

Sub No.	Name	Submission Summary	Decision Requested/ FSub Reasons	Council Reasons for Decisions on Submissions	Council Decisions
1	Oliver Glyn Lane & Mary Anne Devonshire 48 Hipango Terrace	(a) Submitter accepts need to identify areas of land instability opposite the Whanganui City Bridge below Hipango Terrace. (b) Submitter does not accept the proposed Overlay – Area A, based on the limited extent and methodology of the investigations. (c) Submitter also does not accept inclusion of Clause M193 publicising and encouraging the use of PIM and LIM in Plan.	(a & b) Submitter seeks decision from Council to identify in more finite terms a better accurate Zone A Designation based on Geotechnical investigation and assessment. (c) Submitter requests to delete M193 to publicise and encourage the use of PIM and LIM.	1. Council has a responsibility to the wider community to ensure that any future use or development of unstable land does not worsen or exacerbate the hazard potential, as this would have an adverse effect on the environment and be contrary to the purpose of the Act. Council noted that the Horizon's One Plan states at Policy 10-5 that " <i>Territorial Authorities must manage future development and activities in areas susceptible to natural hazard events (excluding flooding) in a manner which:</i> <i>a) ensures that any increase in risk to human life, property or infrastructure from natural hazard events is avoided where practicable, or mitigated where the risk cannot be practicably avoided.</i> <i>b) Is unlikely to reduce the effectiveness of existing works, structures, natural landforms or other measures which serve to mitigate the effects of natural hazard events, and</i> <i>c) is unlikely to cause significant increase in the scale or intensity of natural hazard events.</i> 2. Council research confirms a potential risk to life and the environment within the proposed Land Stability Assessment Areas. As a result, Council must take a precautionary approach to future development potential. 3. Balancing the costs and benefits to both the wider community and individual property owners, Council believes research undertaken to date is sufficient to guide it in establishing broad thresholds for development. 4. The cost of further research to identify a more refined area of potentially affected land, would likely be significant. Council accepts that it is unlikely that the boundaries of the proposed zone or development restrictions would significantly alter with more detailed analysis. Council accepted that research to date did not provide certainty that excavation or erection of structures could never occur safely (achieve low risk). Council determined that the Plan include greater activity status detail and the prohibited status deleted. 5. Provision of LIMs and PIMs is not an RMA matter. Council determined that M193 is not necessary and has been deleted. Council would like to review the LIM and PIM process, in the appropriate forum, in light of the submissions received. 6. The Committee provided a definition of retaining wall as it did not want to unnecessarily restrict minor landscaping walls but accepted that a depth of 0.6m would impose a vertical load of about 1 tonne per square metre, as well as a horizontal load into the ground. The horizontal and vertical loads have the potential to add to the destabilising forces acting on the slope, or at the top of the slope.	<u>That</u> Submissions 1, 8, 10 and 23 from Oliver Lane and Mary Anne Devonshire, Alistair Duncan, David Burnham and Colin and Kerri Leigh Kendrick be accepted in part . The following changes are made to the Plan as a result of these submissions. Delete method M193. Amend Policy P119 to read: P119 Land instability Identify areas susceptible to land instability where assessment of the hazard risk is required before land use or subdivision activities are carried out and provision is made, where there is an unacceptable geotechnical risk, to decline consent. Amend rule R256 to read: R256 Geotechnical Report a. Where required by rules RXX, RY, RXY or RYY, the person proposing to undertake the activity shall provide Council with a report from a suitably qualified and experienced geotechnical engineer, prior to commencement of any works onsite. Council shall consider this rule is complied with where the report confirms that: 1. the risk of the activity is no more than low, using the qualitative risk assessment process described in 'Practice Note Guidelines for Landslide Risk Management 2007' (Australian Geomechanics Society, 2007); and 2. associated works will not worsen or accelerate land instability on the site or surrounding area. Note: Council shall maintain a list of suitably qualified and experienced geotechnical engineers. Delete Rule R257- Prohibited Activities. Insert rule RX to read: RX Permitted Activities The following are permitted activities: a. Any activity permitted in an underlying zone and not excluded by RXX, RY, RXY or RYY. Insert a new rule and number appropriately: RXX Controlled Activities The following are controlled activities provided R256 is complied with: a. Excavation, construction, alteration or modification to any structure or retaining wall Council limits its control to the following matter: 1 Implementation of conditions to ensure that the excavation and construction, alteration or modification to any structure or retaining wall does not worsen or accelerate the risk of land instability on the site or surrounding area. b. Network utilities involving excavation, trenching or construction to any structure or retaining wall Council limits its control to the following matter: 1 Implementation of conditions to ensure that the excavation and construction of any structure or retaining wall does not worsen or accelerate the risk of or level of erosion on the site or surrounding area.
8	Alistair Nixon Duncan 5c Putiki Drive	Submitter does not accept the proposed Overlay-Zone A Designation Hillside Stability Study as carried out by Opus and does not accept the inclusion of Clause M193 in the Wanganui District Council Plan.	* Submitter seeks clarification and identification of Opus Hillside Stability Report as he does not believe there is sufficient information identifying risks. * Submitter seeks to delete paragraph M193 - a detailed assessment needs to be carried out before PIM and LIM are altered.		
10	David Sidney Burnham 5b Putiki Drive	Submitter does not accept the proposed Overlay-Zone A Designation based on the limited study carried out by Opus and does not accept the inclusion of Clause M193 in the Wanganui District Council Plan.	* Submitter seeks an accurate Zone A Designation based on geotechnical investigation and assessment by Opus. * Submitter seeks to delete paragraph M193.		
23	Colin & Kerri Leigh Kendrick 54 Hipango Terrace	Submitter opposes changes to PC25	PC25 is based on an inadequate Opus Report, with limited geotechnical research.		

