><b>Hazard Sensitive and Potentially Hazard Sensitive Activities within the Mangaroa Peat Overlay.</b></p> <p>Allow for subdivisions that results in the creation of vacant allotments in the Mangaroa Peat Overlay, provided:</p>	Support	The Ministry support NH-P5 to establish new building platforms for educational facilities if it can be demonstrated that the ground is suitable for the building type and appropriate mitigation is adopted into the design.	Retain as proposed.

		<p>a. It can be demonstrated through a geotechnical investigation that the subdivision will not increase the risk of damage to property due to the building platform being located on good ground; or</p> <p>b. A geotechnical assessment shows that there is the ability for appropriate mitigation options to be incorporated into the design of a future building to reduce the likelihood of damage as a result of poor ground conditions on the identified building platform.</p>			
6	NH-P6	<p><b>Earthworks in the High Slope Hazard Overlay.</b></p> <p>Provide for earthworks in the High Slope Hazard Overlay, where:</p> <p>a. A geotechnical assessment confirms that the proposed earthworks will not unacceptably increase the risk from slope instability to people, and buildings; and</p> <p>b. The earthworks will not increase the risk of slope failure at adjacent sites.</p>	Support	The Ministry support NH-P6 to allow for earthworks within the High Slope Hazard area where it can be demonstrated that the proposed earthworks will not unacceptably increase the risk from slope instability to people, and buildings.	Retain as proposed.
7	NH-R7	<p><b>Controlled Activities</b></p> <p><b>Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Wellington Fault Overlay</b></p> <p>Where:</p> <p>a. The building is being constructed on a site that is vacant as at 30 March 2022 and the building platform is located within the uncertain poorly constrained or the uncertain constrained areas of the Wellington Fault Overlay.</p> <p>The matters of controlled are limited to:</p> <p>a. The ability for the building to maintain life safety as a result of fault rupture</p> <p>b. The location of the building relative to the fault line and any mitigation measures to reduce the impacts from fault rupture.</p>	Support	The Ministry supports the establishment of Hazard Sensitive Activities in poorly constrained or the uncertain constrained areas of the Wellington Fault Overlay as a controlled activity. The Ministry consider the matters of control appropriate.	Retain as proposed.
8	NH-R10	<p><b>Restricted Discretionary Activities</b></p> <p>Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Wellington Fault Overlay</p> <p>Where:</p> <p>a. The building is not located on a vacant site as at 30 March 2022 and the area where the building is to be located is within the uncertain poorly constrained or the uncertain constrained areas of the Wellington Fault Overlay.</p> <p>Matters of discretion are restricted to:</p> <p>a. The ability for the building to maintain life safety as a result of fault rupture</p> <p>b. The ability for the building to remain structurally sound as a result of fault rupture; and</p> <p>c. The location of the building relative to the fault line and any mitigation measures to reduce the impacts from fault rupture.</p>	Support	The Ministry supports Hazard Sensitive Activities, such as schools, establishing in the Wellington Fault Overlay as a restricted discretionary activity. The Ministry consider the matters of discretion appropriate.	Retain as proposed.
9	New provision		New provision	<p>NH-P4 sets out a framework that allows hazard sensitive activities to establish in the well-defined or well-defined extension areas of the Wellington Fault Overlay, provided it can meet the criteria set out in NH-P4. PC47 then lists Hazard Sensitive Activities as non-complying activity under NH-R23. The way the plan reads currently, it appears these two provisions contradict each other. Therefore, the Ministry recommend a new activity status for Hazard Sensitive Activities as a discretionary activity provided it meets the criteria set out under NH-P4.</p> <p>If the activity does not meet that criteria, the activity can be a non-complying activity under NH-R23.</p>	<p><b>Discretionary Activities</b></p> <p><u>Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Wellington Fault Overlay</u></p> <p><u>The building is located within the well-defined or well-defined extension areas of the Wellington Fault Overlay where it can meet the requirements below and outlined in NH-P4</u></p> <p><u>It must be demonstrated that:</u></p> <p>a. <u>The activity or subdivision has a critical regional or nationally important operational and functional need to locate or occur within the High Hazard Areas and locating or occurring outside the High Hazard Areas is not a practicable option; and</u></p> <p>b. <u>The building, activity or subdivision incorporates mitigation measures that demonstrate that risk to people, and property is avoided; and</u></p>

					c. <u>For additions to existing buildings, the change in risk from fault rupture to people, buildings is not increased.</u>
10	NH-R23	<p><b>Non Complying Activities</b></p> <p>Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Wellington Fault Overlay</p> <p>Where:</p> <p>a. The building is located within the well-defined or well-defined extension areas of the Wellington Fault Overlay.</p>	Support in Part		<p><b>Non Complying Activities</b></p> <p>Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Wellington Fault Overlay</p> <p>Where:</p> <p>a. The building is located within the well-defined or well-defined extension areas of the Wellington Fault Overlay; and</p> <p>b. <u>It does not comply with the criteria in NH-P4 [or reference the new provision above].</u></p>
<b>Earthworks</b>					
11	EW-R9	<p><b>Restricted Discretionary Activities</b></p> <p>Earthworks for a building platform in the High Slope Hazard Overlay</p> <p>Where:</p> <p>(3) The earthworks are for a suitable building platform for a Potentially Hazard Sensitive Activity or Hazard Sensitive Activity in the High Slope Hazard Overlay.</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <p>(a) The matters in NH-P6</p>	Support	The Ministry support earthworks for Hazard Sensitive Activities, such as schools, to be a restricted discretionary activity provided they comply with the matters outlined in NH-P6	Retain as proposed.

## SUBMISSION 83

planning@uhcc.govt.nz

### **Proposed Plan Change 47 - Natural Hazards**

**Name Gerald Keown**

**Address 50d Katherine Mansfield Drive**

**Suburb Whitemans Valley**

**City Upper Hutt**

I moved and built in the valley some 30 years ago to enjoy the surroundings and raise my family in a caring rural environment (even though it was a lot of hard work)

When we built UHCC requested that we had an engineering report done to establish the suitability of our building site, this was done and filed with the UHCC to get our building permit through! After various discussions with James Beban, UHCC seem to have lost this important piece of information!

I met with both James Beban and Sarah Martin to establish the peat overlay on my property in November last year. It would now appear this was a complete waste of time, I pointed out where the peat starts and finishes on my property, yet this information has been completely ignored! Even though tests have previously been carried out and used as part of the information used for consent Sarah was not interested and didn't bother to take a proper walk around our property despite travelling to our property for this very purpose and had she taken the time to physically walk around our property she would have seen for herself the signs clearly showing there's no peat overlay! I have no idea how she retains her job?

I believe in change if it's for the betterment of society! I cannot understand how a simple process can go so very wrong which has caused me anxiety, sleepless nights as to how something you've built your life around can pretty much be taken away by the bureaucrats.

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

  
Gerald Keown

4<sup>th</sup> November 2022

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Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the peatland map, which directly affects my land.

***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

### ***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and “protecting” peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other “sensitive soils” such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as “peatland” if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possible contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.



By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community’s lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

### **The peat maps include too much land**

Some members of the Mangaroa Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called “Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangaroo Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangaroo Valley Soils](#)

**Primary Concern – The maps include my property**

My property is poorly represented by the current proposed peatland overlay. The proposed changes indicate my whole property is peatland! This is not the case and as mentioned in my covering letter I have already gone to great expense “and time” providing the council with reports stating this!

Decision requested – Please feel free to arrange to come and see my property.

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End of Submission

## SUBMISSION 84

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WCarol just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Wendy Botha

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**Postal address of submitter:**

114 Mangaroa Valley Road

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**Address for service (if different from above)**

PO Box 40413

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**Email address:**

wendy.carol.botha@gmail.com

---

**Telephone number:**

021906939

---

**Could you gain an advantage in trade competition through this submission?**

No

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Mangaroa Valley High Slope hazard zone

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**My submission is that:**

The engineers report is generic and all this will generate is another unnecessary cost and restrictions to the landowner

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**I seek the following decision from the local authority:**

To remove the high slope hazard restriction on our property Mangaroa Valley Road Please stop adding unnecessary cost to the rate payers and owners UHCC and GWRC should not be able to add additional rules to boost their bank accounts

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**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

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**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do wish to make a joint case.

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[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Proposed Plan Change 47 - Natural Hazards**

**Name** Jemma and AJ Ragg

**Address** 7 Margaret Mahy Drive

**Suburb** Blue Mountains, RD 1

**City** Upper Hutt 5371

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

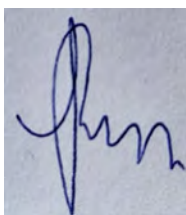
I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed

3<sup>rd</sup> November 2022



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Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the high slope map, which directly affects my land.

### ***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and "protecting" peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other "sensitive soils" such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as "peatland" if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

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GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community's lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance



risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

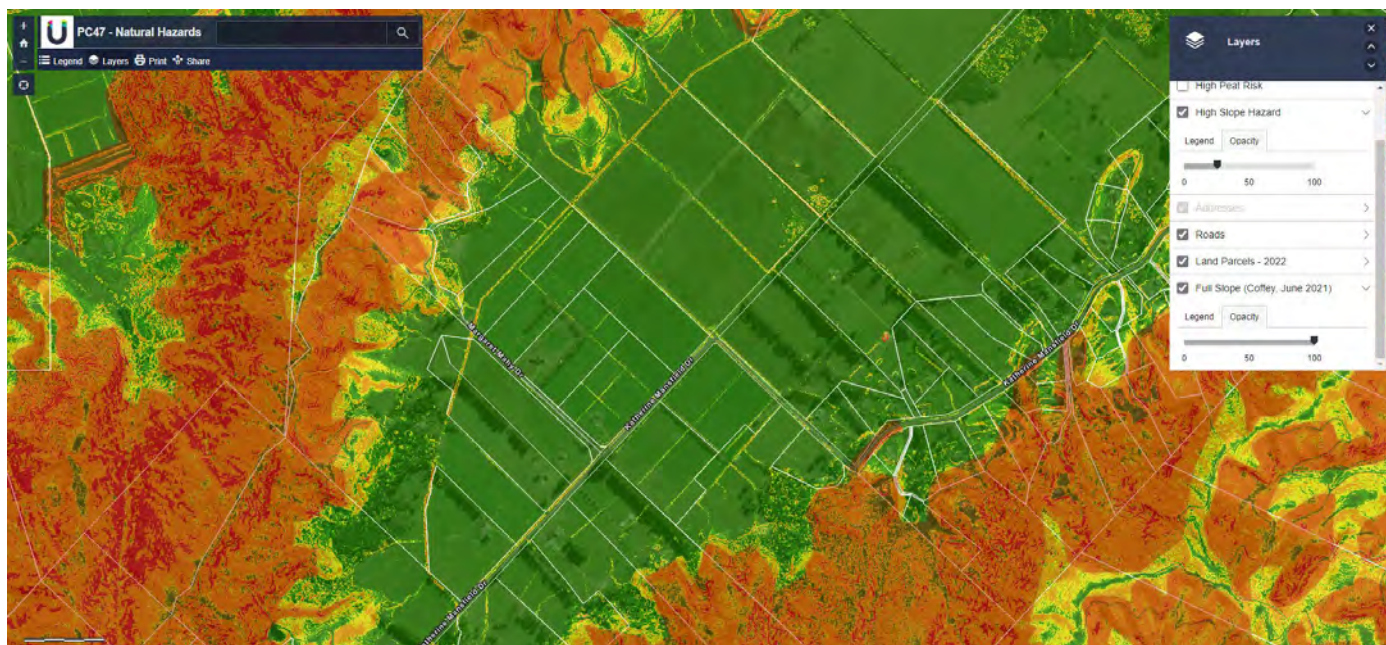
## How were High Slope maps created?

It is difficult to figure out how High Slope hazard areas were defined.

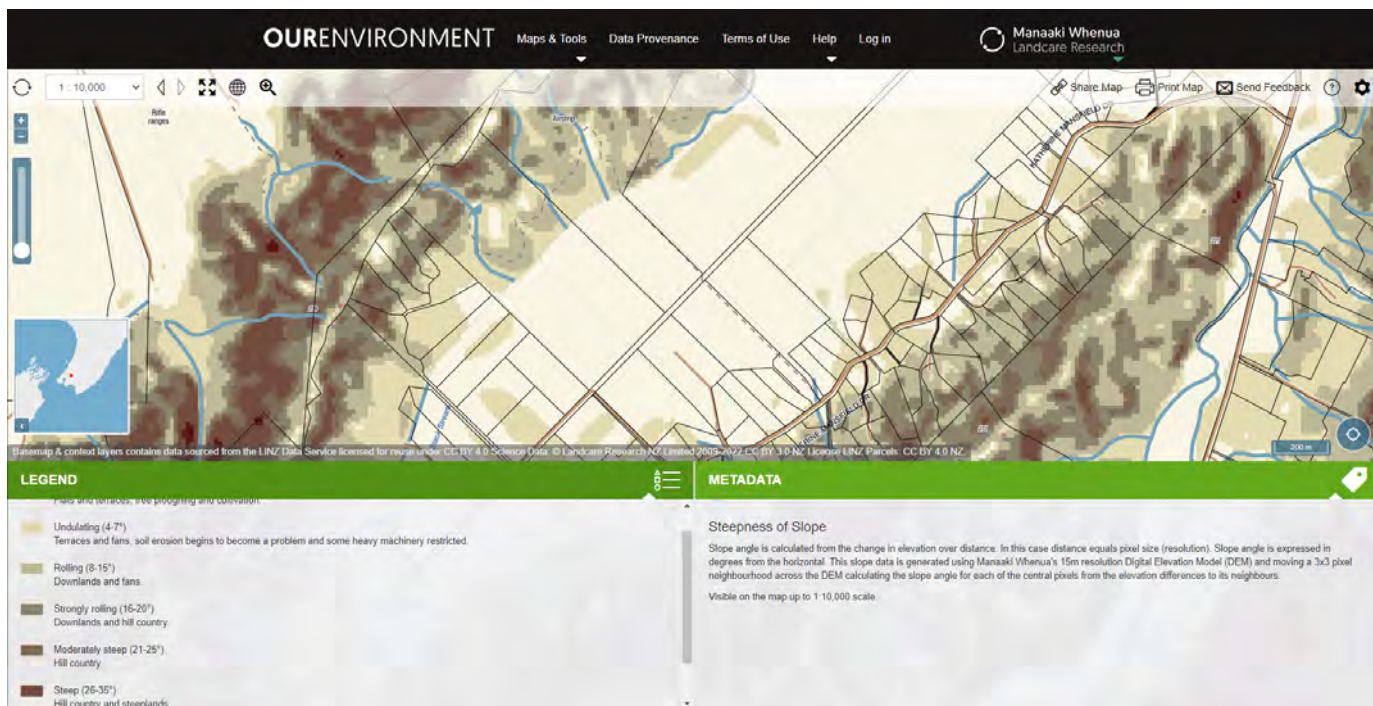
The high slope maps do not follow contour maps, property titles, Coffey’s Appendix E – Lidar information on ground steepness, GNZ / Manaaki Whenua’s slope definitions or soil types. Coffey’s report doesn’t explain how the red Hazard areas were established.

