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Plan Change 42

In an endeavor to provide some structure to this wide and complex subject we discuss three major areas:

- the process and history of this plan change
- the future
- the maps

We will include amongst our comments what we would like the commissioner to do. We will endeavor not to repeat what ourselves and many other people have submitted over the years, though we do support and confirm it.

The process and history of plan change 42

Referring to paragraph 3 of the s42a report which says 'This plan was developed collaboratively over a period of 2009-14 between GW, UHCC and the community'. This was never collaborative with the community. If it had been, the community would have been involved from the start and its views and requirements included. Without going into detail it is clear to us that the community have not been listened to.

Historically, the model for Mangaroa was developed in 2005 and by the time the community saw it in 2006 it was a done deal. Ever since then GW's efforts have been to defend the model, not help the community. This of course meant that when the Pinehaven model was developed it had to be protected as well.

Many years ago the Experts were the people who had local experience on the ground. Over time other people learned how to codify information and use this skill to develop models. Both these areas of expertise are encompassed in the definition of 'expert evidence' on www.qualityplanning.org.nz - **Expert evidence – evidence about a scientific, technical, professional, or other specialised issue given by a person qualified to testify because of familiarity with a subject or special training.**

So what we have here are two groups of experts whose areas of expertise have led them to different conclusions. In scientific terms, one group has a theory and the other group has an experiment which does not support the theory. How is this to be resolved?

If this were a collaborative exercise the management of the Councils would have initiated a process that was aimed at resolving the differences to the satisfaction of all parties. This has never happened. The various interactions that have taken place have not been collaborative.

We see the Councils saying that the model is 'fit for purpose' and the consultation 'meets the

requirements of the RMA'. Is that sufficient? The Purpose of the Act includes '**... which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety ...**'. The process of this Plan Change and its antecedents has not allowed 'people' to do that providing. The models were not developed with involvement of the people so it is probable that they do not meet the purpose of the RMA.

We have repeatedly asked the Council to refer to the activity in Kapiti Coast DC with regard to foreshore erosion. Eventually that Council changed course and provided support and a forum for the community, which helped to address the balance of power in the process. As well it made significant changes to the information on its LIM reports. We also refer you to the comments by Judge Joe Williams in a related review requested by Mike Weir.

We ask the Commissioner to recommend:

Before approving this Plan Change UHCC initiates and completes a process which proactively, collaboratively and efficiently provides a model, a set of flood, erosion and hazard maps and policies and rules that both the Council and the Community agree on. This includes providing a mechanism where the community can have independent advice on related technical and legal matters.

We ask the Commissioner to recommend:

That UHCC follows the lead of KCDC in its handling of hazard information on LIM's.

The modeling and maps are complex with a lot of interacting information. Much of this is not in the public domain and can only be obtained piecemeal and slowly. This places the 'power of information' squarely on the Councils' side of the balance.

We ask the Commissioner to recommend:

As part of the process requested above UHCC provides and complete set of publicly and easily available information and data representing all aspects of flooding and water relating to this Plan Change. This includes the Pinehaven baseline.

The future

This Plan Change must operate and evolve in the future. Part of today's problems arise because there is little data on what actually happens on the ground. At the very least we would expect the Council to have a process that collected data on rainfall and flood extents on an ongoing basis which could inform future reviews.

We ask the Commissioner to recommend:

That UHCC initiate in parallel with the Plan Change a process which gathers actual data on rainfall and flood extents which is publicly available and suitable to inform future reviews.

In time to come people will want to buy or subdivide properties and have to provide information to support this. The Plan Change suggests that some of this information should come from GW. But GW are not constrained by UHCC targets for Resource Consent approval. This leaves the public caught between two Councils.

We ask that the commissioner recommends:

That UHCC creates a one-stop-shop and maintains all the data required for Resource Consents which they can make available to the public as part of the Resource consent process.

There are a number of factors relating to the economic effects of this Plan Change. Section 10.3 of the s32 report considers the economic effect on development. Section 10.30 says the PC cannot consider the effect on property prices. We would have thought this falls in basket of 'economic' mentioned in the RMA. In 2012 there was \$180 million of property directly affected by PC15. A

number of people have already struck issues with insurance companies. The letter from the valuer seems to say that people are already aware of the hazards when they buy a property. If this were so then why do we need this PC at all?

We ask the Commissioner to recommend:

UHCC develops a set of data which collates the value of properties directly affected by the PC and commissions a public report which identifies factors which can affect property values (including insurance) and what the effect of those factors could be.

Rivers move and there is nothing in this PC to allow for this except to say it has to be reviewed in 10 years.

We ask the Commissioner to recommend:

UHCC develops criteria which trigger a review of the hazard maps in the event of the river moving.

The Pinehaven drain will probably be upgraded in the next few years which should result in lower flood levels. It seems to us that this transition needs special handling.