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				<p>7. Matters raised by Submitter 1 in relation to potential impacts on property values and rating base are not matters to be considered when Council is fulfilling functions under the RMA.</p> <p>8. Submitter 1 refers to rule R257 and makes comments in relation to the S32 report analysis. Council noted that the further research referred to in the S32 report will in time enable identification of any other areas with similar natural hazard issues. In future, development may also be restricted in these areas using a similar analysis and methodology.</p>	<p>c. Vegetation clearance (greater than 5m² area annually)</p> <p>Council limits its control to the following matter:</p> <p>1 Implementation of conditions to ensure that the activity does not worsen or accelerate the risk of or level of erosion on the site or surrounding area.</p> <p>Refer to Resource Consent Assessment Criteria.</p> <p>Insert a definition for ‘Retaining Wall’ to read: For the purposes of the Landslide Stability Assessment Areas, a retaining wall means a wall retaining more than 0.6m depth of ground.</p> <p>Insert rule RY to read: RY Restricted Discretionary Activities The following are restricted discretionary activities provided R256 is complied with:</p> <p>a. Any restricted discretionary activity in an underlying zone and not excluded by RXY or RYY Council restricts its discretion to the matters identified in the underlying zone for the proposed activity and</p> <p>1 whether the activity contributes to land instability,</p> <p>b. Subdivision for boundary adjustment where no additional building platforms are created. Council restricts its discretion to the matters identified in the underlying zone for the proposed activity (this includes the matters Council has limited its control to for subdivision in the Outer Commercial zone) where applicable and:</p> <p>1 whether the subdivision contributes to land instability.</p> <p>Refer to Resource Consent Assessment Criteria.</p> <p>Amend rule R191 to read: RXY Discretionary activities The following are discretionary activities</p> <p>a. Any discretionary activity in an underlying zone not excluded by RYY.</p> <p>b. Subdivision where additional building platforms are created within Area B and where R256 is complied with</p> <p>c. Vegetation clearance (greater than 5m² area annually), where R256 is not complied with.</p> <p>Refer to Resource Consent Assessment Criteria.</p> <p>Amend rule R192 to read: RYY Non-Complying Activities The following are non-complying activities</p> <p>a. Excavation where R256 is not complied with.</p> <p>b. Subdivision where additional building platforms are created within Area A, or where R256 is not complied with for sites in Area B.</p> <p>c. Construction, alteration or modification of any structure or retaining wall where R256 is not complied with.</p> <p>d. Network utilities involving excavation, trenching or construction, of any structure or retaining wall where R256 is not complied with.</p> <p>e. Any other activity which is not provided for as a permitted, controlled or discretionary activity.</p> <p>Refer to Resource Consent Assessment Criteria.</p>

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9	Patricia Jane Newton 60 Hipango Tce	Submitter opposes PC25 as this is poorly researched and overly punitive with its remedy - no definition of excavation when excavation could stabilise.		In addition to reasons 1 - 6 given in relation to Submissions 1, 8, 10 and 23 the following additional reason applies: 7. Council noted that the District Plan definition of Excavation is the same as for Earthworks. Plan change 25 does not alter this definition. Council also noted that sometimes earthworks can trigger a failure, and trenches can form a conduit for groundwater.	<u>That</u> Submission 9 from Patricia Jane Newton be accepted in part . Changes are made to the Plan as a result of this submission. Changes are the same as those indicated for Submissions 1,8,10 and 23 above.
12	Wayne James Brougham & Lynair Elizabeth Benefield 72 Hipango Tce	Submitter opposes proposed plan change based on insufficient and shallow research. A detailed Hazard Zonation is what is proposed in PC25 based on this report. No evidence showing any deterioration in Hillside Stability; No research on what, if any external factors may contribute to hillside instability; No evidence offered of any property/person being at increased risk. Original report states 'A Detailed hazard zonation for this area is beyond the scope of this work.'	Submitter seeks the Council to abandon proposed plan changes. This report is not of sufficient quality or depth to make any of the proposed changes.	In addition to reasons 1 - 6 given in relation to Submission 1, 8, 10 and 23 the following additional reason applies: 7. Council considered that evidence of 'deterioration' of hillside stability is demonstrated by the number of properties in the vicinity that have experienced land failure over recent decades. A number of incidents have been reported and researched over an extended period. The issue is that potential land instability exists and poses an unacceptable risk. Council will regulate activity where a risk is identified. 8. In relation to the issues of riverbank slumping and cliff failures, Council preferred its Geotechnical Engineer's opinion that there is no direct link between riverbank slumping and failures in the cliff face below 72 Hipango Tce, ie there is no causal link between them. The processes involved in the riverbank slumping and cliff failures below Hipango Tce are different, and one does not directly result or increase the likelihood of the other. 9. It was implied that Council infrastructure (or lack of maintenance of infrastructure) was the cause of much of the instability on the hillsides in the study area. In relation to this issue, Council noted its Geotechnical Engineer's advisors opinion that: The instability is an underlying issue that may be triggered by natural events, such as rain storm events or earthquakes, or by human induced changes in the area. Development in these areas may increase the likelihood of instability through increasing water runoff and concentrated water flows, or by changing the loadings on slopes. Council infrastructure often suffers damage as the result of instability, and some initial earth movement may cause buried pipe lines to pull apart, causing further movement and failure of the slope. Any development activity, by private owners, developers or utility operators (including Council utilities) in an area of underlying instability may result in an increase in the likelihood of instability. Therefore these developments need to be carefully considered so as not to worsen the instability.	<u>That</u> Submission 12 from Wayne James Brougham & Lynair Elizabeth Benefield and Further Submission 5 from NZHPT be accepted in part . Changes are made to the Plan as a result of this submission. Changes are the same as those indicated for Submissions 1,8,10 and 23 above.
FS5	New Zealand Historic Places Trust	Opposes Submission 12	Opposes submission as non sensical to remove as management of natural hazards is important to heritage due to changing nature of landforms including coastlines.		