In creating a high slope hazard overlay, UHCC appears to be duplicating existing maps. By doing so, it may create legal liability for UHCC if the maps are inaccurate.

There are at least 4 different slope risk maps that cover Upper Hutt including a Land Use database from Manaaki Whenua, GWRC hazards map, PC47 and Ministry of the Environments erosion risk map. Rather than taking the risk on themselves, UHCC might prefer to adopt the Land Use database from Manaaki Whenua instead. it has 4 scales, low, medium, high, and very high risk based on soil samples and substrate type. it also looks at both the erosion and earthquake risk and is updated regularly.



[PC47 - Natural Hazards \(arcgis.com\)](https://arcgis.com) showing both the high slope overlay and the underlying Lidar data



[Steepness of Slope » Maps » Our Environment \(scinfo.org.nz\)](#) showing a steepness of slope gradient

Decision requested – Adopt either the Manaaki Whenua Land Use slope risk or the Manaaki Whenua Land Steepness overlay to define the area for development earthworks assessment or revisit the Lidar based information provided by Coffey

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End of Submission

## SUBMISSION 86

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Evie just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Evie Gray

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**Postal address of submitter:**

66 Wyndham Road

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**Address for service (if different from above)**

66 Wyndham Road

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**Email address:**

evie.fae@gmail.com

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**Telephone number:**

0212174240

---

**Could you gain an advantage in trade competition through this submission?**

No

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**My submission is that:**

The map with which you're applying this has not been developed with sufficient level of detail - on my property, a very steep area has been marked as outside the border, and the perfectly flat areas have been marked to be inside it. You're also ensuring that a currently empty section we own is even harder to build on, after already deciding the entire property should be a protected tree zone. Which, I suppose I can't prevent, but I hope you intend to adjust our rates downwards due to the decreased value of the property. For people on my side of the road in Pinehaven, this feels extremely obstructive - we should be able to use our sections, and now they're going to be doubly blocked. I do not support this plan change as currently written.

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**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

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**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---

# Submission 87

## Proposed Plan Change 47 - Natural Hazards

Name Andrea Follett

Address 74A Katherine Mansfield Drive

Suburb Whitemans Valley

City Upper Hutt

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

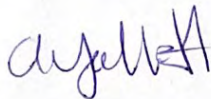
I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed



3<sup>rd</sup> November 2022

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Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and "protecting" peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other "sensitive soils" such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as "peatland" if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community's lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance



risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

### **The peat maps include too much land**

Some members of the Mangarua Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of GWRC vs *Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangarua valley and peat. The document is in the Upper Hutt Library and is called "Soils of Mangarua-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangarua Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangarua Valley Soils](#)



OFFICE USE ONLY

Submission number

**88**

PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN  
**Proposed Plan Change 47—Natural Hazards**

The closing date for submissions is **Friday, 4 November 2022, at 5.00 pm**

**To Upper Hutt City Council**

Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Details of submitter**

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER **GRANT O'BRIEN**

POSTAL ADDRESS OF SUBMITTER: **102 Katherine Mansfield Drive, Whitemans Valley, Upper Hutt**

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE **021 029 72217**

CONTACT EMAIL **Gobsart@gmail.com**

I could gain an advantage in trade competition through this submission (please tick one ): **yes**  /  **no**

Only answer this question if you ticked 'yes' above:

I **am**  /  **am not** (tick one ) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

## Details of submission

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

**My submission on PC47 is appended to this document. It covers five topics and makes six recommendations**

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

**My submission on PC47 is appended to this document, it covers five topics and makes six recommendations**

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

**There are six recommendations to the local authority outlined in my submission**

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box 

I **do** wish to be heard in support of my submission.

I **do not** wish to be heard in support of my submission.

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box 

I **do** wish to make a joint case.

I **do not** wish to make a joint case.

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:

SIGNATURE

Grant O'Brien

DATE

03/11/2022

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

## **Proposed Plan Change 47 - Natural Hazards**

**Name:** Grant O'Brien

**Address:** 102 Katherine Mansfield Drive

**Suburb:** Whitemans Valley/Mangaroa Valley

**City:** Upper Hutt

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

**Date:** 3 November 2022

### **Introduction**

I appreciate the opportunity to make a submission on the Proposed Plan Change 47 – Natural Hazards.

I have several concerns regarding the implications of PC47 and the probable loss of livelihood, costs and ongoing burden that will be imposed on landowners. I am sure the Upper Hutt City Council (UHCC) recognises the enhanced significance of these given how Greater Wellington Regional Council are wanting to take advantage of the PC47 Hazard maps, yet not accept any liability for their inaccuracy i.e., the liability for their accuracy would be put back to UHCC who has formally accepted them in their unconfirmed state.

Many of us landowners have lived in the Whitemans Valley/Mangaroa area for a long time (40+ years) and understand the characteristics of the peatland and hill slopes (incorrectly termed 'hazards') and how they have responded to the activities, climate and tectonic history of the region. The community that lives in these areas has little confidence that these PC47 assessments have been conducted using scientific and engineering best practice; which would place a greater weighting on actual data over speculation.

- 1) PC47 Hazard Maps are fundamentally required to be highly accurate and be defined using accepted scientific and engineering best practices and incorporate the vertical dimension (i.e., significant thickness).**

Members of the Mangaroa Peatland Community have engaged with UHCC regarding the inaccuracy of the peat overlay. There are significant areas that have been labelled as peat which are not peat and are clays and grey loam soils. Some of these areas include the actual road (Katherine Mansfield Drive) – Waka Kotahi/NZTA have evidence that the road was founded on clays and greywackes and would also consider founding a road on peat unacceptable. One can also look at the 1.5 m deep road gutter to see it is cut into clays. The PC47 assessment lose credibility when such obvious errors are made.

In the recent court action of GWRC vs Adams and Ors, the court found that the most accurate outline currently available for the peat deposits (or peat boundary) was from the

only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand. The methodology in the document also appears to be more consistent with that accepted by the scientific and engineering community, than that used in the PC47 assessments. It is not considered advisable for UHCC to discount a document/report that was given credit and deemed reliable in a court case.

The report (Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.) shows that the land in the on the edges of the proposed peat overlay zone was not peat, but silts and loamy silt or golans/gley soil with occasional small quantities of peat mixed in, importantly this soil type has structural characteristics closer to that of clay rather than peat.

The methodology that has been used in PC47 to determine soil type is not consistent with how other soil types or areas of poor ground condition hazards have been identified in NZ and although NZSC Soil Order is referenced it does not appear to have been followed/interpreted correctly.

The fact that PC47 has made no attempt to understand the thicknesses/depth of the Poor Ground Condition Overlay (this has been previously communicated to UHCC), outline the uncertainties of thickness/depth and assumed location and has not provided adequate comment on it, is a discredit to the process. The depth of these ground conditions is paramount to any engineering assessment and one of the parameters that gets defined during foundation design and the building consenting process. UHCC also requires landowners undertaking subdivision to identify suitable building platforms/locations – it would be more appropriate if this requirement was part of the subdivision process. Separate resource consent merely appears unnecessary and very acquisitive!

UHCC may not be aware of the implications of these hazards maps and how they will be used by other authorities, and UHCC may not be able to update/refine the overlays when areas have been confirmed to be different. For example, history informs us that Greater Wellington Regional Council (GWRC) will interpret these maps in their own silo without understanding that they have not been confirmed and are at best a mere guess in areas. GWRC will utilise these maps to impose and justify significant burdens and restrictions on the landowners and furthermore will not accept updates/refinements to the hazard maps where geotechnical testing and engineering assessments have confirmed them inaccurate. It is likely GWRC will attempt to make UHCC liable for issuing misleading information, the overlays were commissioned by, and inaccuracies accepted by UHCC.

**Recommendation 1: The Poor Ground Condition Overlay and the High Slope Hazard Overlay need to be accurately defined using an accepted methodology, with evidence provided. UHCC and landowners must be absolutely satisfied that the overlays are accurate and is a true representation of the soil types and ground condition. For future geotechnical testing and engineering assessment that proves the inaccuracy and misleading nature of the overlays, the UHCC would be required for full reimbursement of the investigation costs and the implications of the costs occurred by the landowner imposed on them by other authorities and insurance.**

**2) PC47 shows an inconsistent approach to imposing resource consents for subdivision and favours subdivision on the higher risk hazards in the region – the Wellington Fault and High Slope Hazards.**

The Wellington Fault is considered (by GNS, NZ scientific and engineering communities) to be one of the highest risk hazards in the region. It is stated in PC47 that:

- Subdivision within the Wellington Fault Overlay would need to consider the risk associated with the subdivision and fault rupture.

This does not stipulate and resource consent requirements, however PC47 then states that:

- All subdivisions in the Poor Ground Conditions Overlay would require resource consent

PC47 also states that:

- All earthworks for building platforms for identified Hazard Sensitive Activities would need resource consent in the High Slope Hazard Overlay

This implies that the subdivision of land within the High Slope Overlay does not require resource consent, which is an inconsistent approach given the hazard and risk associated.

**Regarding the Poor Ground Condition Overlay:** It is widely accepted within the engineering and scientific communities that poor ground conditions pose a far smaller hazard than an active fault and it has been proven that foundations can be reliably engineered to suit what has been termed poor ground conditions in PC47 (covered by the building code and building consents process). It is also an accepted engineering solution for inadequate ground conditions to be engineered to become suitable for building.

Both the hazard and the risk for subdivision and building on the Poor Ground Condition Overlay can already be mitigated via the established and current building consent processes. The 'poor ground conditions' appear to be the lowest hazard area outlined in PC47.

**Regarding the High Slope Hazard Overlay:** It is widely accepted within the engineering and scientific communities that many high slope hazards can be overcome through appropriate engineering solutions. However, as we have seen in the recent 'wetter' winters where there has been greater rainfall intensity and duration of rainfall events, and earthquakes there remains unforeseen hazards and risks associated with high slope land. While building foundations on high slope land are well-understood it has become apparent that the high slope hazard land itself evolves and can become more dynamic than when assessed for the original foundation and building design (and landscape, stormwater runoff and surrounding infrastructure design).

The hazard and the risk for subdivision, earthworks and building on the High Slope Overlay are mitigated for the snap-shot in time they are geotechnically assessed. The risk however increases with time as the high slope land naturally evolves; possibly for a shorter period of

time than previously expected. Well-understood principles of geomorphology state higher slope landscape will evolve at a faster rate than lower slope landscapes.

The 'high slope land conditions' appear to of inherently higher hazard and risk than the 'poor ground conditions' and are the intermediary hazard outlined in PC47.

**Regarding the Wellington Fault Overlay:** It is widely accepted within the engineering and scientific communities that engineering buildings to withstand significant proximal earthquake-induced shaking (i.e., very close or in the fault zone) is complex and considering the building code is an often-impractical endeavour for residential buildings. Furthermore, it is also accepted within the engineering and scientific communities that there are no engineering solutions for the fault hazard itself.

The fault hazard cannot be mitigated through any established process, however there is potential for the risk to be reduced via the absence of human occupancy.

The Wellington Fault is clearly the greatest hazard with the highest risk outlined in PC47.

**Inconsistent approach:** It appears that some of the hazards have been determined and assessed by people and organisations with inadequate professional experience and review processes, as there are clear inconsistencies in the different hazard assessments, the weightings and how they will be incorporated. It would be reassuring if the hazard assessments and how they are incorporated (i.e. their implications) underwent appropriate peer review from other experienced engineers, scientists and lawyers (beyond UHCC preferred suppliers). Engineering New Zealand, one of NZ's foremost professional bodies of engineers are well placed to provide oversight on this.

**Recommendation 2: PC47 reviews the hazards and risks and adopts a hazard and risk weighting system utilising current accepted engineering solutions to mitigate the perceived hazards. UHCC/PC47 may need to work with New Zealand's engineering community to understand how hazards and risks can be understood mitigated.**

**Recommendation 3: The engineering and scientific methodology and assessments in PC47 require an external peer review process by adequately experienced and recognised professionals (i.e., that is not already a preferred supplier to UHCC), the process should be overseen by a professional governing body such as Engineering NZ. The implications of the policies, planning and rules of PC47 that will be enforced on landowners are required to be reviewed from a legal perspective incorporating Tikanga.**

**3) The PC47 cost benefit analysis provided by UHCC is misguided, has been based on inadequate assumptions and is not robust or factual.**

What is presented in the PC47 UHCC cost benefit analysis is inaccurate, unreliable and if exhibited actually dangerous as it discounts the implications of the proposed hazard maps and disregards the accepted, regulated current day engineering practice for mitigating these hazards.

The misguidedness and errors discredit the UHCC and lead to poorly qualified assumptions regarding risk to life and property that are contradictory to the ground-truthed history that

has been observed by the long-term residents of Katherine Mansfield Drive/Mangaroa Peatland community.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living (or planning to live in the area) regarding their connection to and guardianship of the land, current and future land value, the potential future insurability should insurers choose to rely on the inaccurate hazard overlays in calculating insurance risk, and the significant risk of exposure to regulatory misfeasance by GWRC.