We ask the Commissioner to recommend:

UHCC indicates on public documentation that the Pinehaven flood extents are transitional and provide an indication of the likely extents when the drain is finished.

In the event that a flood causes damage to existing private structures and repairs are needed the owner is in a quandry. Who rules? Even if more opinions are provided, who would have confidence. The situation does not provide clarity or certainty. The situation is like the committee's camel with two humps.

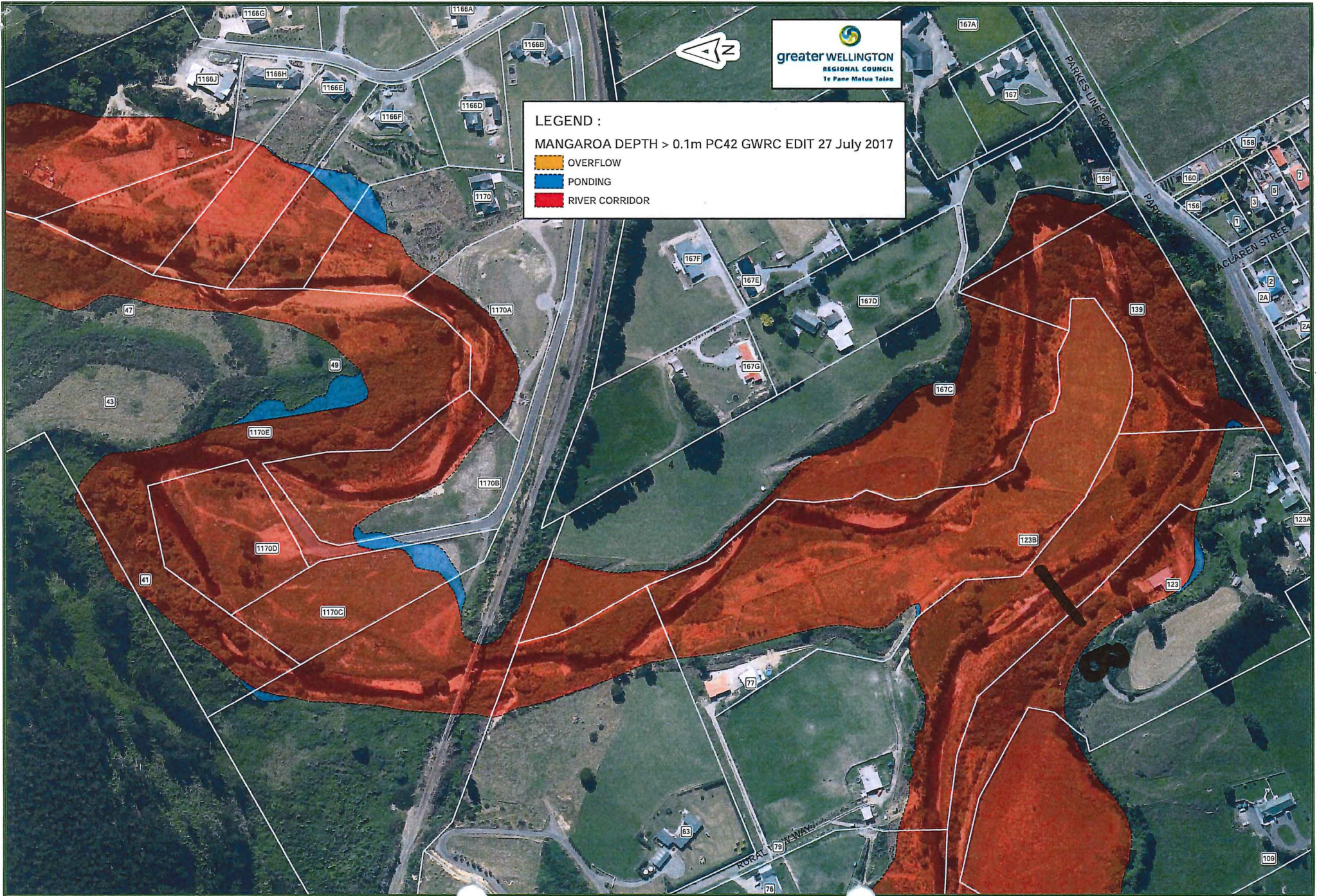
We can't think of what could be done to cut this Gordian knot and would welcome anything that improves this for the community.

Flood maps

We support the many people who have provided evidence that the maps do not match experience on the ground. We are also concerned at the confusion over which maps are for what, and for the way in which the flood extents are presented. We support the many concerns expressed about this.

By way of an exercise we measured the cross section of two positions on the Mangaroa river which have basically the same amount of water and the same water speed. The position B has a cross section 2 to 3 times greater than A. So how does the adjacent higher ground become river channel. It has not gone under in living memory. Is it by erosion? In that case it should be treated that way.

