



UPPER HUTT CITY DISTRICT PLAN

PROPOSED PLAN CHANGE 42: MANGAROA AND PINEHAVEN FLOOD HAZARD EXTENTS 2017

Summary of Submissions

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GUIDE TO THE SUMMARY

The following format is used for each part of the summary:

Submission No.	Name	Address	Wishes to be heard
Submission			
Provision			
Decision sought			

A list of full copies of the submissions received on Proposed Plan Change 42 can be found on the UHCC website at <http://www.consultation.upperhuttcity.com/>. These submissions are listed by date received order.

New or amended text proposed through the Plan Change is shown *in italics*. Where the submitter proposes an amendment to the proposed new text or a new provision, the amendment proposed by the submitter is shown in underlined text and the removed or amended proposed text has a ~~strike through~~.

Making a Further Submission

Clause 8 of the First Schedule of the Resource Management Act outlines the persons that may make a further submission, being:

- (a) *any person representing a relevant aspect of the public interest; and,*
- (b) *any person that has an interest in the proposed plan greater than the interest that the general public has; and*
- (c) *the local authority itself.*

A further submission must be limited to a matter in support of or in opposition to the submissions that have already been made and which are summarised in this document. Submissions should be made in writing, in general accordance with Form 6 of the Resource Management Act (Forms, Fees, and Procedure) Regulations 2003.

Copies of the submission form are available from:

Council's website <http://www.consultation.upperhuttcity.com/>

Upper Hutt City Council Offices Level 1 Reception
Civic Administration Building
838-842 Fergusson Drive
Upper Hutt

Upper Hutt Library 844 Fergusson Drive
Upper Hutt

Pinehaven Branch Library Corner of Pinehaven Road and Jocelyn Crescent
Pinehaven
Upper Hutt

Further submissions may be lodged:

Email planning@uhcc.govt.nz

Post Proposed Plan Change 42
Upper Hutt City Council
Private Bag 907
Upper Hutt 5140

In person Upper Hutt City Council Offices
838-842 Fergusson Drive
Upper Hutt

The closing date for further submissions is **5.00pm on Thursday 8 June 2017**.

Within 5 working days of making the further submission to Council, the further submitter must serve a copy of the further submission on the person who made the original submission to which the further submission relates. The address for service for each submitter is contained on the following page.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by [clause 6\(4\)](#) of Schedule 1 of the Resource Management Act 1991.

LIST OF SUBMITTERS

Submitter number	Submitter name	Address for service	Wishes to be heard
1	Allison Tindale	allitin@hotmail.com	✘
2	Royal Forest & Bird Protection Society of New Zealand Incorporated (Upper Hutt Branch)	C/- Graham Bellamy gllbellamy@kinect.co.nz	✔
3	Ian Stewart	268 Mangaroa Valley Road, Mangaroa	✘
4	Darryl Longstaffe	d.longstaffe@paradise.net.nz	✔
5	Melanie Brown	melybrown@clear.net.nz	✔
6	Kim Williams	kkw@paradise.net.nz	✔
7	Powerco Limited	C - Kahlia Thomas Burton Planning Consultants Limited kthomas@burtonconsultants.co.nz	✔
8	Charles & Lynese Baines	22 Blue Mountains Road, Pinehaven	✔
9	Vaughn Allan	13 Dunns Street, Silverstream	✘
10	Jonathan Mackey	jonomackey@gmail.com	✔
11	Nicola Robinson	robinsonnickyj@gmail.com	✔
12	Save Our Hills (Upper Hutt) Incorporated (President)	C/- Steven Pattinson sjpattinson@paradise.net.nz	✔
13	Lindsay Forbes	18 Dunns Street, Silverstream	✘

Submitter number	Submitter name	Address for service	Wishes to be heard
14	Alexander Ross	golfer4@clear.net.nz	x
15	Geoff Workman	geoff.workman@hotmail.com	x
16	Susan Pattinson	sue@wow.org.nz	✓
17	John Moynihan	42 Gorrie Road, Mangaroa	✓
18	Jenene Moynihan	42 Gorrie Road, Mangaroa	✓
19	Upper Hutt Town and Country Association	C/- Bob McLellan info@uhta.org.nz	✓
20	Save Our Hills (Upper Hutt) Incorporated (Member)	C/- Kyle McLellan capitalkdesign@gmail.com	x
21	Greater Wellington Regional Council (GWRC)	C/- Caroline Watson GWRC Environmental Policy Advisor Caroline.Watson@gw.govt.nz	✓
22	Jeff & Noeline Berkett (late submission)	1 Whitemans Valley, RD 1, Upper Hutt	✓
23	Alan Jefferies	1102 Maymorn Road, Maymorn	✓
24	Transpower New Zealand Limited (late submission)	C/- Pauline Whitney Boffa Miskell Limited pauline.whitney@boffamiskell.co.nz	✓
25	Duigald Myers (late submission)	dmyers@paradise.net.nz	x

Submission No.	Name	Address for Service	Wishes to be heard
1	Allison Tindale	allitin@hotmail.com	NO
<p>Submission</p> <ul style="list-style-type: none"> The submitter gives their in-principle support for the plan change as a whole. The submitter states that the policies and rules proposed correspond to the associated risk and conforms to planning standards within the Resource Management Act 1991 and the Wellington Regional Policy Statement 1991. The submitter states that flooding is getting worse and standards in both New Zealand and England (examples appended) are being introduced accordingly. The submitter believes that private landowners need to be aware of associated flood risk. <p>Provision</p> <ul style="list-style-type: none"> The overall plan change. <p>Decision sought</p> <ul style="list-style-type: none"> The submitter wishes that the intent of the plan change to identify and manage flood risk is incorporated into the Upper Hutt District Plan. 			

2	Royal Forest & Bird Protection Society of New Zealand Incorporated (Upper Hutt Branch)	C/- Graham Bellamy g bellamy@kinect.co.nz	YES
<p>Submission</p> <ul style="list-style-type: none"> The submitter describes their general opposition to the plan change. The submitter would like greater consultation with the community and other interested parties. The submitter states their concern regarding the underlying data of the plan change and the lack of provisions throughout the Guildford Timber plantation block [Southern Growth Area]. The submitter would like considerations to hydraulic neutrality across both flood extents, and riparian planning and the retention of vegetation on the hills. <p>Provision</p> <ul style="list-style-type: none"> Data underlying proposed Urban and Rural Hazard Maps. Pinehaven catchment provisions, specifically around the Guildford Timber plantation block [Southern Growth Area]. <p>Decision sought</p> <ul style="list-style-type: none"> Further consultation is undertaken. Review data underlying proposed Urban and Rural Hazard Maps. Greater catchments provisions (hydraulic neutrality) in both Pinehaven and Mangaroa. Introduction of riparian planning provisions. Use of the 2016 Greater Wellington Regional Council (GWRC) flooding maps. 			

- To withdraw the plan change until such time that the submitter believes community concerns have been addressed.

3

Ian Stewart

268 Mangaroa Valley Road, Mangaroa

NO

Submission

- The submitter states their support for the plan change as a means to address flood hazard.
- The submitter considers that the provisions (below) are appropriate for the identified flood risk in Mangaroa River and its tributaries.