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2	Alyson & Les Wright 9 Wairere Road	Submitter opposes the Natural Hazards zone indicated by the Hillside Protection Overlay from 1-13 Wairere Road and requests that a Building Line Restriction as applied to Shakespeare Cliff, be applied over the properties 1-13 Wairere Road.	Submitters seek Council to amend PC25 where it affects 1-13 Wairere Road to change from the Overlay zoning to a Building Line Restriction as applies to Shakespeare Cliff..	In addition to reasons 1 - 6 given in relation to Submission 1, 8, 10 and 23 the following additional reasons apply: 7. The technical assessment undertaken to create Land Stability Assessment Areas A and B, are largely the same as that used to establish the Building Line Restriction at Shakespeare Cliff. This information has now been utilised to create Plan provisions to regulate development to achieve sustainable management. 8. Council recognises that a Building Line establishes a point beyond which development is restricted or to be avoided. A Building Line was initially used for the Shakespeare Cliff Study, as Anzac Parade below the cliff forms the natural edge to the area. Land Stability Assessment Area A, encapsulates the land beyond the building line to Anzac Parade, which is consistent with the 2009 Opus report recommendations. 9. Council noted the detailed explanation of the differences between a building line restriction method and a zone method, provided in the Planning Officer's summary. After considering this information and the points raised by submitters, Council accepted that a zone was the appropriate tool to be applied in this instance, given the complex geology of the wider zone area.	<p><u>That</u> Submissions 2, 3, 11, 14 and 18 from Alyson & Les Wright, Sally Smith, Mary & Stephen Carle, Sue Elliot and Lesley & Donald Judd be rejected.</p> <p>After considering all the information including the points raised by the submitters, Council determined that a zone was the appropriate planning tool to be applied in this instance, given the complex geology of the wider zone area.</p> <p>No changes are made to Plan Change 25 as a result of these submissions.</p>
3	Sally Smith 1 Wairere Road	Submitter requests that Building Line Restriction be the same as applies to Shakespeare Cliff, be applied over the properties 1-13 Wairere Road so each property can then be taken on a case by case basis.			
11	Mary & Stephen Carle' 5 Wairere Road	Submitter opposes this zone as delineated on the Overlay and requests that a building line restriction as applied to Shakespeare Cliff be applied over properties 1-13 Wairere Road. This would have less negative effect and would clearly define future options.			
14	Sue Elliot 13 Wairere Road	Submitter opposes the zone as delineated on the overlay and requests that a Building Line Restriction as applied to Shakespeare Cliff, be applied over the properties 1-13 Wairere Road.			
18	Lesley & Donald Judd 3 Wairere Road	Submitters oppose the zone designated on Map U16 covering properties 1-13 Wairere Road.			

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4	Stephen McClune & Elizabeth Gray 46 Hipango Tce	Submission is: * WDC needs to investigate more comprehensively the relevant hillside areas, to identify the range and degrees of land instability and then effectively manage the on-going care of the identified areas. * WDC needs to take positive action to protect vulnerable areas in general by implementing a constructive programme of planting and land stabilisation. * Does not accept the proposed Overlay Zone A Designation Hillside Stability Study as carried out by Opus. * Does not accept the inclusion of Clause M193 in the Wanganui District Council Plan Review. * That this matter needs to be heard by an independent commissioner. (ie not involved locally) with good critical thinking skills.	Submitter seeks: * PC25 be declined. * The term Hillside Protection area is changed to "Controlled Development area" or similar. * That a more comprehensive investigation is made of the Hipango Tce hillside area before implementing any plan changes based on the June 2011 Opus Report, " <i>Hillside Stability Study, Anzac Parade/Putiki Drive</i> ". * That once a more comprehensive investigation has been made and accurate details are available, the Council act promptly and positively to protect vulnerable areas by implementing a constructive programme of planting and land stabilisation. * That M193 be deleted and that other ways of publicising new, more comprehensive development area be found.	In addition to reasons 1 - 6 given in relation to Submission 1, 8, 10 and 23 the following additional reasons apply: 7. It is not Council's role to investigate the suitability of individual sites for development. 8. Council noted that planting is an important tool to mitigate some of the impact of land instability. Planting can mitigate land instability to an extent, and should generally be encouraged. However there are some areas within Area A where planting is not possible, or situations where vegetation increases instability, and should be removed. It is not a panacea for all land instability. Council could undertake planting and protection works on public land where this is appropriate, but this would not replace the need to restrict development. Councillors encourage Officers to collaborate and share planting knowledge with residents. 9. Council did not consider use of independent commissioners necessary in this instance, as Council is not aware of any particular conflict or issue which prevents Councillors legally hearing and determining the Plan change. 10 The title 'Hillside Protection Area Overlay' has been used for some time in relation to the District Plan. The submitter suggests alternative terminology which is very similar to technical terms used in the Plan. This may cause unnecessary confusion. However Council did prefer wording proposed by other submitters and the name has been amended to 'Land Stability Assessment Areas'.	That Submissions 4 and 16 from Stephen McClune & Elizabeth Gray, Robert William & Lesley Anne Loader and Further Submission 5 from NZHPT be accepted in part . Changes are made to the Plan as a result of these submissions , in addition to those made in relation to Submissions 1, 8, 10 and 23. Amend the Plan to replace reference to Hillside Protection Zone, in relation to areas A and B only, to 'Land Stability Assessment Areas'.
FS5	New Zealand Historic Places Trust	Submitter opposes: Sub #4 (Stephen McClune & Elizabeth Gray)	Opposes the submission as non sensical to remove, as management of natural hazards is important to heritage due to changing nature of landforms including coastlines.		
16	Robert William & Lesley Anne Loader 76 Hipango Tce	Submitter opposes PC25 as individual property stability assessments need to be made before changes are implemented.	Submitter seeks Council to identify stability of land by proper testing before any amendments are made to Plan Change 25.		