The cost benefit analysis further over-estimates the risk of the terrain implying that risk imposed by existing buildings on the safety of their occupants is now greater, despite the buildings going through the rigorous building consenting process. This and that the cost benefit analysis discounts the feasibility of accepted and regulated engineering solutions to mitigate risk for future buildings erodes the engineering fundamentals that were and are incorporated in to foundation and building designs and undermines engineers throughout New Zealand (and overseas).

**Recommendation 4: The cost benefit analysis should be withdrawn and corrected with actual facts. If any assumptions are left in place it is required that these are highlighted and made clear and any liability stemming from these assumptions will be owned by UHCC and cannot be imposed back on the landowner. The UHCC should consider fully compensating landowners for enforcing any loss of livelihood.**

**4) The terminology that has been used in PC47 is misleading and inaccurate and will have (clearly foreseeable) unintentional consequences.**

UHCC planners have communicated the intent of PC47 hazards i.e., the purpose of mapping peat was to identify ground conditions that require engineering investigations and/or solutions, for example, to mitigate possible subsidence of an unsupported gravel raft foundation, or to prove that the ground conditions are favourable for standard designs.

The terms hazard and risk have specific differences which are often confused. The term 'risk' which inherently encompasses an occurrence interval should only be used when a risk-based study has been conducted.

PC47 used derogatory and incorrect terms such as 'poor' to label certain soil types/ground conditions where under differing criteria i.e., drainage capability and arability, these soil types/ground conditions are actually very favourable and would be termed 'good' if not better. The PC47 approach furthermore holds no regard for the thickness of the soil type/ground conditions.

The 2016 Kaikoura, 2013 Seddon, 2010/11 Christchurch and 2007 Gisborne earthquakes (along with others) have also shown us that the ground conditions considered to reside within the PC47 Poor Ground Conditions Overlay actually recover quickly.

These earthquakes have also shown us that ground conditions close to or adjacent to (in Upper Hutt's and Wellington's case) a fault are highly disrupted and become significantly



damaged with infrastructure often beyond repair; to the point of abandonment. If a comparison is made regarding the ability for the land and infrastructure to recover, the term 'poor' is more appropriate for areas of Upper Hutt within proximal distances to the Wellington Fault trace/zone, and not appropriate for the readily recoverable land PC47 has termed 'poor'.

Furthermore, the terms 'hazard' or 'risk' are not appropriate for land where the associated hazards/risks can be mitigated through accepted and standard engineering solutions (e.g., outlined in the building code, NZ standards). The terms adopted should reflect this understanding.

**Recommendation 5: Adopt more appropriate terminology that reflects the UHCC intentions for PC47 and change the names of the hazard overlay zones. More appropriate terminologies include: "Sensitive Land Planning Zone" or "Soil Type Based Planning Zone" for the Mangaroa Peatlands where the hazards can be mitigated via accepted engineering solutions, and "Slope Assessment Planning Zone" or "High Slope Planning Zone" for the High Slope Hazard zones. Considering this approach "Wellington Fault Trace Hazard Zone" remains appropriate for areas proximal or within near-field distances to the fault trace.**

**5) PC47 has the potential to discriminate against those with lower socioeconomic status and the elderly and promote unsustainable living.**

In New Zealand's current economic position (aka crisis) where inflation is uncontrolled, cost of living is skyrocketing, and property values are decreasing, PC47 will add yet another unreasonable and unnecessary cost and burden to the already struggling landowner and whanau. It is becoming more of a necessity for intergenerational living where elderly reside with their children and stay within the family unit as there is nowhere else to go. This often requires additional buildings and subdivision.

Greater Wellington Regional Council is also jumping on this band wagon of passing unreasonable costs and burden on to landowners and also attempting to remove some established statutory property rights.

PC47 outlines that a resource consent would be required for subdivision when land is within the already confirmed inaccurate Poor Ground Condition Overlay. The extra layer of a paying for a resource consent is unnecessary given the criteria that will be met is the same that is required for the two subsequent steps (i.e., subdivision and building consent).

It is clear in the way PC47 is written that the intent is to stop further residential buildings from being built and housing families, and instead promotes this as an activity for businesses or those with the wealth to fund resource consents and navigate the process. This is inconsistent with the Governments directives for more housing for families and for people to a live lower carbon, more sustainable lifestyle.

The existing plans that outlines minimum subdivision size on the different classified areas of land (e.g., rural hills and rural valley floor etc.) are already adequate in limiting the ability for future subdivision.

It is not clear how the proposed requirement in PC47 for resource consent will be applied for land that spans the boundary of the Poor Ground Condition Overlay, i.e., land that incorporates some of this area but also land outside this area.

**Recommendation 6: The proposed requirement in PC47 for resource consent to be needed for subdivision of land within the Poor Ground Condition Overlay be withdrawn, as the already existing UHCC plan manages this appropriately.**

----- End of submission -----

## SUBMISSION 89

planning@uhcc.govt.nz

### Proposed Plan Change 47 - Natural Hazards

**Name Kerry Ryan**

**Address 96 Katherine Mansfield Drive**

**Suburb Whitemans Valley**

**City Upper Hutt**

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would consider presenting a joint case at the hearing with others who make a similar submission.

I could not obtain any commercial advantage through this submission

I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed



Kerry Ryan

4<sup>th</sup> November 2022

---

Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given

peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other "sensitive soils" such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as "peatland" if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

### **Use this section if your primary concern is – Mangaroa Peat Hazard maps / Zone**

#### **The peat maps include too much land**

Some members of the Mangaroa Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called "Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangaroa Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangaroa Valley Soils](#)

There are at least 4 different slope risk maps that cover Upper Hutt including a Land Use database from Manaaki Whenua, GWRC hazards map, PC47 and Ministry of the Environments erosion risk map. Rather than taking the risk on themselves, UHCC might prefer to adopt the Land Use database from Manaaki Whenua instead. it has 4 scales, low, medium, high, and very high risk based on soil samples and substrate type. it also looks at both the erosion and earthquake risk and is updated regularly.

Decision requested – Adopt either the Manaaki Whenua Land Use slope risk or the Manaaki Whenua Land Steepness overlay to define the area for development earthworks assessment or revisit the Lidar based information provided by Coffey

**Use this if you don't think your land should be included in the maps**

**Primary Concern – The maps include my property**

My property is poorly represented by the current proposed peatland overlay .

We don't believe that the front part of the section should be included in this overlay map. This leads to a misrepresentation of our section. When the council visited recently, no geological assessments were undertaken.

Decision requested – Please feel free to arrange to come and see my property.

-----

End of Submission

## SUBMISSION 90

planning@uhcc.govt.nz

### **Proposed Plan Change 47 - Natural Hazards**

**Name Lisa Keown**

**Address 50d Katherine Mansfield Drive**

**Suburb Whitemans Valley**

**City Upper Hutt**

**Email lisa.keown@arl-lawyers.co.nz**

My husband and I have lived in Katherine Mansfield Drive for 27 years and owned our land for 31 years. We spent a lot of time looking at where we might like to raise our future family when we eventually started one. Katherine Mansfield Drive ticked all the boxes and most importantly was in the zone for Mangaroa Primary School where all three of our children attended and where my husband and I became a part of a close knit community where we involved ourselves in all aspects of school and Valley life and where we have made many lifelong friends.

Having 10 acres and three sports crazy kids was hard work and expensive. But we love our little piece of paradise and we poured our love, sweat and tears (and a lot of money) into our property.

When we first purchased our land more than half was covered in the noxious weed gorse. Together with family and friends we spent many hours clearing all of the gorse from our land. We carefully planted our bare land and now have a beautiful property that our family and friends all enjoy as do the now present bird life. We have Tui's and Wood pigeons to name a couple, taking up residence all around our property. The wildlife is one of the many things that bring us a great deal of happiness for which we are grateful to be living amongst.

When we purchased our land there were many features that drew us to this particular spot. It was north-facing, relatively flat and after engaging the Engineers, the local Council and architects, we were assured it had several good building sites.

To now learn that everything we have worked for, given our best years to, poured our blood sweat and tears into, is potentially at risk of being taken away by some short sighted decisions from people in positions of power who are not qualified to make these decisions and impact the lives of honest hard working and committed citizens, which has the potential to make every we have worked for worthless, is utterly soul destroying and has caused my husband and I a great deal of anxiety, sleepless nights and stress since hearing of the Council's intention.

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement



Lisa Keown

4<sup>rd</sup> November 2022

-----

Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the peatland map, which directly affects my land.

***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It



would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

### ***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and “protecting” peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other “sensitive soils” such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as “peatland” if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of

15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

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Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possible contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a

single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community’s lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

### **The peat maps include too much land**

Some members of the Mangaroa Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley

and peat. The document is in the Upper Hutt Library and is called "Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangaroa Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangaroa Valley Soils](#)

### **Primary Concern – The maps include my property**

My property is poorly represented by the current proposed peatland overlay. The proposed changes indicate my whole property is peatland! This is not the case and as mentioned in my covering letter I have already gone to great expense "and time" providing the council with reports stating this!

Decision requested – Please feel free to arrange to come and see my property.

-----

End of Submission



OFFICE USE ONLY

Submission number

91

## PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN

### Proposed Plan Change 47—Natural Hazards

The closing date for submissions is Friday, 4 November 2022, at 5.00 pm

#### To Upper Hutt City Council

#### Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan

**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019

**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140

**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

### Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER Grant and Melanie Avery

POSTAL ADDRESS OF SUBMITTER 3 Valley View, Timberlea, Upper Hutt 5018

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE 021 466 730

CONTACT EMAIL [grant.avery@gmail.com](mailto:grant.avery@gmail.com)

I could gain an advantage in trade competition through this submission (please tick one ):  no

Only answer this question if you ticked 'yes' above:

I am  /  am not (tick one ) directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

## Details of submission

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The specific provisions of the proposed Plan Change that my submission relates to are as follows:

*The high slope hazard rating (per High Slope Hazard Overlay) that has been applied to our property at 3 Valley View Way, Timberlea, Upper Hutt. The high slope hazard classification of 26 degrees has been incorrectly and/or inconsistently applied at and to near our address.*

---

USE ADDITIONAL PAPER IF NECESSARY

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My submission is that:

*(Please read the following in conjunction with the attached Figures 1, 1b, 1c, 2, 3 on the last pages of this document)*

UHCC “**Natural Hazards S32 Report**” advises at Sn.4.2 “*All natural soils and rock within Upper Hutt District are regarded as generally stable up to a 26 degree slope angle*”.

And Tetra Tech Coffey Letter “**High Slope Hazard Update**” 26 August 2022, UHCC ref: 773-WLGGE225406AE advises: “*Areas of high slope hazard has been classified as those areas where slopes are greater than 26 degrees*”

The ‘**High Slope Hazard Overlay**’ (ref:

<https://uhcc.maps.arcgis.com/apps/View/index.html?appid=0c4cc22a72504f93bae6626578945df8&extent=174.8969,-41.1890,175.2876,-41.0439>)

The above overlay designates large areas of our property at 3 Valley Way Timberlea as ‘High Slope Hazard’ but these areas identified in the overlay:

1. Do not have a slope of 26 degrees or greater per LIDAR map layer “*Full Slope (Coffey, June 2021)*”)
2. Comprise an engineered bank 3 to 5 metres high (or less) constructed when the subdivision was first built, similar to banks in other mapped areas of PC47 which have not been similarly classified as high slope hazard.

**We ask for these areas at/near 3 Valley View Way to be corrected per our attached schematic Fig.3 (refer end of this document).**

We note in this submission that there are a number of other locations in Upper Hutt which have engineered banks 3 to 5 metres high (or higher) which are NOT rated High Slope Hazard.

Consistency is important in the current process, for the reasons of:

1. Effective hazard management, and
2. Fair and consistent treatment of ratepayers. A ratepayer should not be unfairly or inconsistently disadvantaged – potentially significantly so in these cases where property values will be affected.

**Therefore we also ask for the areas at/near 3 Valley View Way to be corrected on the grounds that similar features have also not been classified this way in other areas.**

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

---

I seek the following decision from the local authority:

Amendment of the PC47 “*High Slope Hazard Overlay*” concerning and in the area of our property at 3 Valley View Way Timberlea Upper Hutt, per our recommended overlay-amendment attached as **Fig.3. (see end of this document)**

This amendment is sought for the reasons stated above, and which we have expanded on in our **Figs. 1, 1b, 1c, 2 (see end of this document)**

---

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

---

Please indicate whether you wish to be heard in support of your submission (tick appropriate box

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box ):

I do wish to be heard in support of my submission.

~~my submission.  I do wish to make a joint case.~~

I do not wish to make a joint case.