Provision

- The plan change generally.
- Specific Rural Zone provisions 19.1, 19.28 to 19.30.
- Specific Mangaroa River Flood Hazard Extent provisions within the Natural Hazards Chapter 33.5, 33.10, 33.11 and 33.12.

Decision sought

- To adopt the aforementioned provisions of the plan change in their entirety.

4	Darryl Longstaffe	d.longstaffe@paradise.net.nz	YES
<p>Submission</p> <ul style="list-style-type: none"> • The submitter states their opposition to the plan change due to the flooding maps. • The submitter believes that the maps are misleading due to their lack of clarity, especially regarding the following: <ul style="list-style-type: none"> ○ Lack of expecting flood depth; ○ Ponding area description; ○ Expected flooding extent surrounding 25 Elmslie Road; and ○ Correlation to GWRC flooding maps. • The submitter describes the general lack of clarity with the data and information behind the plan change. • The submitter states the GWRC sub-catchment area calculations differ from the proposed Flood Hazard Maps over their property. • The submitter states that an inadequate level of consultation with the community has taken place, with Council avoiding questions relating to the plan change. • The submitter believes that the plan change would unreasonably burden property owners within any proposed flooding extents. <p>Provision</p> <ul style="list-style-type: none"> • Proposed Urban Hazard Maps. • Proposed changes to Chapter 35. 			

Decision sought			
<ul style="list-style-type: none"> To withdraw the plan change. To have an independent audit of the data behind the proposed flooding maps. 			
5	Melanie Brown	melybrown@clear.net.nz	YES
Submission			
<ul style="list-style-type: none"> The submitter opposes the intention of the plan change, with regard to the Urban and Rural Hazard Maps. 			
Provision			
<ul style="list-style-type: none"> Proposed Urban and Rural Hazard Maps. 			
Decision sought			
<ul style="list-style-type: none"> To withdraw the plan change. To address the issues raised in the independent audit of the GWRC 1-in-100 year flood maps. 			

6	Kim Williams	kkw@paradise.net.nz	YES
<p>Submission</p> <ul style="list-style-type: none"> • The submission specifically relates to the Mangaroa Flood Extent. • The submitter describes their general opposition to the plan change due to the accuracy of information underlying proposed Rural Hazard Area relating to the Mangaroa River, including the lack of clarity on maps themselves. • The submitter expresses their concern that other areas within the Upper Hutt district area not identified as part of the plan change. • The submitter supports the submission from the Upper Hutt Town & Country Association, including recommended action. <p>Provision</p> <ul style="list-style-type: none"> • Proposed Rural Hazard Maps. <p>Decision sought</p> <ul style="list-style-type: none"> • That the Rural Hazard Maps be clarified and the accuracy of data behind maps increased. • To withdraw the plan change. 			

7	Powerco Limited	C - Kahlia Thomas Burton Planning Consultants Limited kthomas@burtonconsultants.co.nz	Yes
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Submission

GENERALLY

- Supports intent of the plan change with specific alterations to utility-related provisions.
- Powerco has an extensive network of low to medium pressure gas mains throughout the Pinehaven Stream catchment (plans appended).
- Policies need to support strategic infrastructure in the district which have a positive effect on people's wellbeing. Has been identified in RPS as regionally significant.

EARTHWORKS PROVISIONS

- The submitter considers that the permitted utilities earthworks standard under Rule 30.8 should extend to include the development and maintenance of gas infrastructure. Earthworks within the Erosion Hazard Areas should be a Restricted Discretionary Activity.
- A question is raised as to whether the plan change has jurisdiction to control earthworks within the bed of a river or stream as these are controlled under s13 of the RMA by regional councils.
- There is uncertainty regarding the definition for Stream Corridor (Pinehaven) and River Corridor (Mangaroa) and a need to clarify in the extent of this area.
- The definition of stream corridor does not distinguish between piped and open sections leading to uncertainty around the extent of the area subject to the provisions.
- The explanatory note of Objective 9.3.3 contradicts the objective itself by removing the impetus to mitigate adverse effects.

- They generally support the intent of policy 9.4.6 but consider that the wording of the explanation can be amended so that all earthworks are not considered appropriate.

UTILITIES PROVISIONS

- They generally support Rule 30.8(a) but notes that there is a conflict between the s32 report's assessment of how utilities have and may cross the river corridor and the standards implemented through Rule 30.8a, specifically relating to the utilisation bridges to convey utilities. The intent of the rule is therefore supported, subject to amendment. Similarly, the exclusion of cabinets from the rule is should be extended to electricity support structures, as their displacement effects are comparable to that of cabinets.
- Explanation of why lateral connections are not covered in existing definition of utilities and seeks a definition of network utilities to be included to the definitions chapter or an explanation note to Activity table 30.1.
- Matters for discretion under Rule 30.13 do not allow for consideration of utility resilience to natural hazards.
- The explanatory note of Issue 16.2.1 does not reflect the assessment provided in the s32 when discussing the effect linear infrastructure can have on flood hazard when crossing the river / stream corridor.
- Supports and seeks to retain Objective 16.3.5 as notified.
- Supports and seeks to retain Policy 16.4.18 as notified.
- The intention of Policy 16.4.19 is supported, however must also reflect the ability to design resilient utilities within flood hazard extents. This would achieve consistency with Policy 16.4.8 of the District Plan. This should be clarified accordingly.
- The direction of Anticipated Environmental Result 16.6 should only relate to new network utilities and not existing networks.

NATURAL HAZARD PROVISIONS

- The policy direction of Policy 14.4.3 is inconsistent with other provisions of the plan change, such as Objective 16.3.5 and Rule 30.8a through the avoidance of all development in high hazard areas. There are instances when linear infrastructure needs to transverse high hazard areas and this need to reflected in

Policy 14.4.3.

- Policy 14.4.4 is supported by the submitter as notified as the balance between managing both development and natural hazards is achieved.
- The submitter supports the intent of Policy 14.4.5, however believes that any utilities damaged through flood mitigation works need to be captured in the policy.
- Clarification of Policy 14.4.8 is required to illustrate that the policy relates to dwelling access.
- The submitter states their concern for the non-complying standard under Rule 33.1, which relates to any building, structure or fence within the Pinehaven Stream corridor, as a means to also capture utilities by being regarded as a structure.
- Lack of explanation as to the relationship between Chapter 30 and Chapter 33 and the intended location for network utility provisions. This may be address through amending Section 16.1.

MAPS AND DEFINITIONS

- While the definition of “Flood Hazard Extent” distinguishes between high and low hazard areas, this is not clear on the flood hazard maps. Greater clarity is required.

Provision

- Chapter 9 – Subdivision and Earthworks [Objectives and Policies]
 - Objective 9.3.3
 - Policy 9.4.6
- Chapter 23 – Rules for Earthworks
 - Rule 23.1
- Chapter 16 – Utilities [Objectives and Policies]
 - Issue 16.2.1
 - Objective 16.3.5

- Policies 16.4.18 and 16.4.19
- Rule 16.1
- Anticipated Environmental Result 16.6
- Chapter 30 – Rules for Utilities
 - Rules 30.1A, 30.8 and 30.13
- Chapter 14 – Natural Hazards [Objectives and Policies]
 - Policies 14.4.3 to 14.4.5, 14.4.8
- Chapter 33 – Rules for Flooding and Fault Band Hazards
 - Rule 33.1
- Chapter 35 – Definitions
 - Stream Corridor
 - Flood Hazard Extent
- Proposed Urban and Rural Flood Hazard Maps.