Anomalies like this abound along the river and reviewing each one is too time consuming. What is needed is maps that are self explanatory and have the information needed to answer any questions.



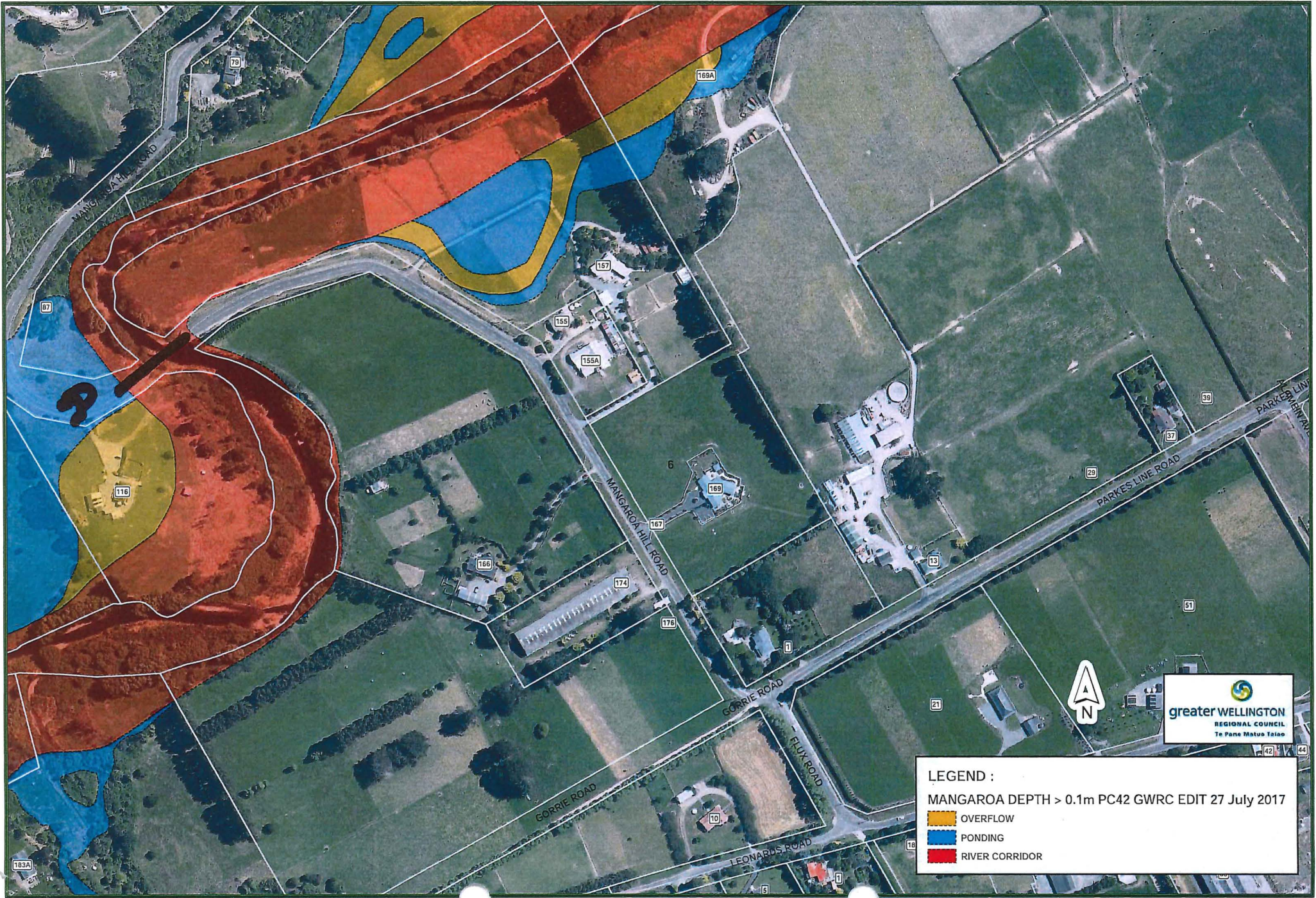
LEGEND :
 MANGAROA DEPTH > 0.1m PC42 GWRC EDIT 27 July 2017
 OVERFLOW
 PONDING
 RIVER CORRIDOR

0 20 40 80 Meters
 A3 Scale 1 : 2,500

MANGAROA RIVER : UHCC PC42 REFINE (Flood Depth > 0.1m)

SHEET 4

AERIALS FLOWN : GWRC 2013
 Drawn : P. Cook
 Date : 27 July 2017
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LEGEND :

MANGAROA DEPTH > 0.1m PC42 GWRC EDIT 27 July 2017

- OVERFLOW
- PONDING
- RIVER CORRIDOR



0 20 40 80 Meters
A3 Scale 1 : 2,500

MANGAROA RIVER : UHCC PC42 REFINE (Flood Depth > 0.1m)

SHEET 6

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