

SUBMISSION FORM (FORM 5)

**PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL
DISTRICT PLAN: PROPOSED PLAN CHANGE 15 – FLOOD AND EROSION
HAZARD AREAS**

To: Upper Hutt City Council

Submission on Proposed Plan Change No. 15 to the Upper Hutt City Council District Plan

Submissions can be:

File Number: 351/12/015
Submission Number:
(for office use only)

- Delivered to: Level 2 Reception, Civic Administration Building, 838-842 Fergusson Drive, Upper Hutt
- Posted to: Proposed Plan Change No. 15, Upper Hutt City Council, Private Bag 907, Upper Hutt
- Faxed to: (04) 528 2652
- Emailed to: askus@uhcc.govt.nz

The closing date for submissions is Friday 9th November 2012 at 5pm

DETAILS OF SUBMITTER

Name of submitter	Dean O'Callaghan		
Postal address of submitter	111A Mangaroa Valley Road, Upper Hutt 5371		
Agent acting for submitter (if applicable)			
Address for service (if different from above)			
Contact phone/fax number	Daytime	Telephone: 021 1764 720	Fax:
I could gain an advantage in trade competition through this submission (Please tick one)	NO	<input type="checkbox"/>	Only answer this question if you ticked YES: I am / am not (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.
	YES	<input checked="" type="checkbox"/>	

DETAILS OF SUBMISSION

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

1. The definition of the Flood Hazard Area of the Mangaroa River
2. Chapter 23 – Rules for Earthworks
3. Chapter 33 – Rules for Flooding an Fault Band Hazards

My submission is that:

1. I am the owner of two contiguous sections of land in Mangaroa Valley, 111A and 111D Mangaroa Valley Road. According to the council's maps the Eastern half of 111D is almost entirely designated as Ponding Area whereas 111A has practically nothing. Yet to physically stand on the boundary of both sections you cannot see any difference in the land contour. To me this casts doubt on the accuracy of the modelling used to divine these areas. To the persons doing the modelling, their results are the end-product of a theoretical exercise, however these results have a very real effect on land values and the ways in which the owner can use the land.

I support the definition of a flood hazard zone, however I am sceptical of the definition of the Ponding Area zone presented by the council.

I therefore submit that the council should not blindly accept the zoning, but should get an independent review of the modelling techniques used and in particular the validity of the assumptions behind the models, the parameters used and the sensitivity of the models.

2. In contrast to the Hutt River, neither the Upper Hutt Council nor GWRC spend any money whatsoever on maintaining the Mangaroa River to control the flow of the river and help avoid erosion of riverbanks. Yet councils force responsible landowners to spend their time and money on consents in order to preserve their properties and to repair damage caused by the river. This damage occurs annually, not by some "one in a hundred years" event.

I submit that the council should allow landowners to do minor earthworks, such as riverbank repairs and to clear waterways as a result of flood damage without the need for resource consents. In addition, landowners should be able to carry out mitigation works within published guidelines, e.g. the use of rip-rap rock, to protect their property without the expense of resource consent.

3. I oppose the following section of 33.1 in its current form :

"Buildings and structures (including accessory buildings) to be erected within the River Corridor, Overflow Path or Erosion Hazard Line as shown on the Hazard Maps in Part 5 of the District Plan (are Non-Complying)."

This would deny my ability to erect any livestock shelters no matter how small on half of my property at 111D Mangaroa Valley Road. I cannot see how a small livestock shelter could have any adverse effect, especially in comparison to the overall damage being done by such an event which would cause its demise.

I submit that in the interest of day-to-day animal welfare, small structures under 10 square metres, be permissible within the Overflow Path and the Erosion Hazard Line.

I also oppose the following section of 33.1 in its current form:

" Subdivision within the River Corridor, Overflow Path or Erosion Hazard Line as shown on the Hazard Maps in Part 5 of the District Plan. (is Non-Complying)"

My property at 111D Mangaroa Valley Road is comprised of all 4 flood hazard zones as it is a long section with the river on one of the short sides. If the council decide in the future to allow subdivision below 4 hectares, I believe that, subject to council approval, I should be able to split that section lengthways such that each subdivision is still comprised of all 4 flood hazard areas. The current format implies that only the section denoted as Ponding Area would be considered for subdivision which does not make sense.

(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 sheets if necessary)

I seek the following decision from the local authority:

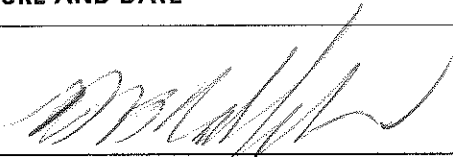
- That the council decide to get an independent professional review of the methodology and assumptions used in arriving at the definitions of the 4 zones in the flood hazard area of the Mangaroa River.
- That the council allow owners of land adjoining the Mangaroa River to undertake riverbank repairs and flood mitigation works without the need for resource consent, and that the council publish guidelines for acceptable standards of work to assist landowners in producing sustainable and beneficial results.
- That the council amend Chapter 33, section 1 to allow small structures within the Overflow Path and the Erosion Hazard Line for the purpose of sheltering livestock from the Sun and from adverse weather conditions.
- That the council allow subdivision within the River Corridor, Overflow Path or Erosion Hazard Line.

(Please give precise details and use additional sheets 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	

(17)

SIGNATURE AND DATE



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

8/11/2012

Date

(Note: A signature is not required if you are making your submission by electronic means)

PLEASE NOTE THAT THE INFORMATION PROVIDED IN YOUR SUBMISSION, INCLUDING YOUR CONTACT DETAILS, WILL BE AVAILABLE TO THE PUBLIC