Decision sought

- To recognise and provide for Powerco’s gas distribution networks.
- To give effect to: Sections 5 to 8, Section 32, and Schedule 1 of the Resource Management Act; objectives and policies of the RPS.
- Not to create an unnecessary burden on Powerco’s gas infrastructure works within natural hazard areas.
- Clarification of lateral service connections interpretation. Can be achieved either through amendment to definition in Chapter 35 or through explanatory note to Rule 30.1.
- Retain Objective 16.3.5 and 16.4.18 as notified.
- Amendment to Issue 16.2.1 to add: “for example, when linear infrastructure that crosses a stream or river corridor has not been designed or located to take

into account the 1:100 year flood level it can create blockages or restrict flood flows...”

TO MAKE THE FOLLOWING SPECIFIC AMENDMENTS:

Amend Rule 23.1 to include the following standards:

Earthworks within the Pinehaven Flood Hazard Extent:

Earthworks for the maintenance and upgrading of existing network utilities, and earthworks for the installation of new network utilities in the Pinehaven Flood Hazard Extent and Overflow Paths, which meet the standards under rule 23.12 – P [permitted]

Earthworks within the Mangaroo Flood Hazard Area:

Earthworks for the maintenance and upgrading of existing network utilities, and earth works for the installation of new network utilities in the Mangaroo Flood Hazard Extent and Overflow Paths, which meet the standards under rule 23.12 – P [permitted]

Earthworks for network utilities in the Pinehaven Flood Hazard Extent:

Earthworks for the maintenance, upgrading and installation of network utilities within Erosion Hazard Areas – RD [restricted discretionary]

Earthworks for network utilities in the Mangaroo Flood Hazard Extent:

Earthworks for the maintenance, upgrading and installation of network utilities within Erosion Hazard Areas – RD [restricted discretionary]

Amend Chapter 23 to insert permitted standard 23.17: [confirmed through direct correspondence with submitter]

The ground must be reinstated to its’ original ground-level upon completing earthworks for the maintenance, upgrading and installation of network utilities within Flood Hazard Extents and Overflow Paths.

Either delete stream / river corridor rules in 23.1 as follows:

Earthworks within the Pinehaven Flood Hazard Extent:

Earthworks within the Pinehaven Flood Hazard Extent (excluding those associated with flood protection works), which are within the overflow path ~~or stream corridor~~
–NC

Earthworks within the Mangaroa Flood Hazard Area:

~~*Earthworks within the River Corridor of the Mangaroa Flood Hazard Extent. NC*~~

OR if the Council can demonstrate that it does have jurisdiction to include these rules, insert new rules permitting earthworks associated with the maintenance, upgrade and installation of network utilities within the stream / river corridor of the Pinehaven Stream and Mangaroa River where they are located within the road corridor and ground levels are reinstated to those existing prior to the works; or where they are associated with thrusting below the stream / river channel. This could be achieved by making the following amendments, or to the same effect, along with consequential changes to the existing rules applying to earthworks in the stream corridor:

Earthworks within the Pinehaven Flood Hazard Extent:

Earthworks associated with the maintenance, upgrade or installation of network utilities within the stream corridor of the Pinehaven Flood Hazard Extent where:

- a. *Earthworks are located within the road corridor and ground levels are reinstated to those existing prior to the works; or*
- b. *Earthworks are associated with the installation of underground utilities using directional drilling or thrusting techniques.*

Earthworks within the Pinehaven Flood Hazard Extent (excluding those associated with flood protection works and network utilities that are otherwise provided for), which are within the overflow path or stream corridor. NC [non-complying

Earthworks within the Mangaroa Flood Hazard Area:

Earthworks associated with the maintenance, upgrade or installation of network utilities within the river corridor of the Mangaroa Flood Hazard Extent where:

- a. *Earthworks are located within the road corridor and ground levels are reinstated to those existing prior to the works; or*
- b. *Earthworks are associated with the installation of underground utilities using directional drilling or thrusting techniques.*

Earthworks within the River Corridor of the Mangaroa Flood Hazard Extent (excluding those associated with network utilities that are otherwise provided for). NC [non-complying]

Amend Chapter 35 – Stream Corridor:

Stream Corridor:

The area comprising the open stream channel within the area defined on the District Plan

Part 5 Hazard Maps ~~comprising the open stream channel.~~

Amend Objective 9.3.3 explanation:

Earthworks can result in unacceptable risk for future development or obstruct or divert flood flow paths. Where earthworks are proposed within the Flood Hazard Extent or Erosion Hazard Area, the natural hazard constraints should be considered and areas subject to high hazards are avoided or earthworks managed to protect the integrity of the high hazard area.

Amend Policy 9.4.6 explanation:

Earthworks in high hazard areas are generally inappropriate and can result in the diversion of flood waters, blocking of water flow, or reduce bank stability, which can increase the risk to surrounding properties. To maintain the function of the floodplain it is important that the passage of flood waters is not impeded or blocked.

Amend Rule 30.8a:

Network utility structures (excluding cabinets and electricity support structures) crossing a stream or river within an identified flood hazard area must be underground, attached to an existing river crossing or positioned above the 1 in 100-year flood level.

Amend Rule 30.13 matter of discretion:

Council will restrict its discretion to, and may impose conditions on:

...

- *Except in the case of cabinets and electricity support structures, where located within an identified Flood Hazard Extent:*
- *~~Whether~~The extent to which the utility or network utility structure will be adversely impacted during a flood event;*
- *Where proposed to cross a river or stream, ~~whether~~the extent to which the Network Utility Structure will adversely contribute to blockages or obstructing flood flows;*
- *~~Whether~~The extent to which the utility will adversely impact the flood hazard area, exacerbating the effect on people and property on adjacent sites and/or*

adversely affect the function of the flood hazard extent.

Amend Issue 16.2.1:

Network utilities and their on-going functioning can be affected by flood hazards. It is also possible for network utilities to increase the impact of flood hazards, particularly where ~~For example, when linear infrastructure that crosses a stream or river corridors~~ has not been designed or located to take into account the 1:100 year flood level, it can create blockages or restrict flood flows. The effect of flood hazards on new network utilities and the impact on the flood hazards needs to be avoided or mitigated.

Amend Policy 16.4.19:

To ~~control~~ manage the design and location of network utilities in identified Flood Hazard Extents to ensure their resilience to the effects of operation ~~is not compromised during a flood events.~~

Amend Anticipated Environmental Result 16.6:

The avoidance of the potential for network utilities to increase ~~increasing~~ flood hazard risk or ~~impacting~~ on flood hazard structures.

Amend Policy 14.4.3 and explanation:

[Policy] Avoid, to the extent practicable, development within high hazard areas of identified Flood Hazard Extents and Erosion Hazard Areas.

