

Form 5

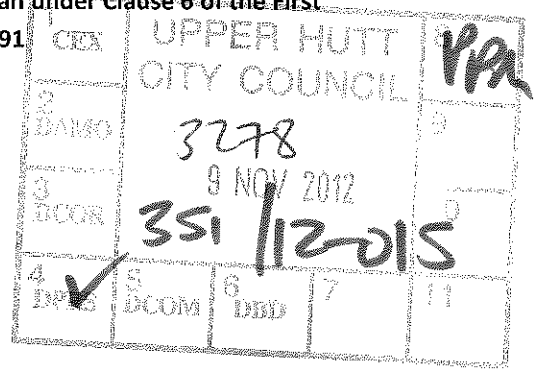
Submission on the Proposed Plan Change 15 to the Upper Hutt District Plan under Clause 6 of the First Schedule to the Resource Management Act 1991

To: The Chief Executive  
Upper Hutt City Council  
Private Bag 907  
UPPER HUTT 5140

Submission on: Proposed Plan Change 15 –Flood and Erosion Hazard Areas

Name: Planning and Regulatory Services, Upper Hutt City Council

Address: C/- Planning Policy Manager  
Upper Hutt City Council  
Private Bag 907  
UPPER HUTT 5140



1. The Planning and Regulatory Services Department makes the following specific submission to Proposed Plan Change 15 and seeks the following relief from the Upper Hutt City Council:

A. The removal of the following proposed provision from Activities Table 30.1 (Rules for Utilities chapter).

<u>Transformers, water and wastewater pumping stations, telecommunication and radiocommunication facilities (excluding cables and lines) in the Flood Hazard Area depicted on the Planning Maps</u>	<b>D</b>
---	----------

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

<u>One accessory building per site with a floor area of 20m<sup>2</sup> or less to be erected within the Ponding Area, as shown on the Hazard Maps in Part 5 of the District Plan.</u>	<b>P</b>
--	----------

Chapters 30 and 33 are city-wide chapters and are not independent of one another. Therefore, the proposed provisions in Activities Table 33.1 need to be taken into account, creating a duplication with the proposed provision in Activities Table 30.1 noted above.

The proposed definition of "structure" is "any building, equipment, device, or other facility made by people and which is fixed to land, not meeting the definition of building or accessory building".

Utilities are excluded from the definition of "building" and therefore fit within the definition of "structure" - meaning that any new utilities within the Flood Hazard Area require consent under proposed Chapter 33 (provided they meet the definition of "structure" - which it is likely they would).



- B. That the 'Erosion Hazard Line' be included in the defined extent of the 'Flood Hazard Area' shown on the proposed Planning Maps.

The proposed definition of 'Flood Hazard Area' comprises the River Corridor, Erosion Hazard Line, Ponding Areas and Overflow Path. The proposed Planning Maps show the extent of the 'Flood Hazard Area' but currently do not take into account the Erosion Hazard Line, meaning that only the River Corridor, Ponding Area and Overflow Path are defined as the Flood Hazard Area. The Hazard Maps show all four sub-areas of the Flood Hazard Area.

It is important that the Flood Hazard Area shown on the proposed Planning Maps includes the extent of the Erosion Hazard Area in order to align with the Hazard Maps so plan-users are able to identify the true extent of the Flood Hazard Area on both sets of Maps.

**2. I wish to reserve the right to be heard in support of my submission**

**3. I am not prepared to present a joint case**

Signed:

On behalf of the Upper Hutt City Council Planning and Regulatory Services Department

Mitch Lewandowski

**Planning Policy Manager**

**Dated at Upper Hutt this 9<sup>th</sup> day of November 2012**

**Address for Service:**

Department of Planning and Regulatory Services

Private Bag 907

UPPER HUTT 907