I do not wish to be heard in support of

## Signature and date

Signature of person making submission or person authorised to sign on behalf of person making submission:



For Grant and Melanie Avery, 3 Valley View Way, Timberlea, Upper Hutt 5018

SIGNATURE

DATE 3 November 2022

Avery submission attachment Figs:

**Fig.1 Areas of incorrect or inconsistent High Slope Hazard rating at 3 Valley View Way**

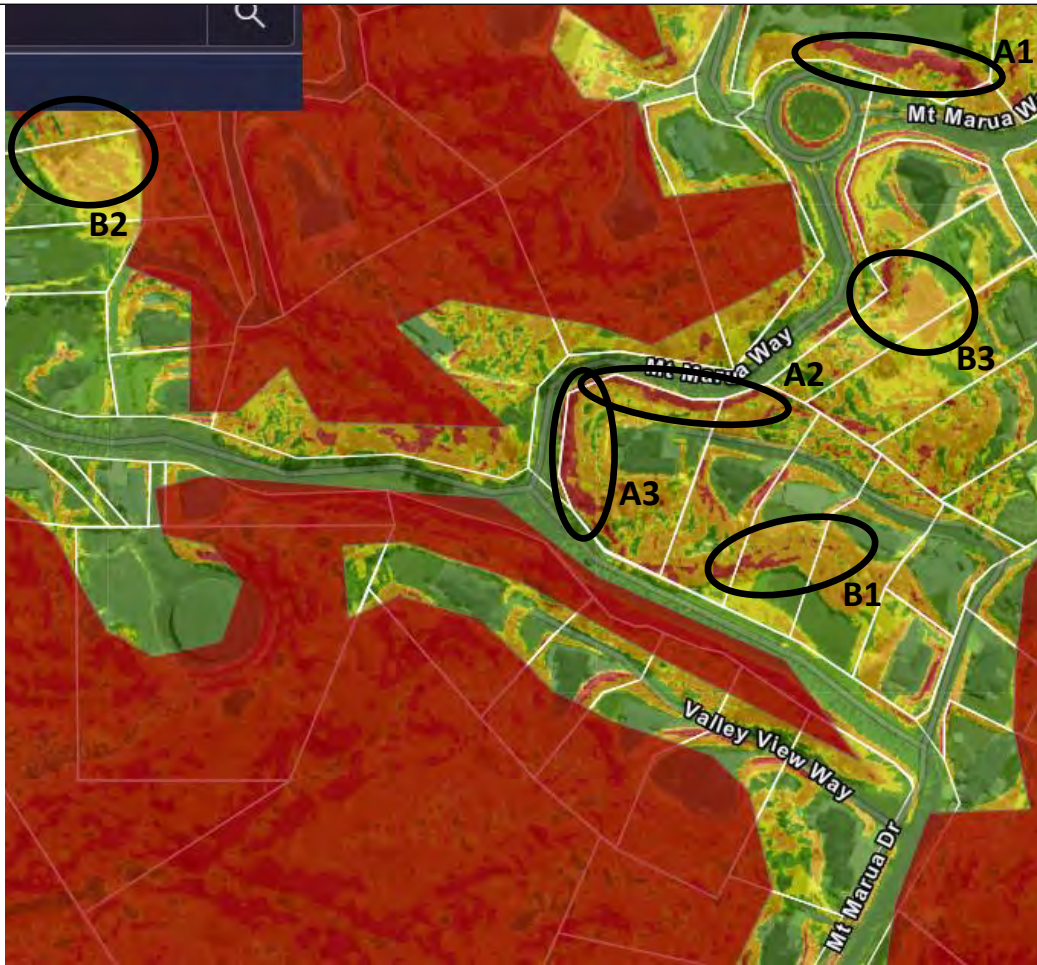


This is a 3 to 5 metre engineered bank paralleling the road created when the subdivision road was built. There are many banks like this in the area which have not been designated High Slope Hazard. For examples see refs **A1, A2, A3, A4, A5** in the figures below.

The building platform is level. A cut-fill section, the house is built on rock (clay), with an engineer's report obtained before construction which specified no special foundations were required.

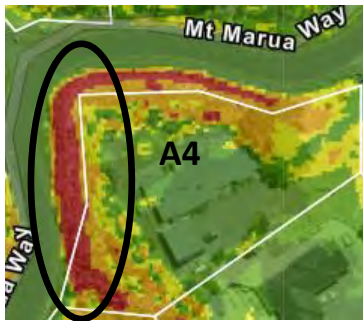
This sloping ground is LIDAR-mapped colour-coded less than 26 degrees. There are a number of slopes like this in PC47 which have not been designated High Slope Hazard. For examples see refs **B1, B2, B3, B4, B5** in the figures below

Fig.1 b. Examples of areas not similarly rated in the wider area

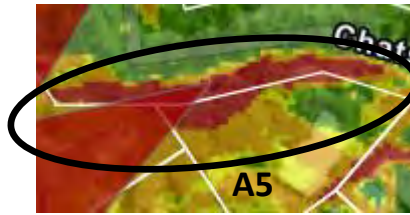




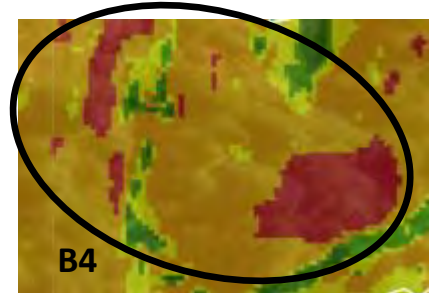
**Fig.1 c.** Other examples in Upper Hutt PC47, of isolated 3-5 metre banks (or larger), and of yellow/brown (i.e. less than 26 degrees) (LIDAR-mapped) areas which are not-rated high slope hazard in the current PC47 documents.



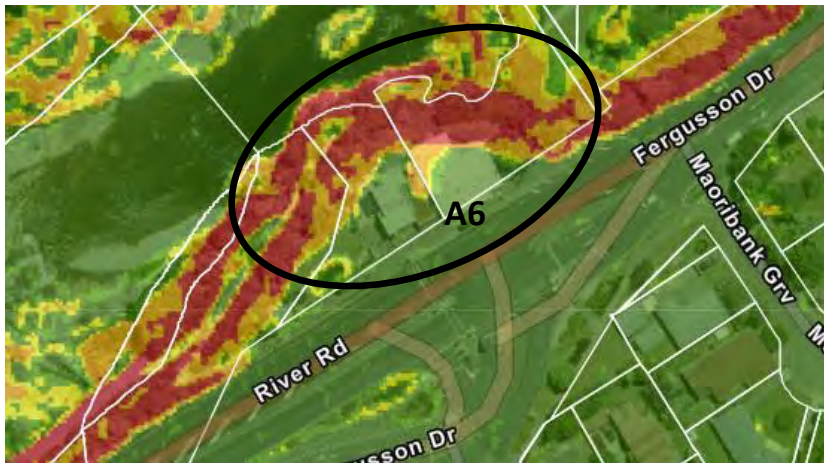
35 Mount Marua Way



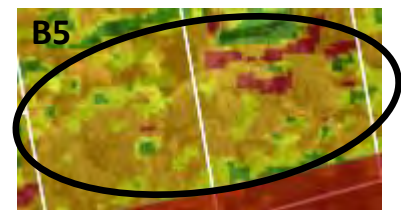
60 Chatsworth Road



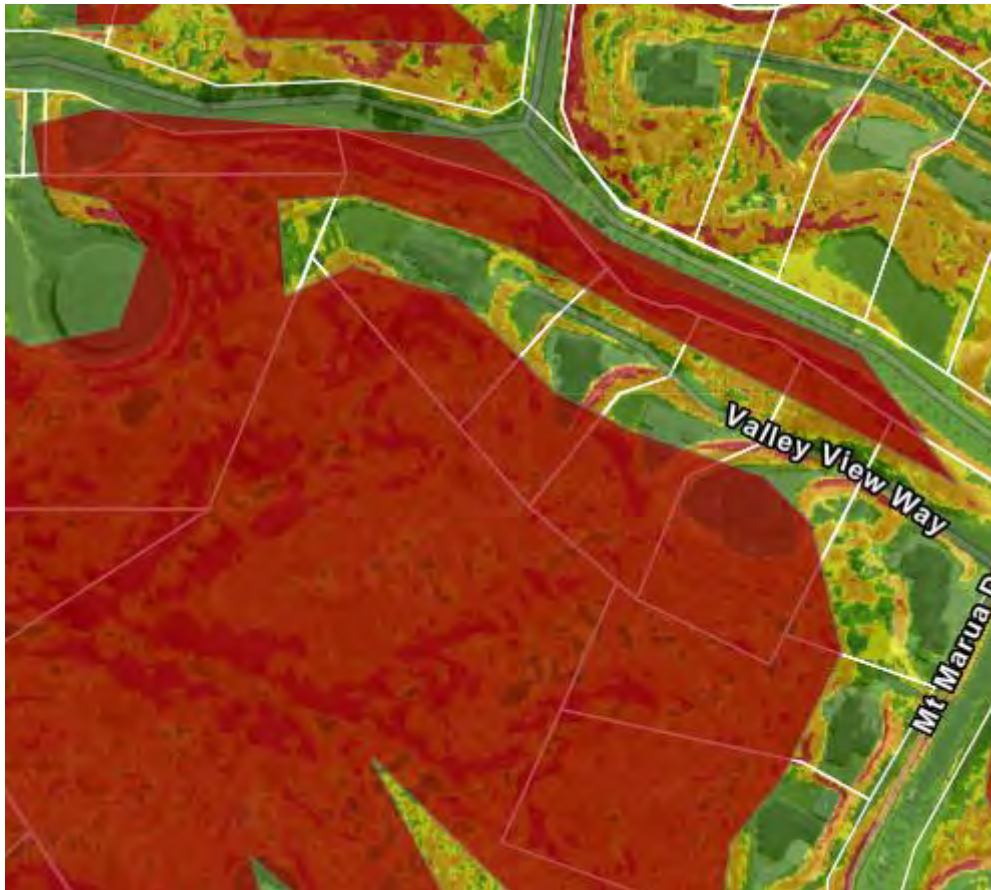
110A Mangaroa Hill Road



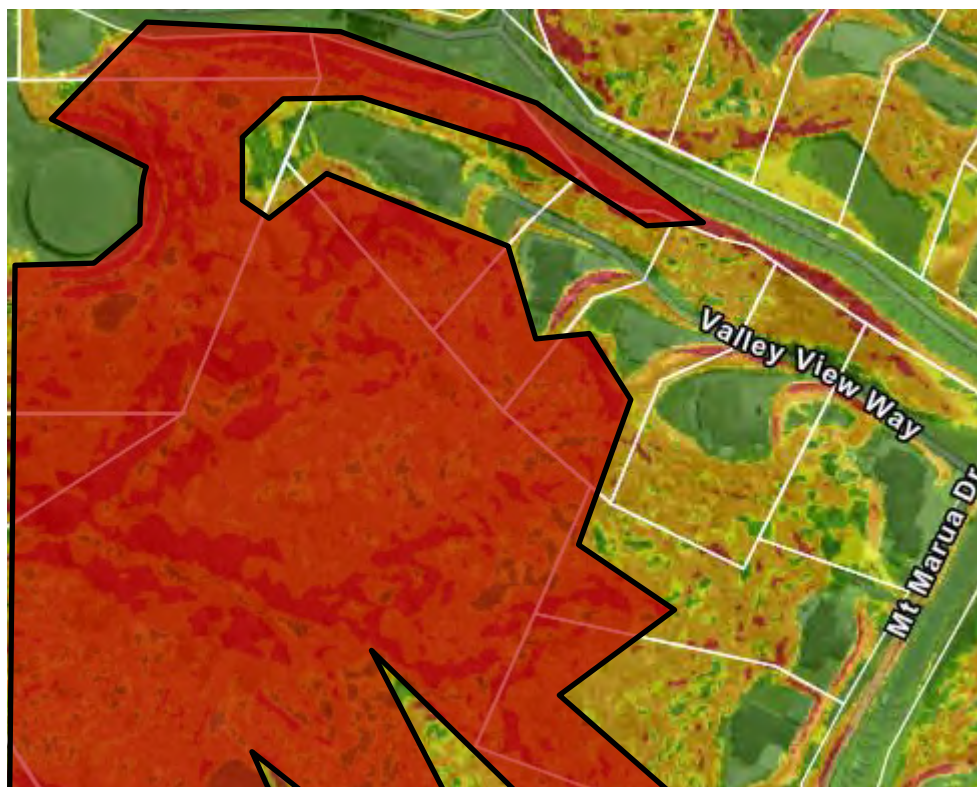
1183-1185 Fergusson Drive  
(this was de-rated high slope risk in Coffey Letter 26 August 2002  
UHCC ref: 773-WLGGE225406AE)



116 & 122 Plateau Road



**Fig. 2. High slope risk, as PC47 documents currently show, Mount Marua Drive - Valley View Way**



**Fig. 3 High slope risk, proposed changes, to solve errors/inconsistencies at/near location 3 Valley View Way**

SUBMISSION 92

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

Hayley Boyd

**Proposed Plan Change 47 - Natural Hazards**

**Chris & Jen Priest**

**74 Katherine Mansfield Drive**

**Whitemans Valley**

**Upper Hutt**

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

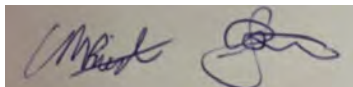
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Signed



3<sup>rd</sup> November 2022

---

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GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC’s submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City’s aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community’s experience to date, and the recent litigation, the community distrusts GWRC’s motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC’s hazard overlays to be released in their current form if they can be used to achieve GWRC’s goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed - need to stay with UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC’s clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC’s goals.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community’s lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

### **The peat maps include too much land**

Some members of the Mangarua Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangarua valley and peat. The document is in the Upper Hutt Library and is called “Soils of Mangarua-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangarua Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangarua Valley Soils](#)

### **Primary Concern – The maps include my property**

My property is poorly represented by the current proposed peatland overlay. The flatter part is in the overlay while the steeper part is outside of it – refer above the peat maps include too much land.

Decision requested – Please feel free to arrange to come and see my property.

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End of Submission

## SUBMISSION 93

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Emma\_ just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Emma Zee

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**Postal address of submitter:**

47 Seymour Grove, Kingsley Heights

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**Email address:**

emma.k.zee@gmail.com

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**Telephone number:**

0273682562

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**Could you gain an advantage in trade competition through this submission?**

No

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**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

High slope hazard area designation

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**My submission is that:**

My house is currently shown half within, and half outside of the high slope hazard area. I would like an amendment considered to the extent of the hazard area to more accurately reflect the slope which would exclude my dwelling from the hazard area.

---

**I seek the following decision from the local authority:**

I would like an amendment considered to the extent of the hazard area to more accurately reflect the slope which would exclude my dwelling from the hazard area.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do wish to be heard in support of my submission.



---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do wish to make a joint case.

---

## SUBMISSION 94

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Cushla just made a submission on PC47 Submission Form (FORM 5) with the responses below.