[Explanation] The high hazard areas present a threat to people and property as they can contain both fast and deep flowing water in a 1 in 100-year flood event, or are at risk of bank collapse which has the potential to damage buildings and threaten lives. The policy provides directive for careful consideration of development within the high hazard areas, with a strong directive to avoid development in these high hazard areas. However, it is recognised that due to the functional and operational constraints and requirements of infrastructure, there may be some situations in which network utilities are required to traverse high hazard areas.

Amend Policy 14.4.5:

Enable planned flood mitigation works within identified Flood Hazard Extents that decrease the flood risk to people and property or maintain the function of the floodplain, whilst managing adverse effects on existing infrastructure.

Amend Policy 14.4.8:

Within the Mangaroa Flood Hazard Extent enable access to dwellings above the 1 in 100-year level where located within the lower hazard areas and avoid access to dwellings when located in high hazard areas.

Amend Rule 33.1 Activity Table:

Pinehaven Flood Hazard Extent and Pinehaven Catchment Overlay:

...

Any building, structure (excluding network utilities) or fence within the stream corridor of the Pinehaven Flood Hazard Extent (except where provided for under the rule for driveways and bridges as a Controlled Activity). – NC [Non-complying Activity]

Amend Section 16.1 (Background – last paragraph) and consequential 30.1A wording:

16.1 Background:

...

The provisions in this Chapter apply to network utilities throughout all zones of the City. The underlying zone objectives, policies and rules do not apply to network utilities, including roads, unless specifically referred to. City wide rules, such as those relating to earthworks, notable trees, ~~flooding and fault band hazards~~, the Southern Hills Overlay and Protected Ridgelines, historic heritage and hazardous substances will still apply. However, rules relating to network utilities in identified flood extents are contained in this Chapter and will prevail over those in Chapter 33 Flooding and Fault Band Hazards.

...

30.1A City-wide provisions:

Each activity shall comply with the relevant permitted activity standards in the City-wide provisions of the Plan as listed below.

Chapter	City-wide provisions
23	<i>Earthworks and Indigenous Vegetation Clearance</i>
26	<i>Heritage Features</i>
27	<i>Notable Trees</i>
28	<i>Southern Hills Overlay Area and Protected Ridgelines</i>
32	<i>Noise and Vibration</i>
33	<i>Flooding and Fault Band Hazards</i>
34	<i>Hazardous Substances and Contaminated Land</i>

8	Charles & Lynese Baines	22 Blue Mountains Road, Pinehaven	YES
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Submission

- The submitter states their opposition to the plan change due to the lack of data underlying the overall plan change.

Provision

- The overall plan change.

Decision sought

- The submitter requests the plan change be postponed until clarity around data sources can be confirmed.

9	Vaughn Allan	13 Dunns Street, Silverstream	NO
<p>Submission</p> <p>OVERALL & SECTION 32 REPORT</p> <ul style="list-style-type: none"> • Submitter states their position to oppose specific wording within the plan change, however acknowledges the need for policies and rules to address natural disasters. • The submitter states a potential conflict of interest between the Southern Growth Area (SGA), specifically Silverstream Spur, and the Upper Hutt City Council. It is noted that flood hazard extent does not extend to Silverstream Spur, nor is an assessment provided of erosion effects thereon. • Submitter considers that wording in paragraph 5.9 of the s32 needs to be amended as the argument is perceived to be speculative. • Submitter considers that little assessment has been undertaken as to the impacts of future development in the SGA, including catchment effects. Considers that this needs to be addressed. In relation to paragraph 6.71 of the s32 report, the submitter questions whether the plan change rules out development within the SGA. • In relation to paragraph 6.29 in the s32, the submitter believes that Council has the ability to choose which developments they advance. • The submitter expresses their support to Option 3 in the s32 report with the following changes: <ul style="list-style-type: none"> ○ Resource consent fees should be a fixed-fee. ○ Greater specifications required for when a resource consent is required. ○ Greater detail in the level of development allowed in the upper Pinehaven Catchment. • Considers that the assessment of anticipated environmental outcomes assessment in paragraph 11.97 of the s32 report to be inaccurate. The submitter states this is because network utilities may require more than 20m² of earthworks. 			

PROPOSED PROVISIONS

- The submitter states that the permitted standard of 20m² for extensions and earthworks is too restrictive. The submitter considers that 100m² is more appropriate. As such, every instant where this rule is stated, 100m² has been suggested. The submitter considers that the proposed 20m² threshold removes people's reasonable ability to have some control of their homes, and that the current proposal is overly prescriptive.
- In general, the submitter considers that the proposal of introducing a Non-Complying activity status for certain activities should not be used as it implies proposals warranting this status are too difficult to deal with.
- The submitter considers that there should be no compulsory resource consent requirement.
- The submitter questions why Silverstream Spur is not specified within Issue 9.2.8. They consider that development in this area would also have adverse flooding and erosion effects in Pinehaven Flood Hazard Extent. They consider that Silverstream Spur must be included in order for provisions within the Plan to remain neutral.
- The submitter considers that Objective 9.3.4 should be amended to avoid any significant development along the Pinehaven and Silverstream hills, which is likely to have adverse effects on the Pinehaven Flood Hazard Extent and Erosion Hazard Areas.
- The submitter considers that the provisions described in Policy 9.4.10 should consider all development along the Pinehaven and Silverstream hills.
- Regarding Policies 14.4.3 to 14.4.7, the submitter questions why they have not taken into account any future development along Silverstream Spur. They consider that development here would have adverse environmental effects for the Pinehaven community. The submitter considers that the impact of development within this area needs to be addressed and included within these policies in order to require a comprehensive assessment of adverse effects.
- The submitter notes that regarding the submission, there may be instances where specific points may have been missed, however it is implied that a proposed change(s) indicated in some section(s) is therefore relevant to other sections throughout the plan change.

Provision

- Section 32 report
- Chapter 9

- Chapter 14
- Chapter 18
- Chapter 23
- Chapter 33

Decision sought

- To update the wording in Paragraph 5.9 of s32 report to remove suggestive wording.
- To amend Rules 23.1 and 33.1 Permitted and/or Restricted Discretionary standard(s) (relating to the alteration and addition to existing buildings and accessory buildings, and associated earthworks) threshold of 20m² is increased to 100m².
- To have all references to the aforementioned 20m² standard within the s32 report updated to 100m².
- To amend all references to 20m² within Rules 23.15 and 23.19 to 100m².
- To amend all references to 20m² within Rules 33.2 and 33.6 to 100m².
- To have the Non-Complying activity standard in Rule 23.1 relating to earthworks in higher risk areas reduced to Restricted Discretionary.
- To amend the activity status of non-compliance with Rule 18.37 from Non-Complying to Restricted Discretionary [Rule 18.1].
- To amend the activity status of non-compliance with Rules 18.38 or Rule 18.37 from Non-Complying to Restricted Discretionary [Rule 18.1].
- To amend the activity status under Rule 23.1 for earthworks within the Pinehaven Flood Hazard Extent from Non-Complying to Restricted Discretionary.
- In relation to have paragraph 11.85, have the Non-Complying Activity status of both standards reduced to Restricted Discretionary.