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5	Robert Handley and an unincorporated group of residents called "The Overlay Affected Residents Group"	<p>* Land instability have not been pervasive; * some of the geophysical triggers for land instability have been removed through flood protection works; * the attributes of the sites affected by the overlay are such that the best means of achieving the purpose of the Act is to facilitate the on-going management and development of the area in an appropriately engineered manner that does not materially increase the risks associated with land instability.</p> <ul style="list-style-type: none"> The area has been managed practically by specific engineering and giving effect to One Plan does not require an undue avoidance oriented approach. Highly inaccurate information in reports that overstate the risk. A quick and dirty desk top exercise. Council motivated primarily by the liability of known hazards. <p>Key concerns -there is insufficient information to:</p> <ul style="list-style-type: none"> identify risks and define area of high or moderate risk; determine whether mitigation or avoidance is appropriate. Confirm necessity of Planning provisions. Rules are sledgehammer to crack a nut. 	<p>* Decline the Plan Change * Appropriate information is obtained to carry out an appropriate evaluation of option risks and costs and benefits under the RMA. * Delete PC25 and replace it with provisions that reflect a list of other elements suggested by the submitter.</p> <ul style="list-style-type: none"> A single 'development control area' Building as a controlled activity subject to conditions for geotechnical related matters; Subdivision as limited discretionary – limited to geotechnical related matters; Remediation and mitigation works including excavation as a controlled activity; Objectives and policies that support development and remediation and mitigation works Delete the 'leave it till later' approach to assessing risk; LIMs should state that Overlay identifies that special care to address risk of land instability is required. 	<p>In addition to reasons 1 – 6 given in relation to Submission 1, 8, 10 and 23 the following additional reasons apply:</p> <p>7. Council completed its s.32 evaluation as specified in s32 (3) and (4) of the RMA. A report was prepared and adopted by Council in making its decision to notify this proposed Plan Change. The report was made available at notification. Council considers that report was appropriate. Some changes have been made to this report to take account of the approach adopted by Council in these decisions on Plan Change 25.</p> <p>8. The land affected by the Land Stability Assessment Areas is a mix of developed and undeveloped land. Even small scale development of existing sites may cause unacceptable risk to people and property. Under these circumstances Council has determined it necessary to be clear, that sites within these Areas will be subject to geotechnical assessment and must be consistent with the objectives and policies of the Plan which require a precautionary approach.</p> <p>9. Council noted that Policy P113 requires development to '<i>avoid or minimise risk of loss of life of injury of environmental damage</i>'. Council accepted the expert geotechnical engineering opinion, that activities be enabled with minimal restriction, where it is confirmed by a suitably qualified and experienced geotechnical engineer that the risk of an activity is low and any associated works will not worsen or accelerate the level of land instability on the site or surrounding area.</p> <p>Further that where such confirmation is not achieved that Council should decline such development or structures unless it is persuaded that appropriate works would mitigate the hazard appropriately.</p> <p>10. Council determined that Policy P118 will refer to subdivision as this has significant potential to increase pressure for future residential development. This needs to also be carried through to the rules in the Plan, in relation to Area A. Council determined that subdivision have a discretionary status in Area B and a non-complying status in Area A as a primary method to avoid further pressure for residential development where hazard risk may be greater.</p> <p>11. Method M203 states that Council intends to complete a programme of work to identify potential land instability hazard areas in priority order. Ten areas for study have been identified.</p> <p>An additional paragraph has been added to Z15 to explain that the two highest priority areas have been investigated and areas of potential land instability risk identified and development with managed through the Plan.</p>	<p>That Submission 5 from Robert Handley and an unincorporated group of residents called "The Overlay Affected Residents Group" and Further Submission 5 from NZHPT be accepted in part.</p> <p>Changes are made to the Plan as a result of these submissions, in addition to those made in relation to Submissions 1, 8, 10 and 23.</p> <p>Amend the Plan to replace reference to Hillside Protection Zone, in relation to areas A and B only, to 'Land Stability Assessment Areas'.</p> <p>Amend Introductory section ZXX to read:</p> <p>Investigation of the extent of the land within the Wanganui District at risk of land slip has identified a list of areas which are priorities for further study. These areas will be examined to identify the extent of susceptibility to land instability hazards. These hazard prone areas will be incorporated into the Land Stability Assessment Areas as investigations are completed.</p> <p>The areas have been investigated and the following reports prepared:</p> <ul style="list-style-type: none"> Hillside Stability Study – Anzac Parade/Putiki Drive, June 2011; Shakespeare Cliff, Wanganui – Building Line Restriction, Amended Report , November 2012; <p>The potential risks to people and property resulting from any future development in these areas will be managed through the Plan to achieve sustainable management. Future research relating to potential land instability will focus on the following areas:</p> <ul style="list-style-type: none"> Ikitara Road area Mowhanau Roberts Ave/Patterson St Parkdale/Christies Hill/Virginia Road Putiki Area Marybank Area. <p>.....</p> <p>The purpose of the Land Stability Assessment Areas is to recognise its potentially hazardous characteristics and ensure that effects from incompatible activities causing or accelerating natural erosion, are avoided or mitigated.</p> <p>Amend Policy P118 to read:</p> <p>P118 Geotechnical report In assessing resource consents Council will require confirmation, including as appropriate the preparation of a geotechnical report, as to the suitability of the site for subdivision, use or development and that the effects of the hazard shall be avoided or remedied, mitigated.</p> <p>Insert rule RXX to read:</p> <p>RXX Permitted Activities The following are permitted activities:</p> <ol style="list-style-type: none"> Any activity permitted in an underlying zone and not excluded by RXX, RY, RXY or RYY Maintenance and minor upgrading of existing network utility facilities (excluding excavation or trenching).
FS5	New Zealand Historic Places Trust	Submitter opposes: Sub #5 (Robert Handley "The Overlay Affected Residents Group")	Opposes the submission as non sensical to remove as management of natural hazards is important to heritage due to changing nature of landforms including coastlines.		