**Name of submitter:**

Cushla and Vaughan Majendie

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**Postal address of submitter:**

159 Katherine Mansfield Drive, Whitemans Valley, Upper Hutt

---

**Email address:**

redwagon159@gmail.com

---

**Telephone number:**

021382274

---

**Could you gain an advantage in trade competition through this submission?**

No

---

**If you answered yes to the above, please choose one of the following options:**

I am directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

---

**The specific provisions of the proposed Plan Change that my submission relates to are as follows:**

Mangaroa Peat Lands

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**My submission is that:**

We feel that the identification of the location of peat land is inaccurate in relation to our property and we do not feel that thorough enough testing and analysis has been undertaken to ensure the accuracy of the area which is suggested to be peat eg ground core samples have not been taken. We have no current plans for any type of earth works, however we feel that any details held by the council need to be accurate so that any future needs are not impacted unnecessarily by both time and /or cost.

---

**I seek the following decision from the local authority:**

We do not wish to accept the councils current assessment of the peat lands on our property.

---

**Please indicate whether you wish to be heard in support of your submission:**

I do not wish to be heard in support of my submission.

---

**Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:**

I do not wish to make a joint case.

---

# SUBMISSION 95

## SUBMISSION FORM (FORM 5)

### PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN: NATURAL HAZARDS CHAPTER TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN (2004)



To: Upper Hutt City Council

File Number:  
Submission Number:  
(for office use only)

Submission on **PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN: NATURAL HAZARDS CHAPTER TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN (2004)**

Submissions can be:

Delivered to: HAPAI Building, 879-881 Fergusson Drive, Upper Hutt  
Emailed to: [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**The closing date for submissions is Friday 4 November 2022 at 5pm**

**PLEASE NOTE THAT THE INFORMATION PROVIDED IN YOUR SUBMISSION, INCLUDING YOUR CONTACT DETAILS, WILL BE AVAILABLE TO THE PUBLIC**

#### DETAILS OF SUBMITTER

Name of submitter	Pat van Berkel		
Postal address of submitter	95 Elmslie Rd, Pinehaven, Upper Hutt		
Agent acting for submitter (if applicable)	-		
Address for service (if different from above)	-		
Contact phone / email	Telephone: -		Email: <a href="mailto:pat.vanberkel@gmail.com">pat.vanberkel@gmail.com</a>
I could gain an advantage in trade competition through this submission (Please tick one)	<b>NO</b>	<input checked="" type="checkbox"/>	<b>Only answer this question if you ticked YES:</b>  I <b>am / am not</b> (select one) directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.
	<b>YES</b>	<input type="checkbox"/>	

## DETAILS OF SUBMISSION

The specific provisions of the Variation that my submission relates to are as follows: <b>See attached</b>		
My submission is that: <b>See attached</b>		
I seek the following decision from the local authority: <b>See attached</b>		
Please indicate whether you wish to be heard in support of your submission (Tick appropriate box)	I <b>do</b> wish to be heard in support of my submission	√
	I <b>do not</b> wish to be heard in support of my submission	
Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (Tick appropriate box)	I <b>do</b> wish to make a joint case	√
	I <b>do not</b> wish to make a joint case	

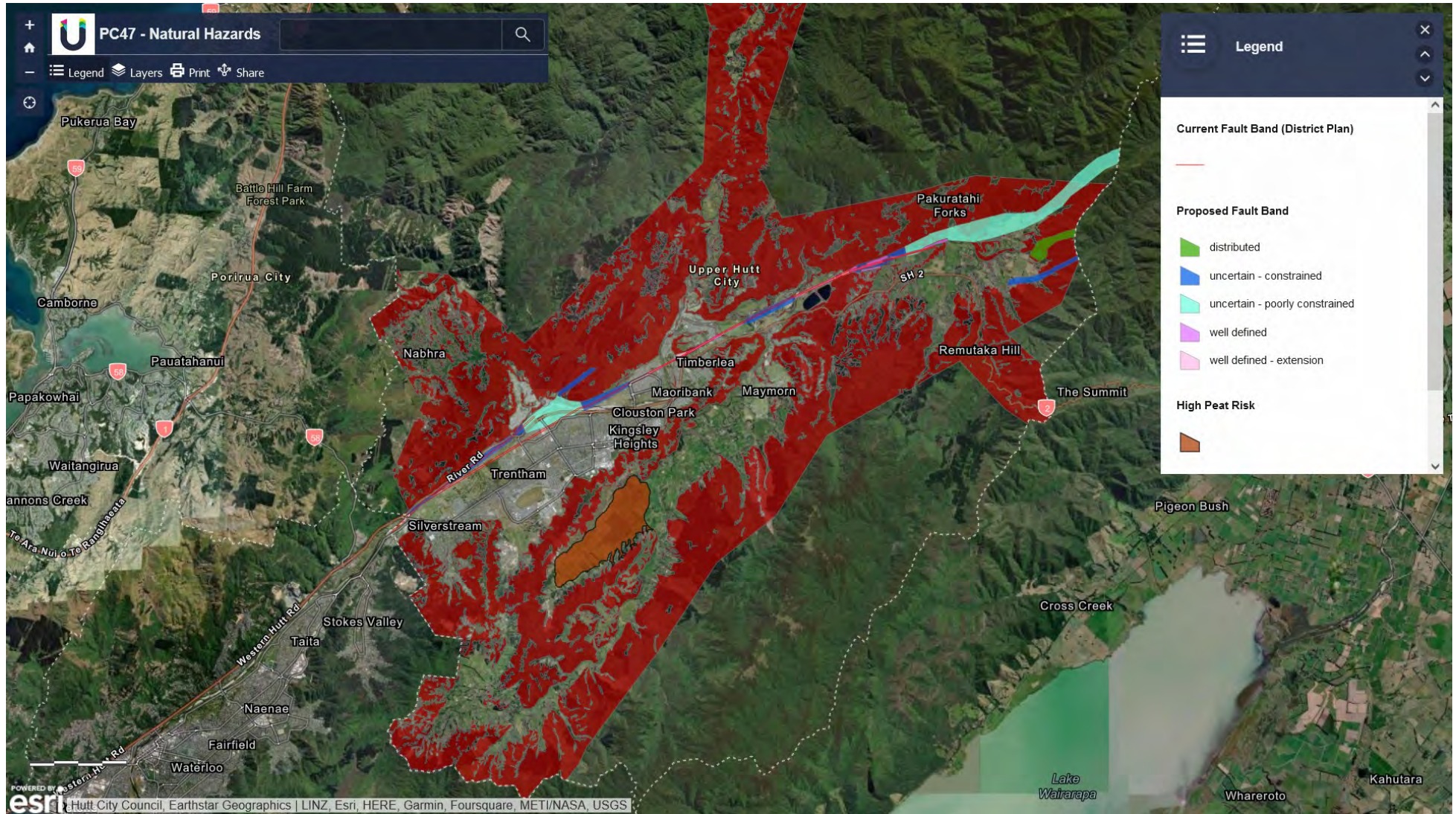
## SIGNATURE AND DATE

<hr/> <p><i>Signature of person making submission or person authorised to sign on behalf of person making submission</i></p> <p>Date: <u> 4 Nov 2022</u></p> <p><i>(Note: A signature is not required if you are making your submission by electronic means)</i></p> <p><b>Terms of making a submission</b> - Upper Hutt City Council collects contact information on this form as part of the consultation process. Your personal information will be securely stored at Upper Hutt City Council and only accessed by Council officers for the intended purpose. You can request that your personal information be corrected at any time. Submission of this form is deemed as your agreement to these terms.</p> <p><b>PLEASE NOTE</b> Your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission): <b>1</b> it is frivolous or vexatious; <b>2</b> it discloses no reasonable or relevant case; <b>3</b> it would be an abuse of the hearing process to allow the submission (or the part) to be taken further; <b>4</b> it contains offensive language; <b>5</b> it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.</p>
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## Submission to Plan Change 47: Natural Hazards

1. The UHCC request to citizens for submission on Plan change 47 is at the same time as the UHCC request for submissions on Variation 1 to proposed plan change 49 (Silverstream Spur). This made it difficult to give proper consideration to proposed plan change 47. The korero on the two plan changes should not overlap.
2. This submission relates to the Mangaroa Peatland which PC 47 considers is a hazard area. See the map of UHCC hazard areas in appendix 1.
3. The Mangaroa Peatland is in fact a regional treasure. It is unique in the lower North Island. It must be protected from development and restored as a functioning peatland. The section 32 report makes no mention of the fact that the Peatland is an important treasure.
4. The Mangaroa Peatland is a significant natural area. The Section 32 report should acknowledge this. Recognition of the Peatland as a SNA means that development would not occur on it, and hence there would be no need to recognise its hazardous nature to building development (just like the hazard risks in Akatarawa Forest, Pakuratahi Forest, and Tararua Forest are not considered).  
The Peatland should be retained as a significant natural area. Not doing so is in contravention of the UHCC Sustainability Strategy.  
Section 5 (2) b of the Resource Management Act requires UHCC to “safeguard the life-supporting capacity of air, water, soil, and ecosystems”. Providing for development on the Mangaroa Peatland is in contravention of this requirement.
5. Section 3.22 of the National Policy Statement for Freshwater 2020 requires “The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted”. The Section 32 Report erroneously states that “There are no relevant provisions within the National Policy Statements that are applicable to the development of the natural hazard provisions.” But this is incorrect as the NPS-FW is nationally applicable and always applicable. The NPS-FW does not allow for development on wetlands (including peatlands) and the Section 32 report needs to discuss this and recognise it.
6. The Mangaroa Peatland contains a large amount of carbon that will gradually release to the atmosphere if the peatland is allowed to decline. This will occur if the peatland is not protected from building development and is left unrestored. The release of carbon to the atmosphere will contribute to greenhouse gases in the atmosphere and cause global heating.  
The issue of Climate Change is so serious that all planning documents from UHCC should consider how to reduce Upper Hutt’s city-wide carbon emissions.  
The Peatland must be retained as a functioning carbon sink. This would help Aotearoa become net carbon zero by 2050.  
These aspects are not considered in the Section 32 report.
7. I seek the following decisions:
  - a. Acknowledge that the Section 32 report omits mention of the importance of the Peatland from an ecological viewpoint and as a carbon sink.
  - b. Update the Section 32 report to analyse the significance of the Peatland and its value as a carbon sink.  
Furthermore, analyse the application of Section 5 (2) b of the RMA, and Section 3.22 of the NPS-FW.
  - c. Recognise that building development is completely inappropriate on the Mangaroa Peatland.
  - d. Zone the Mangaroa Peatland so that it is protected and able to be restored.
  - e. Delay decision making on plan change 47 until after the Peatland is recognised as a significant natural area and/or a significant amenity landscape.

Appendix 1: Map of hazard areas in Upper Hutt from UHCC mapping system, 4 Nov 2022



Proposed Plan Change 47 - Natural Hazards

Name: Sharlene McDonald

Address: 88 Katherine Mansfield Drive

Suburb: RD1

City: Upper Hutt

The following is my submission on Plan Change 47 - Natural Hazards (PC47)

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

I am /  I am not directly affected by an effect of the subject matter of the submission that:  
(a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed



4th November 2022

Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the peatland map which directly affects my land.

*PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland*

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

UHCC's section 32 report acknowledges that the Building Act process will ensure that consent applications for new buildings must demonstrate their foundations are appropriate for the ground conditions upon which they are located. On poor ground conditions those foundations must be



designed by an engineer. The section 32 report states that this process is sufficient for housing, but a new process under PC47 is required for subdivision to ensure viable building platforms are available before the subdivision is consented.

UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

### ***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council is intent on retaining and “protecting” peat-based soils and peat-based areas as carbon stores under the guise of Climate Change. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression.

GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other “sensitive soils” such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as “peatland” if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15–50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation. The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use

restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed – need to stay with UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – Change the names of the zones to something like "Sensitive land planning zone" for the Mangaroa Peatlands Hazard and "Slope assessment planning zone" or "Soil type Risk planning zone" for the High Slope Hazard zones

#### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level. By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the "some risk" category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words "High risk" from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

#### **The cost benefit analysis needs more work before it can be relied on**

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The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of

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Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

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In the recent court action of GWRC vs Adams and ors, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called "Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

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Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ARGGIS - Mangaroa Valley Soils](#)

### **How were High Slope maps created?**

It is difficult to figure out how High Slope hazard areas were defined.

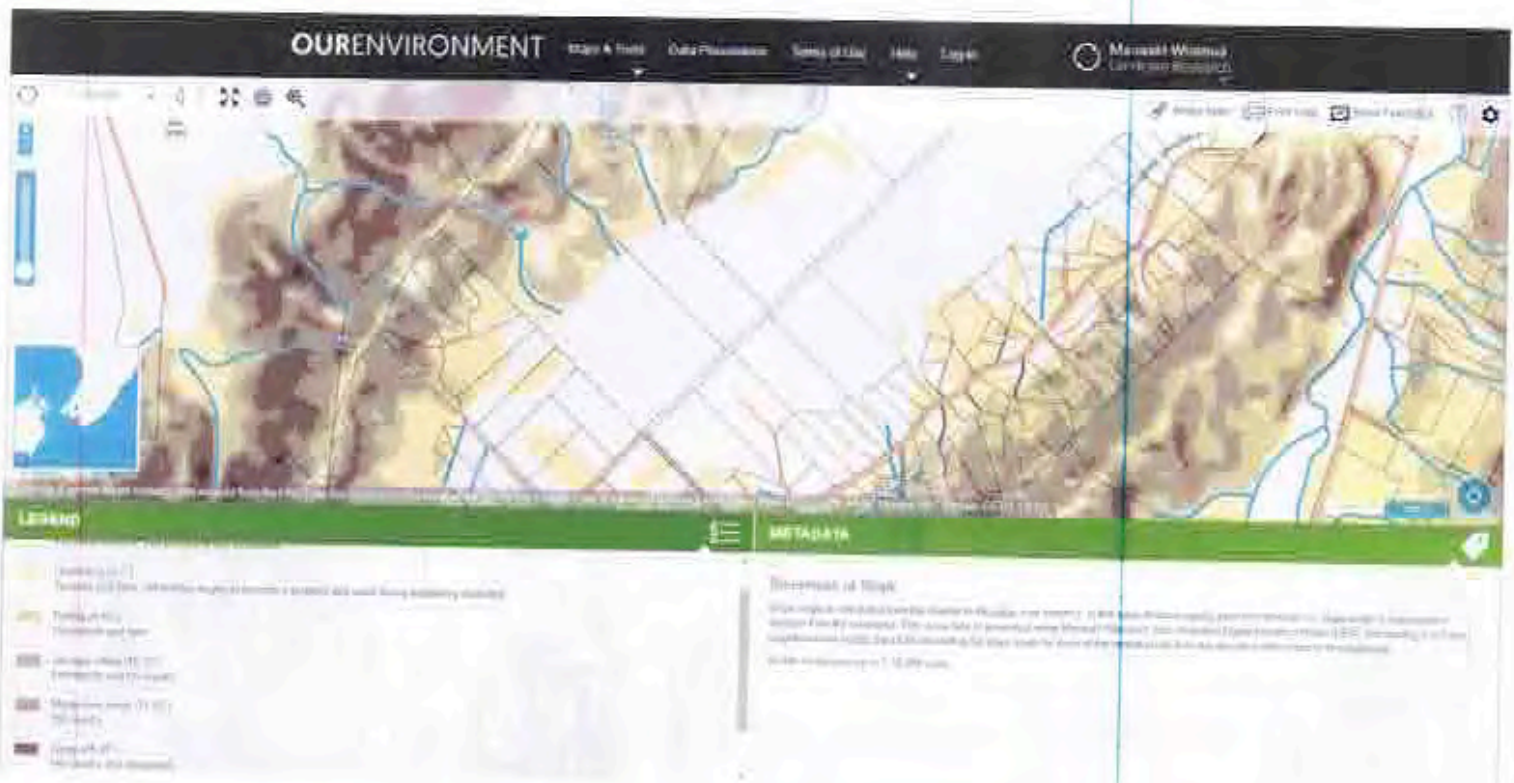
The high slope maps do not follow contour maps, property titles, Coffey's Appendix E – Lidar information on ground steepness, GNZ / Manaaki Whenua's slope definitions or soil types. Coffey's report doesn't explain how the red Hazard areas were established.