TO AMEND THE FOLLOWING SPECIFIC SECTIONS OF THE S32 REPORT:

Paragraph 8.2 of s32 report:

...where subdivision is proposed within either Flood Hazard Extent of Erosion Hazard Area, the natural hazard constraints are considered and areas subject to high hazard are ~~avoided~~ restricted.

Paragraph 8.3 of s32 report:

...the natural hazard constraints are considered and areas subject to high risks are ~~avoided~~ restricted.

Paragraph 8.5 of s32 report:

...The existing District Plan objectives do not address the potential negative impacts subdivision can have in the upper Pinehaven catchment and surrounding areas can have through increasing surface water run-off.

Paragraph 8.6 of s32 report:

...This proposed objective is required to ensure significant development is avoided in the high hazard areas within the identified Flood Hazard Extents and Erosion Hazard Areas.

Paragraph 9.2 of s32 report:

...Policy 9.4.4 provides clear direction that subdivisions that result in building platforms in the high hazard areas of the Flood Hazard Extents or Erosion Hazard Areas are ~~avoided~~ restricted.

Paragraph 9.10 of s32 report:

Policy 14.4.4 directs links with Policy 9.4.4 by providing direction to ~~avoid~~ restrict development in the high hazard area of the Flood Hazard Extents and Erosion Hazard Area.

Paragraph 11.3 of s32 report:

...Subdivision within the identified Flood Hazard Extent is specifically managed in order to ~~avoid~~ restrict new undeveloped lots being created...

Paragraph 11.78 of s32 report:

Earthworks in higher-risk areas such as the stream corridor, building setback line and within overflow paths are identified as ~~Non-Complying Activities~~ Restricted Discretionary Activities due to the high hazard risk of these areas and the effect such works can have on exacerbating the hazard risk to people and property.

Paragraph 12.2 of s32 report:

The proposed provisions seek to ~~avoid~~ restrict development in the identified high hazard areas and to mitigate the risk from flooding in the lower risk areas.

Paragraph 12.4 of s32 report:

[bullet point 2] *...The proposed objectives, policies, and rules have been drafted to ~~avoid~~ restrict development in the high hazard areas and to incorporate mitigation measures for development in lower risk areas.*

TO AMEND THE FOLLOWING SPECIFIC PROPOSED PROVISIONS:

Amend Policy 9.4.4:

To ~~avoid~~ restrict subdivision where building platform would be located within high hazard areas of the identified Flood Hazard Extents and Erosion Hazard Areas.

Amend Policy 14.4.3

~~Avoid~~-Restrict development within high hazard areas of identified Flood Hazard Extents and Erosion Hazard Areas.

Amend Objective 9.3.2

To control subdivision within identified Flood Hazard Extents and Erosion Hazard Area to ensure the risk from flood hazards to building platforms and access in high hazard areas are ~~avoided~~ restricted and the flood risk to people and property can be appropriately mitigated in the lower hazard areas.

Amend Issue 9.2.4

...Subdivision within a Flood Hazard Extent should ~~avoid~~ restrict high hazard areas and ensure appropriate measures can be implemented in lower hazard areas to provide for suitable future development.

Amend Objective 9.3.2

Where subdivision is proposed within a Flood Hazard Extent, the natural hazard constraints will be considered, with development ~~avoided~~ restricted in the high hazards areas, and mitigated in the lower hazard areas...

Amend Objective 9.3.3

...Where earthworks are proposed within the Flood Hazard Extent or Erosion Hazard Area, the natural hazard constraints should be considered and areas subject to high hazards are ~~avoided~~ restricted.

10	Jonathan Mackey	jonomackey@gmail.com	YES
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Submission

- The submission specifically relates to the Mangaroo Flood Hazard Extent and Erosion Hazard Area.
- The submitter states that proposed rules unreasonably restrict development, particularly at 43 Mt Marua Drive, Mangaroo for subdivision previously approved and the effect the Erosion Hazard Line has on development across the site.
- The submitter states that the erosion hazard at 43 Mt Marua Drive has already been assessed pursuant to Section 106, which provides for a buildable area which differs from the proposed plan change.

Provision

- Rule 33.1 relating to the Mangaroa Flood Hazard Extent.
- Activity status of earthworks in the Mangaroa Flood Hazard Area under Rule 23.1.
- Rule 23.21 relating to earthworks in the Erosion Hazard Area of the Mangaroa Flood Hazard Extent

Decision sought

- Requests provisions of aforementioned rules to be amended to allow earthworks on sites which obtained subdivision consent before the plan change was notified.
- Erosion Hazard Area be amended to take into account the topography of 43 Mt Marua Drive.
- Exempt the new provisions from applying to development within the Erosion Hazard Area where a site obtained subdivision consent for new lots prior to notification of the plan change.

11

Nicola Robinson

robinsonnickyj@gmail.com

YES

Submission

- The submitter expressed their lack of confidence in the data underlying the plan change and therefore opposes the plan change.

Provision

- Proposed Urban and Rural Hazard Maps.

Decision sought			
<ul style="list-style-type: none"> To withdraw the plan change until data sources are independently clarified and verified. To have an independent expert to assess the potential run-off from potential development sites within Silverstream / Pinehaven hills area. 			
12	Save Our Hills (Upper Hutt) Incorporated (President)	C/- Steven Pattinson sjpattinson@paradise.net.nz	YES
Submission			
<ul style="list-style-type: none"> The submitter states their overall opposition to the plan change due to the inaccuracy of the proposed Urban and Rural Food Hazard Maps. The submitter considers that GWRC and Council have avoided addressing community concerns. The submitter considers that the plan change will allow extensive development over the land owned by the Guildford Timber Company (GTC). They consider that the plan change has failed to address the risk to people and property as a result of development across the Blue Mountain, Pinehaven and Silverstream Hills, and specifically from the Southern Growth Area (SGA). The submitter states that as the proposed Urban and Rural Food Hazard Maps are incorrect, the information regarding property values provided on the Infosheet during the submission period is by virtue incorrect. This is because the maps themselves cause property value decline and not the risk of flooding itself, as mapping has included areas of insignificant flood risk. The submitter states that the link to the GWRC Pinehaven Stream site provided on the plan change consultation website are inaccurate as the maps provided are incorrect. This is because a 'standard style of flood map' is not shown, as described in the BECA audit report for Pinehaven Stream, July 2015 (p 23). The submitter notes that Section 6 of the report ("Presentation of Flood Hazard Information") provides four alternative methods in presenting flood hazard information (Christchurch City Council, Auckland Council, Environment Agency in England, and Hamilton City Council), which has not been adopted by the plan change. Relating to the above, the submitter considers that the proposed Flood Hazard Maps have included areas which have an insignificant flood risk and should 			

therefore not be mapped. The submitter notes that the auditor suggested that GWRC use maps which combine water depth, flow velocity and location. As such, the submitter rejects the maps as they do not highlight flood hazard since the depth and velocity calculation is insignificant. Flooding maps therefore inflate the flooding hazard.