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13	Michael and Janet, Matthew Penn 56 Hipango Tce	<ul style="list-style-type: none"> • Impact of re-zoning is unclear and the respective responsibilities of Council and landowners are not identified. The Plan Change does not identify areas for further study in respect of hillside stability risk or timescales for these studies to be completed. • No information on risk assessment in respect of flooding, volcanic eruption or forest fires or coastal erosion and flooding for the Castlecliff area. • 142 states 'knowledge of hazards 'is far from comprehensive'". • Communication with the public and affected landowners in respect of the proposed plan change has been weak and the information is incomplete and lacking in detail. • M189 has not been communicated to residents. • Opus report – two areas chosen for 2011 study not explained in report. • Did report consider the impact of low volume stormwater service & delays to upgrade in Taylor St/Hipango Tce. Did this excessive water runoff in extreme events exacerbate the risk to private property. • History shows relatively few events post residential development and events are possibly due to human rather than geological activity. • Clarification of Illustration 2 in the 2011 Opus report is needed. Western side of Hipango Tce, surely whole area should be included. 	Submitter seeks that the Council repeal Plan Change 25 completely on the basis of inadequate research, a targeted selection of properties within the district and an ignorance of other management solutions and tools available to protect a specific single event type on a small scale to a long developed residential population.	<p>In addition to reasons 1 – 6 given in relation to Submission 1, 8, 10 and 23 the following additional reasons apply:</p> <p>7. It is acknowledged that the Plan could provide more detail regarding proposed future research.</p> <p>Council considers that it is for private land owners to demonstrate that land can be safely developed without adverse effect on the environment. It is not Council's role to investigate the suitability of individual sites for development.</p> <p>8. It is acknowledged that flood hazard information is absent from Plan Change 25. It will be included in the next phase of the wider Plan Review.</p> <p>9. A meeting was held on 29th March 2012 and 98 landowners were invited. Approximately 70 attended the meeting, along with Council officers and a consultant senior geotechnical engineer. A draft version of the proposed Plan Change was made available for informal public review in August 2012 and a public notice appeared in the Community Link.</p> <p>10. Council is aware that resources are limited and that there is a need within smaller districts to prioritise hazards. The risks posed are relatively smaller at Castlecliff.</p>	<p>That Submission 13 from Michael, Janet, and Matthew Penn and Further Submission 5 from New Zealand Historic Places Trust be accepted in part.</p> <p>Change are made to the Plan as a result of these submissions.</p> <p>Changes are the same as those made in relation to Submissions 1, 8, 10 and 23 as well as the following change:</p> <p>Amend Introductory section ZXX to read:</p> <p>The areas have been investigated and the following reports prepared:</p> <ul style="list-style-type: none"> • Hillside Stability Study – Anzac Parade/Putiki Drive, June 2011; • Shakespeare Cliff, Wanganui – Building Line Restriction, Amended Report, November 2012; <p>The potential risks to people and property resulting from any future development in these areas will be managed through the Plan to achieve sustainable management. Future research relating to potential land instability will focus on the following areas:</p> <ul style="list-style-type: none"> • Ikitara Road area • Mowhanau • Roberts Ave/Patterson St • Parkdale/Christies Hill/Virginia Road • Putiki Area • Marybank Area.
FS5	New Zealand Historic Places Trust	Submitter opposes: Sub #13 (Michael & Janet, Matthew Penn)	Opposes the submission as non sensible to remove as management of natural hazards is important to heritage due to changing nature of landforms including coastlines.		

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15	Bryce John & Marie Elizabeth Webster 52 Hipango Terrace	<p>1. Accepts need to identify areas where specific engineering design is needed. Oppose overlay Zone A Designation Hillside Stability Study as carried out by Opus.</p> <p>2. Does not accept the inclusion of Clause M193 in the WDC Plan Review publicising and encouraging PIM and LIM in the WDC Plan.</p> <p>3. 2011 report has not taken account of any Engineering and Building Permit requirements for specific buildings eg built 2006.</p> <p>4. Believe naming the proposed zone A "Hillside Protection Overlay" will affect the values of properties, reduce our ability to insure or secure a mortgage.</p> <p>Plan change is a kneejerk reaction to Chch earthquake issues.</p>	<p>1. That a complete Geotechnical report be carried out at 52 Hipango Terrace.</p> <p>2. Council consider a change of name to the clause "Hillside Stability" and define it as "Development Control Area" or "Hillside Building Restriction Area".</p> <p>3. Submitter believes the Opus report is not structured and that construction or development can be covered by the existing Building Act of LGOIMA.</p>	<p>In addition to reasons 1 - 6 given in relation to Submission 1, 8, 10 and 23 the following additional reasons apply:</p> <p>7. It is for private land owners to demonstrate that land can be safely developed without adverse effect on the environment. It is not Council's role to investigate the suitability of individual sites for development.</p> <p>8. The submitter suggests alternative terminology which is very similar to technical terms used in the Plan. This may cause unnecessary confusion. However Council preferred wording proposed by other submitters and the name has been amended to 'Land Stability Assessment Areas'.</p> <p>9. Council noted that site specific details would be assessed in accordance with rule R256, prior to any future development being approved by Council.</p> <p>Existing retaining structures or works may or may not be sufficient to enable future development. This assessment will occur for every proposed development to ensure any hazard risk is avoided, remedied or mitigated.</p>	<p><u>That</u> Submission 15 from Bryce John & Marie Elizabeth Webster be accepted in part.</p> <p>Changes are made to the Plan as a result of this submission.</p> <p>Changes are the same as those indicated for Submissions 1, 8, 10 and 23 above as well as the following change.</p> <p>Amend the Plan to replace reference to Hillside Protection Zone, in relation to areas A and B only, to 'Land Stability Assessment Areas'.</p>
19	Alan Victor Clay 17 Putiki Drive	<p>1. The Hillside Stability Study as carried out by Opus is flawed and incomplete.</p> <p>2. Submitter commissioned Opus to test stability of property at 17 Putiki Drive 4 years ago and this proved the front of the property is stable. Subsequently submitter has spent \$60,000 on retaining wall, so to include these properties without any exceptions for testing carried out or remedial work already undertaken is ridiculous.</p> <p>3. Historically the natural hazard is the river and this hazard has been removed by the remedial work done on retaining Highway 4 at the foot of the hillside.</p> <p>4. The plan changes will increase Council's liability in any proceedings because the information on which it is based is highly inaccurate and overstates the risk.</p>	<p>1. Decline the plan change until sufficient study has been carried out to accurately assess the risks.</p> <p>2. When these risks have been assessed, include exceptions in blanket provisions for properties where geotechnical investigation has been undertaken and remedial work carried out.</p> <p>3. Include provisions which allow remediation and mitigation works, including excavation, as a controlled activity.