In creating a high slope hazard overlay, UHCC appears to be duplicating existing maps. By doing so, it may create legal liability for UHCC if the maps are inaccurate.

There are at least 4 different slope risk maps that cover Upper Hutt including a Land Use database from Manaaki Whenua, GWRC hazards map, PC47 and Ministry of the Environment's erosion risk map. Rather than taking the risk on themselves, UHCC might prefer to adopt the Land Use database from Manaaki Whenua instead. It has 4 scales, low, medium, high, and very high risk based on soil samples and substrate type. It also looks at both the erosion and earthquake risk and is updated regularly.



[PC47 - Natural Hazards \(airgls.com\)](#) showing both the high slope overlay and the underlying Lidar data



[Steepness of Slope & Maps & Our Environment \(ourinfo.org.nz\)](#) showing a steepness of slope gradient

Decision requested – Adopt either the Manaaki Whenua Land Use slope risk or the Manaaki Whenua Land Steepness overlay to define the area for development earthworks assessment or revisit the Lidar based information provided by Coffey

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End of Submission

Proposed Plan Change 47 - Natural Hazards

Name: Hamish McDonald

Address: 88 Katherine Mansfield Drive

Suburb: RD1

City: Upper Hutt

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

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I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed



4rd November 2022

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I also have some observations to make about the peatland map which directly affects my land.

### *PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland*

Peat is a soil type, in the same way that clay, sand, silt, and loam are soil types. To pull peat out and define it as a hazard is like using a sledgehammer to crack a nut, given that UHCC simply wants to ensure that subdivisions are consented with viable building platforms. It would be better to redefine the hazard overlays as a planning process (see the next point, which discusses this further).

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UHCC's diligence is commendable, but the approach has some problems. For instance:

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GWRC seems likely to support the RPS change 1 document with similar land use rules that currently apply in other "sensitive soils" such as wetlands. It is not hard to foresee something like the wetland rules in the proposed Natural Resources Plan being applied to areas defined as "peatland" if their aim is to protect the peat from disturbance.

The wetland land use rules are prescriptive and inflexible, and don't work well on the peatland, which is generally solid underfoot and grassy. Rules such as no machinery, no large animals (sheep, but no goats, cows, or pigs) make it hard to look after large paddocks (some of which are 2 ha or more) and create significant fire risks every summer. Setbacks of 15-50m for buildings and septic fields would significantly constrain land use for little environmental gain.

Making this worse, there isn't any real information about the peat on the peatland. The proposed peat map doesn't differentiate whether you've got 2 cm or 2 m of peat and whether it's 10 cm down or buried under 3 m of topsoil.

High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation. The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

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Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use

restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the assessment of risk and decisions about what activities can proceed – need to stay with UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – Change the names of the zones to something like "Sensitive land planning zone" for the Mangaroa Peatlands Hazard and "Slope assessment planning zone" or "Soil type Risk planning zone" for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level. By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the "some risk" category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words "High risk" from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community's lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of

exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.

### **The peat maps include too much land**

Some members of the Mangaroa Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of GWRC vs Adams and ors, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called "Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

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Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [SODS - Mangaroa Valley Soils](#)

### **How were High Slope maps created?**

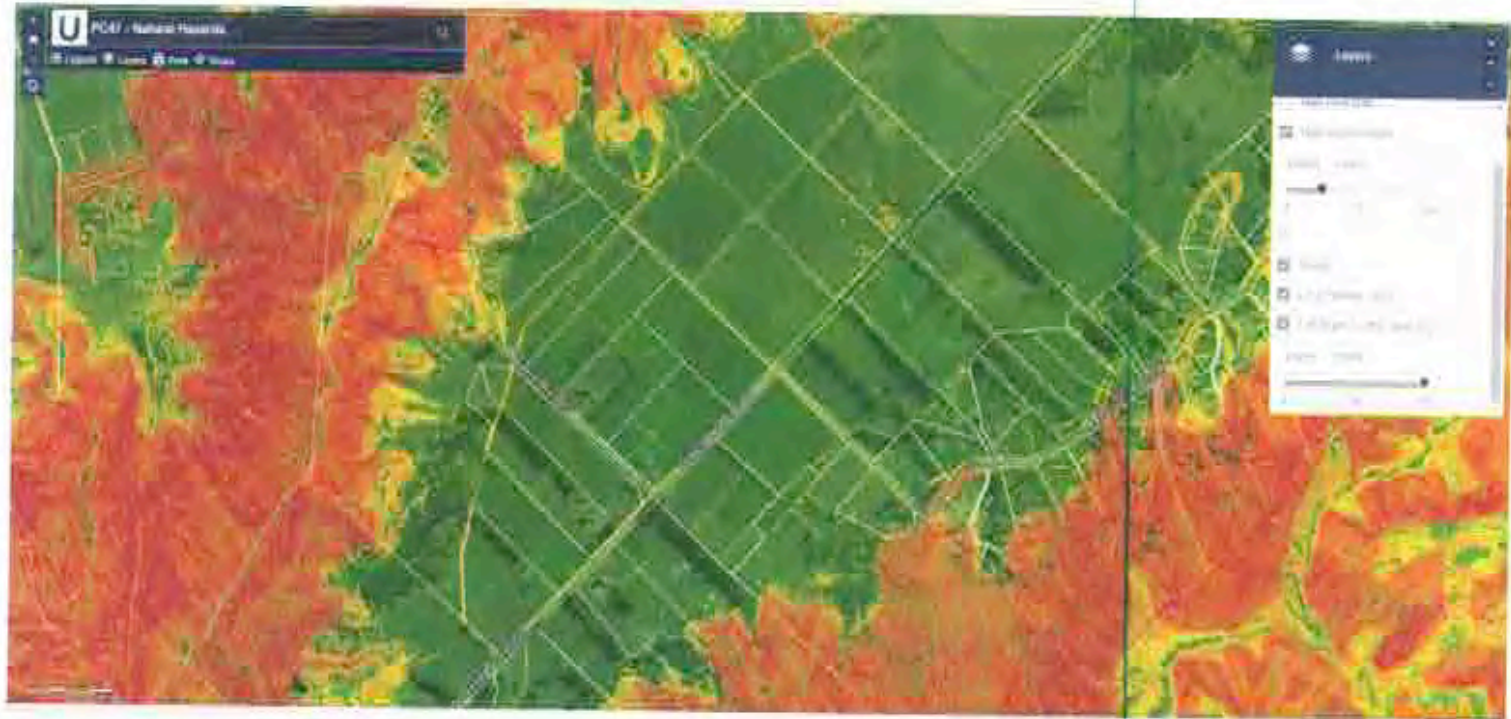
It is difficult to figure out how High Slope hazard areas were defined.

The high slope maps do not follow contour maps, property titles, Coffey's Appendix E – Lidar information on ground steepness, GNZ / Manaaki Whenua's slope definitions or soil types. Coffey's report doesn't explain how the red Hazard areas were established.

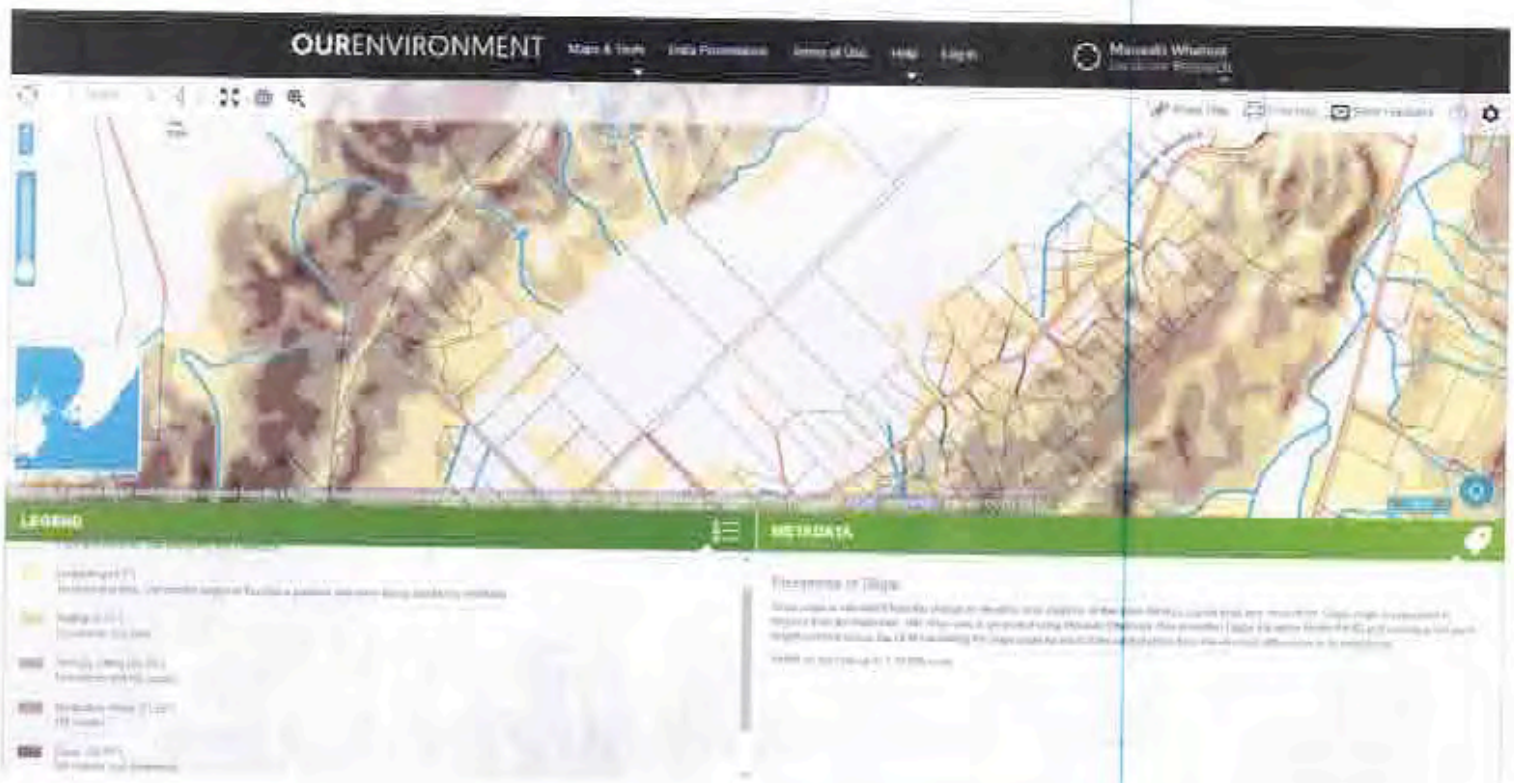
In creating a high slope hazard overlay, UHCC appears to be duplicating existing maps. By doing so, it may create legal liability for UHCC if the maps are inaccurate.

There are at least 4 different slope risk maps that cover Upper Hutt including a Land Use database from Manaaki Whenua, GWRC hazards map, PC47 and Ministry of the Environment's erosion risk map. Rather than taking the risk on themselves, UHCC might prefer to adopt the Land Use database from Manaaki Whenua instead. It has 4 scales, low, medium, high, and very high risk based on soil samples and substrate type. It also looks at both the erosion and earthquake risk and is updated regularly.





[PCA7 - Natural Hazards \(aicomple.com\)](#) showing both the high slope overlay and the underlying Lidar data



[Steepness of Slope - Maps - Our Environment \(oinfo.org.nz\)](#) showing a steepness of slope gradient.

Decision requested – Adopt either the Manaaki Whenua Land Use slope risk or the Manaaki Whenua Land Steepness overlay to define the area for development earthworks assessment or revisit the Lidar based information provided by Coffey

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End of Submission

## SUBMISSION 98

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

### Proposed Plan Change 47 - Natural Hazards

**Name**      **Alan Rothwell**  
**Address**    **50A Katherine Mansfield Drive**  
**Suburb**     **Whitemans Valley**  
**City**        **Upper Hutt 5371**  
**Email**       [alan.rothwell.a@gmail.com](mailto:alan.rothwell.a@gmail.com)

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

- I do /  I do not wish to be heard by speaking in support of my submission.
- I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.
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- I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

I confirm that I have permission to provide this information and that I have read and understood the privacy statement

Signed

3<sup>rd</sup> November 2022

---

Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the **peatland map** which directly affects my land.