- Due to mapping, the submitter considers that the hydraulic neutrality provisions have not considered the true extent of possible development area(s) (like the SGA), in turn causing increased flood risk within Pinehaven and Silverstream. The submitter states that the plan change has not published the baseline stormwater discharges to determine hydraulic neutrality provisions.
- The submitter questions where the information underlying flooding maps is, as they do not appear to be included within consultation documentation. Therefore, the following is questioned:
 - Who produced the GWRC flood hazard maps for Mangaroo and Pinehaven?
 - Who is liable for the information provided within the maps?
- Relating to the aforementioned BECA audit, the submitter states that this noted that the flood maps were not fit for purpose for assessing the impact of future development. The submitter therefore requests an independent audit (detailed below).
- The submitter considers that Flood Hazard Maps are not reflective of a 1-in-100 year event, as occurred and witnessed by residents in 1976.
- The submitter questions whether modelling has considered remedial drainage works which occurred in the 1980s.
- The submitter states that Save Our Hills Incorporated has evidence that the GWRC Flood Hazard Maps have been tampered with.
- The submitter states that Save Our Hills Incorporated has evidence insignificant hazards have been mapped.
- The submitter states that Council have refused requests to further investigate known issues with flood hazard maps.

Provision

- Proposed Urban and Rural Flood Hazard Maps.

- Pinehaven Catchment Overlay provisions.

Decision sought

- To withdraw the plan change and conduct an independent audit focusing on the potential adverse effects of development over GTC land and the impacts this would have on Pinehaven and Silverstream.
- To provide Flood Hazard Maps which illustrate the combination of water depth and flow at any location.

13	Lindsay Forbes	18 Dunns Street, Silverstream	NO
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Submission

- The submission specifically relates to the proposed Pinehaven Flood Extent.
- The submitter raises the following questions:
 - Has Council published any data which illustrate the required infrastructure needs to remediate a 1-in-100 year event?
 - What is the current extent of infrastructure and what is planned? What are the timeframes associated with these works?
 - Will any planned infrastructure remove the threat of a 1-in-100 year event? If not, why not?
- The submitter states that he understands the intention of the plan change, however believes that Ponding Areas in Pinehaven are attributed to ineffective infrastructure in the area. This relates to the current and prospective infrastructure works and their ability to remediate a 1-in-100 year flood event.
- The submitter questions the liability of Council in a flood event where infrastructure fails.
- The submitter questions the timeframes to implement the plan change which would be required if infrastructure upgrades are deemed effective.

- The submitter believes sunlight access plane rules (18.16) will be ineffective and therefore the plan change needs to be rewritten.

Provision

- Chapter 18.

Decision sought

- To investigate the ability for Council infrastructure to reduce or remove flood risk in Pinehaven.
- To rewrite the proposed residential chapter.

14

Alexander Ross

golfer4@clear.net.nz

NO

Submission

- The submitter states their opposition to the plan change due to the flood maps combining the freeboard level with the 1-in-100 year level.

Provision

- Proposed Urban and Rural Hazard Maps.

Decision sought

- To provide flood hazard maps which differentiate the freeboard level from the 1-in-100 year flood level, or, remove and review flood hazard maps from the plan change.

15	Geoff Workman	geoff.workman@hotmail.com	NO
<p>Submission</p> <ul style="list-style-type: none"> The submitter believes incorrect data has been used to create the flood hazard maps and are therefore misleading the community. <p>Provision</p> <ul style="list-style-type: none"> Proposed Urban and Rural Hazard Maps. <p>Decision sought</p> <ul style="list-style-type: none"> To have the maps and underlying data reviewed by an independent auditor. 			
16	Susan Pattinson	sue@wow.org.nz	YES
<p>Submission</p> <ul style="list-style-type: none"> The submission specifically relates to the proposed Pinehaven Flood Extent. The submitter states their opposition for the plan change due to the flood maps misrepresenting localised topography around 27 Elmslie Road and in Pinehaven generally. <p>Provision</p> <ul style="list-style-type: none"> Proposed Urban Hazard Maps. <p>Decision sought</p> <ul style="list-style-type: none"> To withdraw the plan change. 			

- To conduct an independent investigation into the Flood Hazard Map issues.
- To provide accurate data to justify the Flood Hazard Maps.

17	John Moynihan	42 Gorrie Road, Mangaroo	YES
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Submission

- The submission specifically relates to the proposed Mangaroo Flood Extent.
- The submitter states their opposition to the plan change due to mapping incorrectly interpreting features of the Mangaroo Valley. An example is provided around their own property (42 Gorrie Road) which drains flood waters away through:
 - The height of land above river bank;
 - Flood protection work undertaken in the area; and
 - The ability of water to drain via the Black Creek and Mangaroo River.
- The submitters feels that much of the much of the Lower and Upper Hutt district lies on the same topography, so proposed ponding area should therefore apply across the district(s).
- The submitter considers that the plan change suggests that proposed Ponding Areas are wetlands.
- The submitter believes the plan change is not a good use of ratepayer's money.

Provision

- Proposed Rural Hazard Maps.

- Ponding Area extents.

Decision sought

- Provisions described in the plan change relating to the Mangarua Flood Hazard area are withdrawn.
- To remove all Ponding Areas around existing houses.

18	Jenene Moynihan	42 Gorrie Road, Mangarua	YES
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Submission

- The submitter opposes the plan change due to inaccuracies in the information underlying the plan change and the notification document.
- The submitter feels that the provisions associated with the Erosion Hazard Lines, Ponding Area and Overflow Paths are confusing and unfairly disadvantage landowners. There is also confusion surrounding the property boundaries on hazard maps.
- The submitter states that the plan change has favoured some land owners while unfairly reducing the property values of others, as well as increasing the costs of insurance.

Provision

- Proposed Rural Hazard Maps.
- Provisions relating to all areas located within the Ponding Area, Erosion Hazard Line and Overflow Path.

Decision sought

- To withdraw the plan change in its entirety.

19	Upper Hutt Town and Country Association	C/- Bob McLellan info@uhta.org.nz	YES
<p>Submission</p> <p>OVERALL</p> <ul style="list-style-type: none"> • The submitter states their opposition to the plan change overall. • The submitter considers that the extension of the submission period to 8 weeks was appropriate, however would have also liked Council to provide funding to contribute to the cost of independent specialist advice. • With regard to the proposed Urban and Rural Flood Hazard Maps, the submitter considers the following: <ul style="list-style-type: none"> ○ There is a general lack of clarity on the maps in terms of the illustrated level of flood hazard and the scale of maps to determine property and flooding location; ○ There is an overall lack of reference to data sources behind the maps and their accuracy; ○ It is important for maps to illustrate the depth of water and the level of risk in each area, particularly in Pinehaven; ○ The level of risk across the Erosion Hazard Line is vague and needs to differentiate between low and high risk; and ○ There is a general lack of understanding as to why maps more similar to GWRC maps are not used. • The submitter considers that the low hazard [Ponding Area(s)] described only show shallow and/or slow moving water, and is not considered to be a hazard. Maps therefore exaggerate the level of hazard. • The submitter considers that Flood Hazard Maps should not be included on Land Information Memorandums (LIMs) due to the imprecise nature of maps. They consider that an approach similar to that chosen by the Kapiti Coast District Council regard beachfront erosion would be more appropriate. Council have therefore not considered how this would affect the availability and cost of insurance. 			