</p> <p>4. Rename the affected properties as a "Development Control Area"</p>	<p>In addition to reasons 1 - 6 given in relation to Submission 1, 8, 10 and 23 the following additional reasons apply:</p> <p>7. The submitters questions why the site specific works are not taken account of in defining the Hazard Overlay. Such details are the matters that would be taken account of when a site specific assessment is completed in compliance with proposed rule R256, prior to any future development being approved by Council. Council noted that the site was included because future works could be proposed that might create land instability risks not mitigated by the existing retaining wall. Existing retaining structures or works may or may not be sufficient to enable future development. An assessment will occur for every proposed development to ensure hazard risks are avoided or mitigated.</p> <p>8. The Submitter identifies that some of the triggers for land instability have been removed through remedial works. Council assumes that the submitter is referring to the rock protection work undertaken downstream of the City Bridge.</p> <p>That rock protection work has removed the mechanism of cliff failure caused by the toe area being removed by the river and the upper part of the cliff becoming over steep and failing. However, the upper part of the cliff is still oversteep from past processes. The methodology used in the <i>Shakespeare Cliff, Wanganui Building Line Restriction report 2009</i>, assumed that the base of the cliff was fixed due to the stabilisation work, but the upper cliff would continue to regress back to a stable slope over time. This was covered in the report, and certainly mentioned in the peer review by GNS.</p>	<p><u>That</u> Submission 19 from Alan Victor Clay and Further Submission 5 from NZHPT be accepted in part.</p> <p>Council noted that the site was included because future works could be proposed that might create land instability risks not mitigated by the existing retaining wall. Existing retaining structures or works may or may not be sufficient to enable future development. An assessment will occur for every proposed development to ensure hazard risks are avoided or mitigated.</p> <p>Changes are made to the Plan as a result of this submission.</p> <p>Changes are the same as those indicated for Submissions 1, 8, 10 and 23 above as well as the following change.</p> <p>Amend the Plan to replace reference to Hillside Protection Zone, in relation to areas A and B only, to 'Land Stability Assessment Areas'.</p>
FS5	New Zealand Historic Places Trust	Submitter opposes: Sub #19 (Alan Victor Clay)	Opposes the submission as non sensical to remove as management of natural hazards is important to heritage due to changing nature of landforms including coastlines.		

Sub No.	Name	Submission Summary	Decision Requested/ FSub Reasons	Council Reasons for Decisions on Submissions	Council Decisions
6	Chorus New Zealand Limited	PC25 is unclear, uncertain and unworkable and is unreasonably restrictive in the manner in which telecommunication facilities are provided for. <ul style="list-style-type: none"> Does not deal with Flood Hazard and the proposal to include provisions by way of a submission are not consistent with sound resource management practice. 	Submitter seeks withdrawal of PC25 in its entirety or alternatively; <ul style="list-style-type: none"> That maintenance and minor upgrading of existing telecoms facilities be permitted in both Marginal Risk and Very High Risk Areas without the need to provide a geotechnical report. Within marginal risk areas Submitter requests that underground telecom and electricity lines be Permitted Activities without geotechnical report; That structures with maximum height of 3m and floor area of 3 sq m and additional antennae on existing buildings are permitted under Rule 15. That telecommunications comply with Rule 15 be specified as Restricted Discretionary Activities in areas of Marginal Risk and that Councils discretion is limited to geotech considerations. That all telecommunication facilities in Areas of very High Risk (other than maintenance and minor upgrading works) be Restricted Discretionary Activity with Councils discretion limited to geotech considerations. 	1. Council acknowledged that flood hazard information is absent from Proposed Plan Change 25. Once the mapping and consequent rule drafting is completed it will be included as part of a subsequent phase of the Plan Review. <p>2. The Plan provisions have been amended to provide greater clarity and to remove duplication and conflict, as identified by submitters. It is accepted that Rule 256 did not set out a clear process, it has been amended to add clarity of process and compliance as well as to indicate when a report is required.</p> <p>3. Council accepted that maintenance and minor upgrading of existing telecommunication facilities be provided for as a permitted activity, without additional restriction. The provision has been extended to cover all existing network utility facilities as identified by Further Submitter 2. It is assumed that service authorities would consider natural hazards when siting facilities or undertaking upgrade work, as these services are often vital during natural disasters. The exceptions are excavation and trenching, which can result in land instability, and the Council may want to require that certain measures are incorporated into the works to eliminate risk.</p>	That Submissions 6 and 7 from Chorus New Zealand Limited and Telecom New Zealand Ltd, and Further Submissions 2 and 5 from Powerco Limited and NZHPT be accepted in part . <p>Changes are made to the Plan as a result of these submissions.</p> <p>Amend R256 to read: R256 Geotechnical Report</p> <p>a. Where required by rules RXX, RY, RXY or RYY, the person proposing to undertake the activity shall provide Council with a report from a suitably qualified and experienced geotechnical engineer, prior to commencement of any works onsite. Council shall consider this rule is complied with where the report confirms that:</p> <ol style="list-style-type: none"> the risk of the activity is no more than low, using the qualitative risk assessment process described in 'Practice Note Guidelines for Landslide Risk Management 2007' (Australian Geomechanics Society, 2007); and associated works-will not worsen or accelerate the land instability on the site or surrounding area. <p>Note: Council shall maintain a list of suitably qualified and experienced geotechnical engineers.</p> <p>Amend rule RX by inserting the following activity: b. Maintenance and minor upgrading of existing network utility facilities (excluding excavation or trenching).</p> <p>Insert a new rule with consequential numbering as follows: RXX Controlled Activities</p> <p>The following are controlled activities provided R256 is complied with:</p> <p>b. Network utilities involving excavation, trenching or construction, to any structure or retaining wall</p> <p>Council limits its control to the following matter:</p> <ol style="list-style-type: none"> Implementation of conditions to ensure that the excavation and construction to any structure or retaining wall does not worsen or accelerate the risk of or level of erosion on the site or surrounding area. <p>c. Vegetation clearance (greater than 5m² in area annually) Council limits its control to the following matter:</p> <ol style="list-style-type: none"> Implementation of conditions to ensure that the activity does not worsen or accelerate the risk of or level of erosion on the site or surrounding area. <p>Amend Rule RYY (Non Complying Activities), by inserting the following activity: d...Network utilities involving excavation, trenching or construction of any structure or retaining wall where R256 is not complied with.</p>
7	Telecom New Zealand Ltd	<ul style="list-style-type: none"> Unclear how network utilities are provided for in the Hillside Protection Overlay, as refers to underlying residential zone – when some sites are not in that zone. Unclear how requirement for geotechnical report for permitted activities will be implemented. Unclear how activity status applies to regulation of structures in either Area A or B. 			