### ***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

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UHCC's diligence is commendable, but the approach has some problems. For instance:

- When a family subdivides their land to build a home for a family member, it creates potentially duplicative processes, increasing the total cost of subdivision and building.
- UHCC already requires building platforms to be identified as a process requirement in subdivision consents. For instance, the North Valley estate subdivision had building platforms identified that were initially clear of any contested wetlands.

Decision requested – PC47 to adopt a “horses for courses” approach that allows a pragmatic and risk-based approach to the processes for consenting for subdivision and building. That may mean a more streamlined approach for subdivisions for a single additional dwelling. In those cases, a single approach to an engineer is to be preferred to keep costs down.

***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

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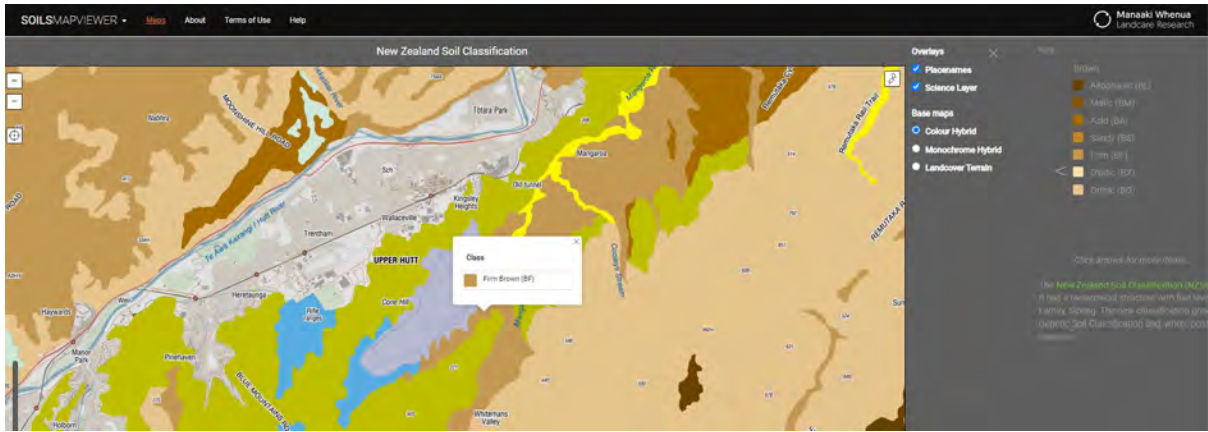
## Primary Concern – The maps include my property

My property is poorly represented by the current proposed peatland overlay in my opinion. The flatter part is in the overlay while the steeper part is outside of it. It was worse before we had a visit from a geo-tech engineer arranged by UHCC. Previously our entire property was shown as peat, but the engineer was forced to change that view as she stood on our lower paddocks and looked back up the slope to our house which was about 4 metres higher. I offered to show the geo-tech engineer the composition of the soil in these lower paddocks by digging a quick hole, but she wasn't interested.

Despite having visited the property the engineer's feedback still left our lower paddocks at valley floor level in the peatland overlay, which we feel is wrong. This comes back to the one size fits all approach criticised above. There is no visible or behavioural signs of peat in our lower paddocks, instead they appear to be a deep top soil/clay mix. Fence posts have to be dug or rammed in with difficulty, heavy vehicles can drive on these lower paddocks even mid winter. Yes a tractor would make a mess mid winter given our heavy rainfall these days, but it would not sink into the paddock like they do in real peat. My son, working for the local hay contractor, has accidentally driven a tractor over peat in early summer and found, even then, it started to sink. Clear evidence of peat is about 150+ metres northwest of our property. In **GWRC's RPS Change 1** they talk about buffer zones, with no definitions of how large these zones may be, meaning that even if real peat is 150+ metres away, our property could still get caught up in a buffer zone. And this would certainly be the case if our lower paddocks are deemed to be within the peatlands overlay, even if ½ the property is above valley floor on a spur from the hills behind and there is no evidence of peat on the property. Some soil maps I've found out there don't show our property as peat, they put it into other categories.

Decision requested – Please feel free to arrange to come and see my property.

<https://soils-maps.landcareresearch.co.nz/>



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End of Submission





OFFICE USE ONLY Submission number **99**

# PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL DISTRICT PLAN

## Proposed Plan Change 47—Natural Hazards

The closing date for submissions is Friday, 4 November 2022, at 5.00 pm

**To Upper Hutt City Council**  
**Submission on Proposed Plan Change 47 to the Upper Hutt City Council District Plan**  
**Deliver to:** HAPAI Service Centre, 879 – 881 Fergusson Drive, Upper Hutt 5019  
**Post to:** Planning Policy Team, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140  
**Scan and email to:** [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

### Details of submitter

When a person or group makes a submission or further submission on a Proposed Plan Change this is public information. By making a submission your personal details, including your name and addresses, will be made publicly available under the Resource Management Act 1991. This is because, under the Act, all submissions must be published to allow for further submission on the original submission. There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have reasons why your submission or your contact details should be kept confidential, please contact the Planning Team via email at [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz).

NAME OF SUBMITTER Silver Stream Railway Incorporated

POSTAL ADDRESS OF SUBMITTER Reynolds Bach Drive; Stokes Valley; Lower Hutt 5019

AGENT ACTING FOR SUBMITTER (IF APPLICABLE)

Simon Edmonds

ADDRESS FOR SERVICE (IF DIFFERENT FROM ABOVE)

CONTACT TELEPHONE 0274 923 580 CONTACT EMAIL [simon.edmonds@beca.com](mailto:simon.edmonds@beca.com)

I could gain an advantage in trade competition through this submission (please tick one):  yes  no

Only answer this question if you ticked 'yes' above:

I am  /  am not (tick one ) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

**Details of submission**

The specific provisions of the proposed Plan Change that my submission relates to are as follows:

Please refer to attached submission

USE ADDITIONAL PAPER IF NECESSARY

My submission is that:

Please refer to attached submission

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS. PLEASE USE ADDITIONAL PAPER IF NECESSARY

I seek the following decision from the local authority:

Please refer to attached submission

PLEASE GIVE PRECISE DETAILS AND USE ADDITIONAL PAPER IF NECESSARY

Please indicate whether you wish to be heard in support of your submission (tick appropriate box 

- I do wish to be heard in support of my submission.
-

Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box 

- I do not wish to make a joint case.

**Signature and date**

Sensitivity: General

Signature of person making submission or person authorised to sign on behalf of person making submission:

**Simon Edmonds**

SIGNATURE

DATE 4 November 2022

---

**From:** [Simon Edmonds](#)  
**To:** [UHCC Planning](#)  
**Subject:** Plan Change 47 - Natural Hazards Submission  
**Date:** Friday, 4 November 2022 4:58:35 pm  
**Attachments:** [image001.png](#)  
[pc47\\_natural-hazards\\_form-5.docx](#)

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Submission from Silver Stream Railway Incorporated on Proposed Plan Change 47

1. Silver Stream Railway have reviewed the proposed high slope hazard areas shown on the planning maps and the proposed district plan provisions.
2. We advise that there are significant areas of the railway land for SSR which are broadly flat and have been included in the slope hazard maps as 26 degree or greater slopes.
3. Please refer to the attached mark-ups of the slope hazard planning maps where SSR is seeking them to be amended by UHCC to reflect the actual land contours.
4. There are also areas of stream bank along the alignment of SSR railway land shown that are not intended to be included in the high slope hazard areas as they have already been covered by setback requirements. These areas of stream bank should be removed from the planning maps.
5. The inclusion of these areas of SSR railway land within the proposed high slope hazard area overlay could adversely affect SSR for both the assessment and ongoing future replacement of these structures as well as any future structures.

Tetra Tech Coffey (NZ) Ltd, reference 773-WLGGE225406AD-AA, dated 7 October 2021

Areas of high slope hazard has been classified as those areas where slopes are greater than 26 degrees. River and stream banks are excluded from the high slope hazard as UHCC has already nominated setbacks adjacent to stream banks. Where small streams are present at the base of a larger change in topography, the large slope has been included as a high slope hazard as the streams are likely secondary to the slope. Where possible, the stream channel and banks have been removed from the high slope hazard.

#### Updated Hazard Maps

The slope hazard mapping is an area wide assessment. The requested areas were assessed in more detailed

**Simon Edmonds**

**NOTICE:** This email, if it relates to a specific contract, is sent on behalf of the Beca company which entered into the contract. Please contact the sender if you are unsure of the contracting Beca company or visit our web page <http://www.eca.com> for further

information on the Beca Group. If this email relates to a specific contract, by responding you agree that, regardless of its terms, this email and the response by you will be a valid communication for the purposes of that contract, and may bind the parties accordingly. This e-mail together with any attachments is confidential, may be subject to legal privilege and applicable privacy laws, and may contain proprietary information, including information protected by copyright. If you are not the intended recipient, please do not copy, use or disclose this e-mail; please notify us immediately by return e-mail and then delete this e-mail.

U PC47 - Natural Hazards

Legend Layers Print Share







SUBMISSION 100

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Proposed Plan Change 47 - Natural Hazards**

**Name** Nicola Rothwell

**Address** 50A Katherine Mansfield Drive

**Suburb** Whitemans Valley

**City** Upper Hutt 5371

**Email** [nicola.rothwell.n@gmail.com](mailto:nicola.rothwell.n@gmail.com)

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

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Signed

*Nicola Rothwell*

4<sup>th</sup> November 2022

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High slope areas are also mentioned in the RPS Change 1 document specifically. These are earmarked to become areas with native reforestation using woody, deep rooted vegetation.

The recently released submissions for this RPS change 1 was clarified further by GWRC where they remove any reference to a land use or erosion measure type.

GWRC has already amended RPS change 1 to refer to hazard mapping, in its own submission on the change document (made public after UHCC released PC47). GWRC's submission also makes it clear that the hazard analysis can be applied to existing subdivisions.

Despite Upper Hutt City's aim for these to be planning mechanisms that only are used at time of new building or subdivision, GWRC now has a mapped overlay they can use to impose land use restrictions to help them depopulate areas like the Mangaroa valley and its surrounding hills. Given the Mangaroa Peatland community's experience to date, and the recent litigation, the community distrusts GWRC's motives in making these amendments and using the hazard maps once they are available.

It would be unconscionable for UHCC's hazard overlays to be released in their current form if they can be used to achieve GWRC's goals, which have little to do with democracy or community good. And the rules governing the use of the overlays – particularly the

assessment of risk and decisions about what activities can proceed - need to stay with UHCC. Those decisions cannot be allowed to be co-opted into the RPS, given GWRC's clear predetermination of the matter when it comes to the Mangaroa Peatland.

A good starting point is to change the language to distance the peatland and slopes from GWRC's goals.

Decision requested – Change the names of the zones to something like “Sensitive land planning zone” for the Mangaroa Peatlands Hazard and “Slope assessment planning zone” or “Soil type Risk planning zone” for the High Slope Hazard zones

### **Take a more nuanced view of risk by using a sliding scale**

The current plan change is to inspect further activities in areas which may contain hazards. This is by applying some checks in the consenting process if an area is considered to possibly contain a hazard that needs to be mitigated.

Most of the rest of the regional plans and other government entities recognise there is a sliding scale where there may be a slight through to moderate or high risk. By only having a single option of hazard or not, it removed some of your future options to better mitigate or identify the risk level.

By having three levels of risk – no risk, some risk, high risk instead, UHCC can put more stringent controls in place later when more details or accurate information is discovered over time.

Using three levels of risk will allow you to put slope and peatlands into the “some risk” category, which will leave it to UHCC to manage planning for new subdivisions in accordance with the rules in PC47. By removing the words “High risk” from both slope and peatlands, these areas will be removed from the zones which the RPS change 1 says that development should be avoided.

Decision requested – Have 3 categories for each hazard, No risk, some risk, and High risk. Classify the Wellington Fault Zone as high risk. Classify the Mangaroa Peatlands and High slope zone as some risk

### **The cost benefit analysis needs more work before it can be relied on**

The cost benefit analysis informing PC47 is unreliable at best and dangerous at worst. It contains material mistakes of fact as regards the peatland (when the peatland was discovered, whether it was ground truthed, and the reality of building on peaty soils and engineering mitigations that can be made). These mistakes of fact lead to assumptions

about risk to life and property that make the conclusions unrecognisable from the Mangaroa Peatland community's lived experience.

The cost-benefit analysis discounts the impacts of the hazard overlays on the people already living or planning to live in the area in terms of the value to their land, potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and the risk of exposure to regulatory misfeasance by GWRC. At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented). The analysis also discounts the feasibility of engineering solutions to mitigate risk for future buildings.

**Decision requested – withdraw the cost benefit analysis and correct the mistaken facts and assumptions before re-publishing it.**

### **The peat maps include too much land**

Some members of the Mangaroa Peatland community have engaged with you over the accuracy of the maps. The boundaries of the peatland are probably smaller than the map indicates.