- The submitter states that Pinehaven residence have asked for changes to be made following the BECA audit, which has not occurred.
- The submitter considers that Flood Hazard Maps are not reflective of a 1-in-100 year event, witness by residents in 1976 (even when climate change is considered), with no explanation as to why. As a result, it is considered that the community have chosen not to participate in consultation.
- The submitter states that the 2016 Pinehaven Flood Plan Focus Group made progress towards agreed provisions and that a similar approach for the plan change may have resulted in a more inclusive approach.
- The submitter believes that proposed standards are unnecessarily restrictive as they lack evidence. In turn, proposals will increase the cost of development for the community.
- The submitter considers that there is a lack of flexibility for the flood maps to adapt to a changing river channel over time.

SECTION 32 REPORT

- With regard to paragraph 1.5 and the Mangaroa Flood Extent, the submitter questions whether the current district plan has provided for development within high hazard areas, and if not, that the current plan is working well.
- With regard to paragraph 2.7, considers that s32(1)(a) of the Act has not been addressed.
- With regard to paragraph 3.3, considers that most development has in fact not occurred in the flood plain, but above it. The assessment only identifies housing in Te Marua but not that at Maclaren Street.
- With regard to paragraph 3.7, considers that the changes requested from plan change 15 have not been implemented.
- With regard to paragraph 3.14, considers that Council has not acted in a manner which addresses the concerns of residence in downstream catchments.
- With regard to paragraph 3.18, considers that the flood hazard maps are not fit for purpose and are an example of how Council does not listen to the community.
- With regard to paragraph 3.20, considers the classification of low and high risk to be unique to Council.

- With regard to section 4, considers that voiced concerns during consultation should be summarised here and that the report is incomplete without it.
- With regard to paragraph 5.1 (bullet points 3 and 9), considers that there is confusion between the required level of dwellings and accessways. The provision needs to account for accessways being lower than a dwelling.
- With regard to paragraph 5.2, questions why the flood hazard extent of the Hutt River has not been included in the proposed maps.
- With regard to paragraphs 6.27, 6.28 and 6.71, considers there is no Southern Growth Area (SGA) in the Land use Strategy. There is confusion over whether residential activity is encouraged at the first floor (paragraph 6.27) and the flood hazard associated with people living here.
- With regard to paragraph 6.28, the submitter considers that the statement that “...the majority of the identified future growth areas are outside of the Pinehaven Catchment” is incorrect.
- With regard to paragraph 10.3 and subsequent paragraphs, the submitter considers that the economic cost benefit analysis is incomplete. This is because it does not consider existing value of land, the economic effects the proposal will have on vacant land, and the potential economic cost of insurance.
- With regard to paragraph 10.30, the submitter considers that the plan change needs to consider changes to property prices as part of the cost benefit analysis, pursuant to Section 32(2)(a) of the Act.
- With regard to paragraph 10.31, considers that areas could be considered as high value if hazard lines were not proposed.

Provision

- Proposed Urban and Rural Flood Hazard Maps.
- The overall plan change and Section 32 Report.

Decision sought

- To withdraw the plan change.
- To create standards which allow for maps to be altered when flooding and overflow areas change.

- To show the change in flood hazard maps flood hazard extent [presumably between Plan Change 15 and proposed Plan Change 42].
- To adopt the same approach the Kapiti Coast District Council took whereby flood hazard maps are not included in LIMs.
- To amend bullet point 2 of Rule 18.39 to instead state, “Where the building platform is located within the Erosion Hazard Area, provision of a report...”

20	Save Our Hills (Upper Hutt) Incorporated (Member)	C/- Kyle McLellan capitalkdesign@gmail.com	NO
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Submission

- The submitter describes their opposition for the plan change due to the concerns of residents not being represented.

Provision

- The overall plan change.

Decision sought

- To withdraw the plan change until concerns have been addressed and an independent review of flood hazard maps has been conducted.

21	Greater Wellington Regional Council (GRRC)	C/- Caroline Watson Caroline.Watson@gw.govt.nz	YES
<p>Submission</p> <ul style="list-style-type: none"> The submitter states their support for the plan change as has been notified, due to its identification of flood and erosion risk and the proposed associated provisions to manage these risks. The submitter states that the plan change is consistent with the Wellington Regional Policy Statement (RPS). Provisions within the plan change specifically link to Policies 15, 29, 41 and 51 of the RPS. The submitter is supportive of the ability of the plan change to control development within the Pinehaven catchment and to enable future structural infrastructure improvements to be undertaken on the Pinehaven Stream. These provisions are critical tools to empower the GWRC to reduce flooding risk on the Pinehaven community. The submitter supports the inclusion of erosion provisions to minimise erosion and sediment loss to streams and rivers. <p>Provision</p> <ul style="list-style-type: none"> The overall plan change. Policy 9.4.8. <p>Decision sought</p> <ul style="list-style-type: none"> To approve the plan change in its entirety. 			

22 (late submission)	Jeff & Noeline Berkett	1 Whitemans Valley, RD 1, Upper Hutt	YES
<p>Submission</p> <ul style="list-style-type: none"> • The submitter states their opposition to the plan change due to the inaccuracy of data underlying the plan change. • The submitter believes that local flooding knowledge has not been considered in the plan change. <p>Provision</p> <ul style="list-style-type: none"> • The plan change overall. <p>Decision sought</p> <ul style="list-style-type: none"> • For Council to challenge the plan and GWRC. • For Upper Hutt City Council Councillors' themselves to draft the plan change with local residence. 			
23	Alan Jefferies	1102 Maymorn Road, Maymorn	YES
<p>Submission</p> <ul style="list-style-type: none"> • The submitter states that they oppose the plan change for the following reasons: <ul style="list-style-type: none"> ○ The flood hazard maps are incorrect and difficult to read; ○ The Erosion Hazard Line is incorrect; ○ The definitions relating to River Corridor, Ponding Area, and Overflow Path. 			

- River corridor is river bed, as defined through case law and the Resource Management Act 1991. Submitter believes the plan change cannot lawfully impose provisions over a river bed.
- Ponding Area definition is misleading and overly simplistic. Submitter believes '100 Year Flood Extent' or 'Floodplain' is more accurate.
- Overflow Path is also misleading and should also be called 'Floodplain'.
- The submitter also states that the objectives of the plan change could be achieved in a simpler, less costly, more accurate and less controversial manner.

Provision

- Proposed Rural and Urban Hazard Maps.
- Erosion Hazard Lines.
- Chapter 35 definitions relating to River Corridor, Ponding Area, and Overflow Path.
- The plan change overall.

Decision sought

- To withdraw the plan change in its entirety.