FS2	Powerco Limited	Submitter supports Sub #6 (Chorus New Zealand Limited).	Submitter supports that the approach to network utilities located in Marginal Risk and Very High Risk Areas is uncertain and that clarification is required. Powerco supports the relief sought by the submitter except to the extent that the relief should address all network utility structures and not just those associated with telecommunication facilities.		
FS5	New Zealand Historic Places Trust	Submitter opposes: Sub #6 (Chorus New Zealand Ltd) Sub #7 (Telecom New Zealand Ltd)	Opposes the submissions as non sensical to remove as management of natural hazards is important to heritage due to changing nature of landforms including coastlines.		

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					<p>Insert the following in numerical order in the Definitions section of the Plan:</p> <p>Maintenance - In relation to lawfully established network utility structures means works including repair performed to preserve the efficacy of function of a structure without altering the type or intensity of use for which the structure is utilised.</p> <p>Minor Upgrading - In relation to lawfully established network utility structures means to expand the capacity of an existing structure, where the effects that result from the process are the same or similar in character, scale and intensity as those that existed at the 2nd November 2012 or prior to the commencement of the minor upgrading, for activities established after 2nd November 2012.</p>
20	Powerco Limited	<p>Submitter has electricity assets located within the Wanganui District. The Horizons One Plan Chapter 3 details how activities involving infrastructure will be addressed. The District Plan must have regard to any proposed RPS and must give effect to the operative RPS; the Horizons One Plan. It is important that the regional significance of Powerco's network is comprehensively addressed in the District Plan. Powerco generally supports the intent of Plan Change 25 as it focuses on addressing risk rather than avoiding development especially infrastructure which will not be subject to the same levels of risk as residential development. Submitter does not support excavations or structures being a prohibited activity in the area of very high landslide risk as Powerco may be required to maintain or install new services in such areas.</p>	<ol style="list-style-type: none"> 1. Submitter seeks that Issue 43, Objective 38 and Policies 72 and 116 be retained without modification. 2. Submitter seeks that rule R184(c) be retained without modification. 3. Submitter seeks that earthworks and structures associated with network utilities be provided for as a discretionary activity within the Landslide Risk Area. 	<ol style="list-style-type: none"> 1. I43, O38 and P116 are retained as supported by Submitter 20, but I43 and O38 have been amended by other submissions.. However P72 relates to Hazardous Substances and this topic has not been reviewed as part of Plan Change 25. These will be reviewed in a future phase of the wider Plan review project. 2. Rule 184(c) is a repeat of a rule contained in the underlying zone and as such is deleted from R184 as promoted by other submissions. 3. A range of activity classes will apply to network utilities in order to strike an appropriate balance between avoidance of hazard risk and practical operational necessity for network utilities. 4. In relation to making maintenance and minor upgrading of network utilities Controlled where they don't comply with R256. This is not supported. Council has approved the Non Complying status as it may not be possible to mitigate with conditions and the development may need to be declined. This is not easily achieved under Controlled Activity status. 5. In relation RXX(b) – Council supports deletion of reference to 'alteration and modification' as this conflicts with the definitions of maintenance and minor upgrading and has made consequential changes to other rules. 6. Council did not support changes to allow for new work involving small scale trenching as permitted activities. The impact is not always predictable. Controlled status enables Council to impose conditions to ensure no adverse effects. A global consent to cover a wide area could be obtained to reduce potential delay issues. 	<p><u>That</u> Submission 20 from Powerco Limited be accepted in part.</p> <p>Changes are made to the Plan as a result of this submission.</p> <p>Changes are the same as those indicated for Submissions 6 and 7 above.</p>

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17	Horizons Regional Council	Submitter acknowledges the fact that the Council has sought to make provisions in the plan changes consistent with the Proposed One Plan. Submitter notes that there are areas of the Plan Change where effect has not been given to the Regional Policy Statement. Large areas of the District rely on older indicative flood information which has yet to be updated. Submitter urges that a cautionary approach is taken when assessing land use proposals against current flood information. Submitter notes that whilst PC25 identifies objectives, policies and methods in regard to flood hazards which are generally consistent with the proposed One plan reference to an "all hazards approach" is missing. Submitter notes that the plan change does not include rules for flood hazard which impact on the other plan changes. Submitter does not support PC25 Natural Hazards as notified.	Submitter seeks that Plan Change 25 be withdrawn or amended to include rules to manage activities identified as subject to natural hazards and that any consequential amendments be made to proposed Plan Changes 23, 24, 26, 27 and 28 as required to give effect to those rules.	<ol style="list-style-type: none"> 1. Council acknowledged that flood hazard information is absent from Proposed Plan Change 25. Essentially the information provided by Horizons in relation to flood hazard mapping was not at a meaningful local site specific scale. It was not easily translated into the Council GIS system. Council has been working with Horizons to establish a meaningful flood hazard line for the 1:200 year flood event. The timing of this mapping work has prevented its inclusion in Plan Change 25. This work is complete and it will be included in the next phase of the Plan Review. 