In the recent court action of *GWRC vs Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangaroa valley and peat. The document is in the Upper Hutt Library and is called "Soils of Mangaroa-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangaroa Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

**Decision requested – Amend the map to be the peat defined in the Soil Bureau survey of the peatland and documented in this Overlay, as modified by the sites that have been ground truthed: [ArcGIS - Mangaroa Valley Soils](#)**

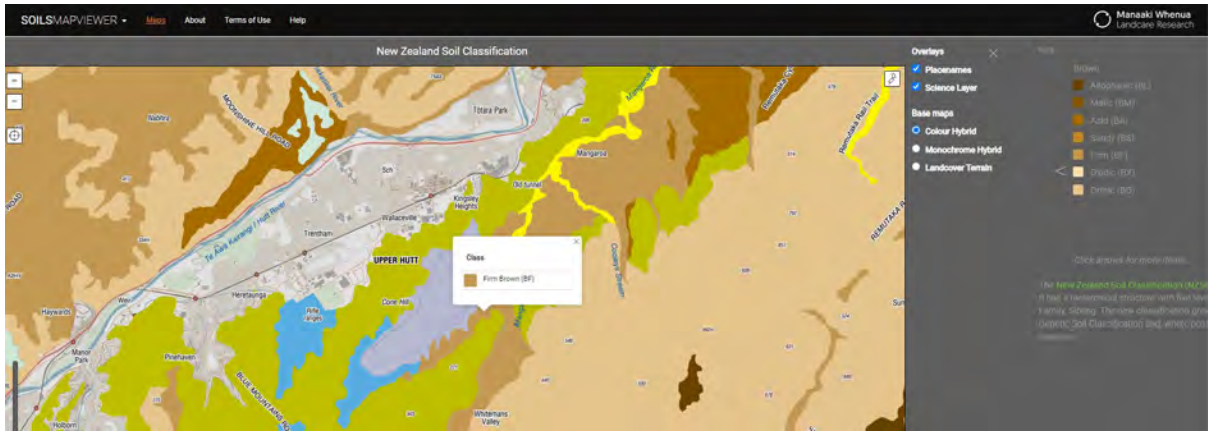
## Primary Concern – The maps include my property

My property is poorly represented by the current proposed peatland overlay in my opinion. The flatter part is in the overlay while the steeper part is outside of it. It was worse before we had a visit from a geo-tech engineer arranged by UHCC. Previously our entire property was shown as peat, but the engineer was forced to change that view as she stood on our lower paddocks and looked back up the slope to our house which was about 4 metres higher. I offered to show the geo-tech engineer the composition of the soil in these lower paddocks by digging a quick hole, but she wasn't interested.

Despite having visited the property the engineer's feedback still left our lower paddocks at valley floor level in the peatland overlay, which we feel is wrong. This comes back to the one size fits all approach criticised above. There is no visible or behavioural signs of peat in our lower paddocks, instead they appear to be a deep top soil/clay mix. Fence posts have to be dug or rammed in with difficulty, heavy vehicles can drive on these lower paddocks even mid winter. Yes a tractor would make a mess mid winter given our heavy rainfall these days, but it would not sink into the paddock like they do in real peat. My son, working for the local hay contractor, has accidentally driven a tractor over peat in early summer and found, even then, it started to sink. Clear evidence of peat is about 150+ metres northwest of our property. In **GWRC's RPS Change 1** they talk about buffer zones, with no definitions of how large these zones may be, meaning that even if real peat is 150+ metres away, our property could still get caught up in a buffer zone. And this would certainly be the case if our lower paddocks are deemed to be within the peatlands overlay, even if ½ the property is above valley floor on a spur from the hills behind and there is no evidence of peat on the property. Some soil maps I've found out there don't show our property as peat, they put it into other categories.

Decision requested – Please feel free to arrange to come and see my property.

<https://soils-maps.landcareresearch.co.nz/>



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End of Submission

[planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz)

**Proposed Plan Change 47 - Natural Hazards**

**Name L Williams**

**Address 110 KMD**

**Suburb Whitemans Valley**

**City Upper Hutt**

The following is my submission on Plan Change 47 - Natural Hazards (PC47).

I do /  I do not wish to be heard by speaking in support of my submission.

I would /  I would not consider presenting a joint case at the hearing with others who make a similar submission.

I could /  I could not obtain any commercial advantage through this submission

I am /  I am not directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

I will /  I will not obtain any commercial advantage through the matters contained in my submission.

I would /  I would not like to have Upper Hutt staff come and visit my address to see how the land is compared with the proposed overlays

Lisa

Signed

4<sup>th</sup> November 2022

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Thank you for the opportunity to make a submission on Proposed Change 47. I have some concerns about the potentially unintended consequences of the hazard maps in PC47, given how Greater Wellington Regional Council appears to be wanting to use them in the Regional Policy Statement proposed change 1. I have some suggestions for how the City Council might avoid those unintended consequences.

I also have some observations to make about the **peatland map** which directly affects my land.

### ***PC47's one-size-fits-all approach won't work for all subdivisions - or for the Mangaroa Peatland***

UH has created a crude and inaccurate peat overlay polygon and defined it as a natural hazard. This process has created a lot of uncertainty and fear in residents that is unnecessary given that the outcome UHCC is going to achieve is to require new subdivisions go through a Restricted Activity Consent Process and have a geotech report confirming there is a suitable building platform. Whereas this outcome is already achieved through existing subdivision and building consenting pathways.

Case in point, 110 Katherine Mansfield Drive; during the subdivision process for this Lot, a building platform had to be identified within the Lot, and a geotech report submitted to confirm this was a suitable location for a building and a condition was placed on the Lot Title to the effect that future building foundations would have to be engineered; isn't this the exact same outcome as is sought by proposed Plan change 47 for the Peat Natural Hazard Rule SUB-GEN R3? Except now, with the proposed changes, there will be an extra Resource Consent process to go through, with the associated additional cost, time and uncertainty.

#### Decision requested –

- Ensure the Peat Overlay is accurate – especially where it overlays Lots with existing houses. Currently it is inaccurate and the 'ground truthing' carried out by Coffee excluded /misinterpreted some data.
- Change SUB-GEN-R3 to a Permitted Activity with a condition that a geotech report is submitted as part of the subdivision consent process that confirms a suitable (buildable) building platform is identified within the new Lot.

### ***The names of the proposed zones are also defined in GWRC's RPS Change 1 with potentially unintended consequences***

The recent launch of Greater Wellington Regional Council's Regional Policy Statement change 1 has highlighted that the regional council's goal is to "protect" and "restore" peat-based soils. The RPS change 1 document asserted that peat-based soils should be protected and restored to prevent any chance of the peat releasing any of the stored carbon due to drying or compression. GWRC will use UHCC's Peat Overlay Polygon to identify peat that requires protection.

The issue is that currently the UH peat overlay is inaccurately mapped and coarsely described/defined in the UH Plan. If this is polygon is picked up by GWRC it may impose future land use restrictions to this area, thus unfairly restricting landowners whose land is incorrectly captured by this polygon.

In addition, the descriptions associated with the Peat Overlay in the planning documents and GIS tools are misleading. For example, on the GIS viewer, the polygon is labelled 'High Peat Risk'. In the Planning documents, the terminology is 'poor ground conditions' and 'Manararoa Peat Overlay'.

Decision requested – Be consistent and accurate with Terms Used.

Change the Plan terminology from 'Manararoa Peat Overlay' to 'Soil Assessment Required Overlay' to reflect the actual situation, which is that a specialist will need to assess the ground conditions.

Remove reference to 'Poor ground conditions' from planning documents as some of the land covered by the Peat Overlay is actually good solid ground.

Change the GIS Viewer name from 'High Peat Risk' to "Soil Assessment Required". The current name incites unnecessary fear.

### **The cost benefit analysis needs more work before it can be relied on**

The cost-benefit analysis **discounts** the impacts of the hazard overlays on the people already living or planning to live in the area in terms of

- the value to their land,
- potential future insurability should insurers choose to rely on the hazard overlays in calculating insurance risk, and
- the risk of future land use restrictions imposed by GWRC
- the feasibility of engineering solutions to mitigate risk for future buildings

At the same time, the analysis over-estimates the risk of the terrain to the safety of the buildings already built (it implies existing buildings pose a risk to the safety of their occupants, despite those buildings having been consented).

Decision requested – update the cost benefit analysis and correct the mistaken facts and assumptions.

### **Inaccurate Peat Overlay**

As mentioned above, despite engagement with UHCC over the accuracy of the maps, the boundaries of the peatland are still inaccurate. The revisions and ground truthing carried out did not rectify this situation.

It would be useful if the overlay identified 'transition zones' too to show where the peat might be layered with other soils.

In the recent court action of GWRC vs *Adams and ors*, the court found that the most accurate Peat boundary is using the only survey of soil types done of the Mangararoa valley and peat. The document is in the Upper Hutt Library and is called "Soils of Mangararoa-Whitemans Valley, Upper Hutt, New Zealand.

This report shows that the land in the on the edges of the proposed Peat zone was not peat, but Loamy silt or Golans / Gley soil with a little Peat mixed in which has the structural characteristics of a clay rather than peat. [ArcGIS - Mangaroo Valley Soils](#).

Many properties near the boundary of the peatland, and those at the south end of the peatland, may not be on peat at all but on a mix of peat-based soils and Golans/Gley soil with some peat content.

This soil type of Golans Clay with peat is also captured in the current proposed definition of the peat overlay yet does not have the same subsidence or movement hazard risks as peat does. It should therefore be excluded from the peat hazard overlay.

Decision requested – update the overlay so it is accurate. Review the ‘ground truth’ data collected near 110 KMD and update the maps accordingly.

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End of Submission

# SUBMISSION 102

## Submission PC 47-Natural Hazards Mary Beth Taylor

### Details of submitter

1. Name of submitter: Mary Beth Taylor
2. Postal address of submitter:  
165A Katherine Mansfield Drive, Whitemans Valley, Upper Hutt 5371
5. Email address: [mbtaylor.tierra@gmail.com](mailto:mbtaylor.tierra@gmail.com)
6. Telephone number: 04 528 3884      027 380 2892
7. Could you gain an advantage in trade competition through this submission?  
No

### Details of submission

9. The specific provisions of the proposed Plan Change that my submission relates to are as follows:

NH-O1 – Risk from Natural Hazards

NH-P1 – Identification of Natural Hazards

NH-P2 – Least Hazard Sensitive Activities within the Mangaroa Peat Overlay, High Slope Hazard Overlay and Wellington Fault Overlay

NH-P5– Hazard Sensitive and Potentially Hazard Sensitive Activities within the Mangaroa Peat Overlay.

10. My submission is that:

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS.

I DO NOT support these provisions relating to the Mangaroa Peatland for the following reasons:

1. The Mangaroa Peatland is a draft SNA and should be protected not inappropriately developed
2. The NPS FW requires “The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted”.
3. The peatland is a damaged carbon sink which should be protected and restored.
4. The peatland has never been intensely assessed and geo-technically mapped to determine its depth.
5. The draft NPS on Indigenous Biodiversity indicates protection and restoration of wetlands and peatlands.
6. The domino effects of risk of development of the peatland are too great for all concerned and especially for the environment.

11. I seek the following decision from the local authority:

PLEASE GIVE PRECISE DETAILS

1. Recognise that building development is completely inappropriate on the Mangaroa Peatland.
2. Zone the Mangaroa Peatland so that it is protected and able to be restored.
3. Delay decision making on plan change 47 until after the Peatland is recognised as a significant natural area and/or a significant amenity landscape.
4. Delay further work on the peatland portion of PC47 until a thorough assessment has been made of the hydrology, geology, flora, fauna of the peatland. Include an assessment of carbon currently being released.
5. Delay further work on the peatland portion of PC47 until the draft NPS IB has been finalised and is operative.

12. Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard.

13. Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Mary Beth Taylor  
3 November 2022

# SUBMISSION 103

## Submission PC 47-Natural Hazards Tony Chad

### Details of submitter

1. Name of submitter: Tony Chad
2. Postal address of submitter:  
165A Katherine Mansfield Drive, Whitemans Valley, Upper Hutt 5371
5. Email address: [tonygchad@gmail.com](mailto:tonygchad@gmail.com)
6. Telephone number: 04 5288968      021 1155651
7. Could you gain an advantage in trade competition through this submission?  
No

### Details of submission

9. The specific provisions of the proposed Plan Change that my submission relates to are as follows:

NH-O1 – Risk from Natural Hazards

NH-P1 – Identification of Natural Hazards

NH-P2 – Least Hazard Sensitive Activities within the Mangaroa Peat Overlay, High Slope Hazard Overlay and Wellington Fault Overlay

NH-P5– Hazard Sensitive and Potentially Hazard Sensitive Activities within the Mangaroa Peat Overlay.

10. My submission is that:

PLEASE STATE IN SUMMARY THE NATURE OF YOUR SUBMISSION. CLEARLY INDICATE WHETHER YOU SUPPORT OR OPPOSE THE SPECIFIC PROVISIONS OR WISH TO HAVE AMENDMENTS MADE, GIVING REASONS.

I DO NOT support these provisions relating to the Mangaroa Peatland for the following reasons:

1. The Mangaroa Peatland is a draft SNA and should be protected not inappropriately developed
2. The NPS FW requires “The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted”.
3. The peatland is a damaged carbon sink which should be protected and restored.
4. The peatland has never been intensely assessed and geo-technically mapped to determine its depth.
5. The draft NPS on Indigenous Biodiversity indicates protection and restoration of wetlands and peatlands.
6. The domino effects of risk of development of the peatland are too great for all concerned and especially for the environment.

11. I seek the following decision / action from the local authority:

PLEASE GIVE PRECISE DETAILS

1. Recognise that building development is completely inappropriate on the Mangaroa Peatland.
2. Zone the Mangaroa Peatland so that it is protected and able to be restored.
3. Delay decision making on plan change 47 until after the Peatland is recognised as a significant natural area and/or a significant amenity landscape.
4. Delay further work on the peatland portion of PC47 until a thorough assessment has been made of the hydrology, geology, flora, fauna of the peatland. Include an assessment of carbon currently being released. **This assessment should be carried out by an expert in this field, with the expectation and requirement that the most accurate and beneficial environmental assessment be made. Note that this is the best result for the environment, not the best result for a developer seeking to sidestep development constraints. To draw a parallel situation, the best environmental assessment would not be achieved by an ecologist taking a walk through the Peatland and using binoculars instead of seeing and exploring things first hand.**
5. The Mangaroa Peatland is a regional treasure. It is unique in the lower North Island. The Mangaroa Peatland incorporates a significant natural area. The Section 32 report should acknowledge this.
6. If the above assessment confirms the Mangaroa Peatland to be of regional or national significance, then a high-level plan needs to be developed for appropriate restoration in tandem with protecting existing dwellings on its boundaries.
7. Delay further work on the peatland portion of PC47 until the draft NPS IB has been finalised and is operative.

12. Please indicate whether you wish to be heard in support of your submission:

I do wish to be heard.

13. Please indicate whether you wish to make a joint case at the hearing if others make a similar submission:

I do not wish to make a joint case.

Tony Chad  
4 November 2022