24 (late submission)	Transpower New Zealand Limited	C/- Pauline Whitney Boffa Miskell Limited pauline.whitney@boffamiskell.co.nz	YES
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Submission

OVERALL

- The submitter states there overall support for the plan change, subject to specific amendments.
- The submitter states their responsibility as the national grid provider under the State Owned Enterprises Act 1986, however has no transmission infrastructure within any proposed flood extent. The submitter lists National Grid assets within the Upper Hutt District.
- The submitter notes their obligations through section 7 of the Resource Management Act (RMA) and the National Policy Statement for Electricity Transmission 2008 (NPSET), and consequent sections 55 and 75 of the RMA for the Council to give effect to the NPSET.
- Relating to the above, the submitter seeks for appropriate changes be made to the plan change which are reflective of the following:
 - *Full effect is given to the National Policy Statement on Electricity Transmission 2008 (NPSET);*
 - *The sustainable management of the National Grid as a physical resource of national significance is recognised;*
 - *The benefits of the National Grid at local, regional and national levels are recognised;*
 - *The need for the ongoing operation, maintenance, development and upgrading of the network is recognised;*
 - *Appropriate provision for the planning and development of new National Grid infrastructure; and*
 - *The protection of the National Grid from issues of reverse sensitivity and the adverse effects of others' activities is recognised.*
- The submitter notes the policies within the 2013 Wellington Regional Policy Statement relevant to the plan change as being Policies 7, 8 and 39.

PROPOSED RULES

- With regard to Objective 14.3.2, the submitter states their support for the intention of the objective, however considers that the wording as notified is overly prescriptive. This is because the use of 'avoid' does not provide sufficient flexibility for the placement of infrastructure within high hazard areas where there are few practical alternatives.
- With regard to Policy 14.4.3 and in relation to the above, the submitter states their support for the intention of the policy, however considers that the wording as notified is overly prescriptive. This is because the use of 'avoid' does not provide sufficient flexibility for the placement of infrastructure within high hazard areas where there are little practical alternatives.
- The submitter supports and recognises the need for Policy 14.4.4 to appropriately control development in low hazard areas.
- With regard to Issue 16.2.1, the submitter states their support for the intention of the Resource Management Issue, however considers that an amendment is needed to clarify the intent of the issue with relation to new network utilities.
- With regard to 16.3.4, the submitter acknowledges this is not proposed to be amended, however considers that a directive within the Plan is needed to recognise adverse flood hazard effects generated by new network utilities. Proposed relief is sought for either Objective 16.3.4 or 16.3.5 (see below).
- The submitter supports and recognises the need for Policies 16.4.18 and 16.4.19 to address the appropriate design of network utilities to ensure flood effects are not exacerbated.
- With regard to Rule 23.1 and 30.1, the submitter seeks clarification regarding the activity status of earthworks for new utilities structures in both the Pinehaven and Mangaroa Flood Hazard Extents. Concerns are raised between the discrepancy of activity statuses between 23.1 and 30.1 with regard to these earthworks activities and the implications a Non-Complying activity status would have on new utilities proposal with regards to the bundling principle.
- Transpower are neutral to the proposed permitted activity standard 30.8a. However, Transpower would oppose any standard requiring undergrounding for restricted discretionary or discretionary activities.
- With regard to Rule 30.13, the submitter supports the intent of the rule, however considers that a discretionary matter relating to the positive effects of infrastructure be included. This would be reflective of Policy 1 of the NEPSET.
- With regard to Rule 33.1, the submitter seeks clarification regarding the activity status of earthworks for new utilities structures in both the Pinehaven and

Mangaroa Flood Hazard Extents and the rule specifically relates to 'structures'. Concerns are raised between the discrepancy of activity statuses between 23.1 and 30.1 with regard to these earthworks activities and the implications a Non-Complying activity status would have on new utilities proposal with regards to the bundling principle.

- The submitter states that the definitions (Chapter 35) do not include the definition for 'Network Utility Structure' which was incorporated in Plan Change 38. Clarification on this is sought.

Provision

- The plan change overall.
- Chapter 14
 - Objective 14.3.2
 - Policies 14.4.3 and 14.4.4
- Chapter 16
 - Issue 16.2.1
 - Objectives 16.3.4 and 16.3.5
 - Policies 16.4.18 and 16.4.19
- Chapter 23
 - Rule 23.1
- Chapter 30
 - Rules 30.1 and 30.13
- Chapter 33
 - Rule 33.1 and 33.1A
- Chapter 35

Decision sought

- To retain Policy 14.4.4 as notified
- To retain Policies 16.4.18 and 16.4.19 as notified
- Seeks clarification of the activity status of earthworks for new utilities structures under Rule 23.1 within the Pinehaven and Mangaroa Flood Hazard Extents. If it is determined that a Non-Complying activity status would apply, then an amendment to a Discretionary or Restricted Discretionary activity status is sought.
- Seeks clarification of the activity status of earthworks for new utilities structures under Rule 33.1 within the Pinehaven Flood Hazard Extent and Pinehaven Catchment Overlay. If it is determined that a Non-Complying activity status would apply, then an amendment to a Discretionary or Restricted Discretionary activity status is sought.
- Seeks clarification on the definition under Chapter 35 of the plan change of a 'Network Utility Structure' and whether this was provided for in Plan Change 38.

TO MAKE THE FOLLOWING SPECIFIC CHANGES:

Amend paragraph 2 of Objective 14.3.2:

High hazard areas within the Flood Hazard Extent comprise the stream and river corridor, overflow paths and the Erosion Hazard Area. These are characterised by areas of moving flood water which may also be deep or fast and includes areas most at risk to erosion during a flood event. These are identified on the Hazard Maps. Subdivision and inappropriate development within high hazard areas should be avoided given the threat these areas represent to people and property.

Amend Policy 14.4.3 and explanation:

[Policy] Avoid inappropriate development within high hazard areas of identified Flood Hazard Extents and Erosion Hazard Areas.

[Explanatory paragraphs] The high hazard areas present a threat to people and property as they can contain both fast and deep flowing water in a 1 in 100-year flood event, or are at risk of bank collapse which has the potential to damage buildings and threaten lives.

The policy provides directive for careful consideration of development within the high hazard areas, with a strong directive to avoid inappropriate development in these high hazard areas.

Amend Issue 16.2.1:

Network utilities and their on-going functioning can be affected by flood hazards. It is also possible for network utilities to increase the impact of flood hazards, particularly where linear infrastructure crosses stream or river corridors. The effect of flood hazards on new network utilities, and the impact of new network utilities, on the flood hazards needs to be avoided or mitigated.

EITHER amend the explanation of Objective 16.3.4:

...They may also have adverse effects on public health and safety, as well as flood hazard considerations...

OR amend Objective 13.3.5:

To ensure the continued operation of network utilities, and development and operation of new network utilities, in flood hazard extents and to maintain the function of the floodplain to convey flood waters.

Insertion of matter of discretion to Rule 30.13:

- *Whether locating the Network Utility Structure within the Flood Hazard Extent will provide any local, regional or national benefit.*

25 (late submission)	Duigald Myers (late submission)	dmyers@paradise.net.nz	NO
<p>Submission</p> <ul style="list-style-type: none"> The submission specifically relates to the proposed Pinehaven Flood Extent. The submitter opposes the plan change due to the inaccuracies of flood hazard maps. This relates specifically to 33A Elmslie Road, where it is believed the flood hazard maps do not consider local contours. The data underlying flood hazard maps is therefore too generic for its intended purpose. <p>Provision</p> <ul style="list-style-type: none"> Proposed Urban Hazard Maps. <p>Decision sought</p> <ul style="list-style-type: none"> To withdraw the plan change until inaccuracies surrounding flood hazard maps have been resolved. 			