2. The wider Plan Review is occurring as a phased approach over several years. It is acknowledged that coastal hazards are absent at present. Council has identified resources to complete research in relation to coastal hazard mapping and this research will then be incorporated into the Plan in due course. 3. Council considers it is taking a precautionary approach with respect to all hazards as referred to in Policy P114. 4. Council supported changes to M202 and M203A broadly as proposed. 	<p>That Submission 17 from Horizons Regional Council and Further Submissions 1, 2, 3 and 4 from Z Energy Ltd, BP Oil Ltd, Mobil Oil Ltd, Chorus NZ Ltd, Telecom NZ Ltd and Powerco Limited be accepted in part.</p> <p>Changes are made to the Plan as a result of these submissions.</p> <p>Amend method M202 to read:</p> <p>M202 Identify hazard-prone areas on District Plan Maps. Continue to undertake research sufficient to enable identification of significant hazard-prone areas on District Plan Maps as specific natural hazard overlays.</p> <p>Insert new method</p> <p>MXR Rules and Standards Develop regulation to control subdivision and development within identified areas subject to significant risk from the potential effects of natural hazards.</p>
FS1	Z Energy Ltd, BP Oil NZ Ltd, Mobil Oil NZ Ltd (the Oil Companies)	Submitter supports in part Sub #17 (Horizons Regional Council) the need for rules to manage activities identified as subject to natural hazards.	The Oil Companies seek to ensure that any such rules properly focus on addressing risk rather than avoiding development per se.		
FS2	Powerco Limited	Submitter supports Sub #17 (Horizons Regional Council)	Submitter supports the need for rules to manage activities identified as subject to natural hazards. Powerco seeks to ensure that any such rules properly focus on addressing risk rather than avoiding development per se		
FS3	Chorus New Zealand Limited	A. Submitter opposes Sub #17 (Horizons Regional Council) B. Submitter supports Sub #17 (Horizons Regional Council)	A. The inclusion of hazard rules, without the opportunity for public scrutiny through public notification as part of the plan change process, would be entirely inappropriate and contrary to sound resource management practice. B. In its current form it is unclear, uncertain and unworkable and is unreasonably restrictive in the manner in which telecommunication and radio communication activities are provided for.		
FS4	Telecom New Zealand Ltd				

Sub No.	Name	Submission Summary	Decision Requested/ FSub Reasons	Council Reasons for Decisions on Submissions	Council Decisions
21	New Zealand Historic Places Trust	Submitter recognises the importance of PC25 with implications for wider administration of the District Plan. Submitter considers that wording of issue I41, relating to land instability in Old Town area is negative and lacks a balancing objective and could be relocated to PC29 Built Heritage. Submitter considers that Objective O38 "Avoiding natural Hazards" is balanced and focuses on avoiding or mitigating inappropriate sub-division and development but should be re-written to include "remedy".	Submitter requests: 1. Reword issue I41 to give a more balanced view of the existing situation or consider re-locating to PC29 Built Heritage. 2. Re-word objective O38 to incorporate the concept of remedying potential adverse effects from natural hazards, at least in respect of existing development. 3. Retain reference to "minimising adverse effects on natural, cultural and ecological values".	1. Council agreed that given the objectives and policies to address the issue are contained in the Built Heritage section, it is best the issue be relocated to the Built Heritage section of the Plan. 2. Horizon's One Plan Policy 10-1 expressly omits 'remedy' as an option for territorial authorities to use in giving effect to the Regional Policy Statement. Council considers that the term 'mitigate' also adequately captures the option to 'remedy'.	<u>That</u> Submission 21 from NZHPT be accepted in part . Changes are recommended to the Plan as a result of this submission. Delete Issue I41 from the Natural Hazards section and insert I41 into the Built Heritage section of the Plan and number appropriately.
22	Z Energy Ltd, BP Oil NZ Ltd, Mobil Oil NZ Ltd (the Oil Companies)	Submission is that: 1. Various matters in relation to Hazardous substances. 2. Delete R188 – Air discharges	1. Submitter seeks deletion of Hazardous Substance Rule (R189) 2. Delete Air Discharges Rule R188. 4. Make any additions, deletions or consequential amendments that are made necessary as a result of the matters raised in this submission. 5. Adopt any other such relief as to give effect to this submission.	1. Hazardous substances will be reviewed in a future phase of the wider Plan Review project. The submission content relating to that topic will be referred to at that time. It is beyond the scope of Plan Change 25. 2. Rules R188 and R189 are deleted as part of Plan Change 25.	<u>That</u> Submission 22 from Z Energy Ltd, BP Oil NZ Ltd, Mobil Oil NZ Ltd (the Oil Companies) be accepted in part . No changes are made to the Plan as a result of this submission.
24	Wanganui District Council	Submission is that minor changes to proposed text are made to correct errors	1. Policy P69 insert words "of natural hazards". 2. Method M193 insert word 'Project'. 3. Method M207 delete words "the cumulative". 4. Rule R190 insert correct rule number "R256". 5. Rule R191 insert correct rule number "R256". 6. Rule R192 delete word ", or".	1. Minor changes are generally supported in so far as they are not already amended by changes adopted via other submissions. 2. Amendment to P69 is not required as natural hazards are addressed in new policy P112. 3. Amendments to M193, Rules R190, R191 and R192 have been overtaken by changes adopted to address other submissions.	<u>That</u> Submission 24 Wanganui District Council be accepted in part . Changes are made to the Plan as a result of this submission. Method M207 delete words "the cumulative".