

Recommendation of the Statutory Management Committee to Council

June 2014

WANGANUI DISTRICT COUNCIL

Subject: Plan Change 32 – Verandah Posts Decisions on Submissions

Meeting Date: 18th March 2014

1.0 INTRODUCTION

- 1.1 The Resource Management Act 1991 (RMA) requires each part of the District Plan to be reviewed not later than 10 years after the Plan becomes operative. The Plan was made operative on 27 February 2004. In accordance with Section 73(3) of the RMA, Council is presently reviewing the District Plan in Phases. This Plan Change is part of a series of changes proposed as part of the Phase 4.
- 1.2 This report records the public notification and hearing process in relation to Plan Change 32. It records the Statutory Management Committee's recommendations and Council's decisions on submissions.

2.0 PROCEDURAL MATTERS

- 2.1 The Hearing was convened to hear submissions on 18th March 2014. The Committee then closed the meeting at 12 noon on the 18th March 2014, and deliberated on relevant submissions on the 18th March 2014.
- 2.2 The Hearings Panel members were: Councillors Hamish McDouall (Chair), Rob Vinsen, Jenny Duncan, Helen Craig, Martin Visser, and Charlie Anderson.
- 2.3 Submitters who presented or tabled information to support or expand their submissions were:
 - John Anderson (Submitter 6.1c32)
 - Richard Thompson for the Wanganui Earthquake-prone Buildings Community Taskforce (Submitter 5.1c32)
- 2.4 Proposed Plan Change 32 was publicly notified in accordance with Clause 5 of the 1st Schedule of the Resource Management Act 1991 on Thursday 12 September 2013, with the period for submissions closing on Friday 11 October 2013.
- 2.5 A total of 6 submissions were received. All submissions were summarised along with the decisions requested, and this document was publicly notified in accordance with Clause 7 of the First Schedule of the Act.
- 2.6 The further submission period closed on Friday 29 November 2013. No further submissions were received.

3.0 SCOPE OF THE PROPOSED PLAN CHANGE

- 3.1 Plan Change 32 is the result of inconsistent provisions for verandah posts in the existing plan and a request from the Wanganui Earthquake-prone Buildings Community Taskforce.

4.0 RELEVANT STATUTORY CONSIDERATIONS

4.1 Part II Considerations

The relevant statutory considerations in relation to these submissions are whether the outcomes will be consistent with sections 31 and 32 of the Act, along with Part II of the Act. The decisions are considered both effective and efficient and will ensure that the methods contained in this section are the most appropriate for achieving the objectives of the Plan. This section of the Plan is considered appropriate under Part II of the Act in achieving sustainable management within the Wanganui District.

- 4.2 With regards to Section 8, no specific concerns relating to Treaty issues have been raised during consultation or through submissions on the Plan Change.

5.0 RELEVANT POLICY STATEMENTS AND PLAN PROVISIONS

5.1 Section 75(2) of the RMA requires that a District Plan must not be inconsistent with the regional policy statement or any regional plan. Horizons Regional Council's One Plan is considered to be relevant to this Proposed Plan Change in that it relates to seismic activity.

5.2 An assessment of how the provisions in Proposed Plan Change 32 compare with the Objectives and Policies of the Operative Regional Policy Statement and the Proposed One Plan are considered in **Table 1** below.

Table 1

Regional Policy Statement (operative)		Proposed Plan Change 32
Objective 31	Policy	Evaluation
To define appropriate management responsibilities for local authorities for management of natural hazards and hazardous substances.	Policy 31.1c. Seismic, Volcanic and Tsunami In the Manawatu-Wanganui Region: i. District Councils shall be responsible for developing objectives, policies and rules relating to the control of the use of land in their districts for the purpose of avoiding, remedying or mitigating any adverse effects of seismic, volcanic and tsunami hazards.	Plan Change 32 satisfies these requirements by mitigating the effects of a natural hazard.

Proposed One Plan		Proposed Plan Change 32
Objective 10.3	Policy 10-5	Evaluation
Effects of natural hazard events The adverse effects of natural hazard events on people, property, infrastructure [^] and the wellbeing of communities are avoided or mitigated.	Other types of natural hazards The Regional Council and <i>Territorial Authorities</i> must manage future development and activities in areas susceptible to <i>natural hazard</i> events (excluding flooding) in a manner which: (a) ensures that any increase in risk to human life, property or <i>infrastructure</i> from <i>natural hazard</i> events is avoided where practicable, or mitigated where the risk cannot be practicably avoided,	Plan Change 32 satisfies these requirements by mitigating the effects of a natural hazard.

6.0 SUMMARY OF SUBMISSIONS

6.1 Refer to Appendix 1 to this report for a summary of each submission.

7.0 PRINCIPAL ISSUES IN CONTENTION

One submitter identified the following concern about the Plan change:

7.1 Safety

- Mr Anderson supports the Plan Change but is concerned that any reference to safety could create a false sense of security. Even verandahs supported by posts will not be completely protective in a major seismic event.

8.0 SUMMARY OF EVIDENCE HEARD

8.1 Key evidence presented by Submitters:

Richard Thompson (Wanganui Earthquake-Prone Buildings Community Taskforce) – Submission 5

Mr Thompson spoke in support of the introduction of verandah posts in the Central Business District (CBD) for safety reasons.

While Mr Thompson agreed with John Anderson's submission that the use of verandah posts would not make the CBD completely safe, it was an incremental step in improving public safety. If a verandah stood up in the event of an earthquake it was one less thing to fall on people. He also made comment that a suspended verandah or one held off the parapet without a post would be more inclined to pull the front of the building over in the event of an earthquake.

He would not want people to think they were suddenly safe because of the installation of verandah posts.

Building owners had specifically been invited to a public meeting at which the issue of verandah posts had been raised. No adverse comment had been received.

He would hope the use of verandah poles would be applied to both earthquake-prone buildings and new construction, although with the rigorous building code, a new building with a cantilevered verandah would be strong enough to withstand any earthquake.

John C Anderson – Submission 6

Mr Anderson said his submission was not about the substance of the verandah post proposal and fully supported what was being proposed for reasons of heritage and common-sense. His concern however, was public safety and at this stage the proposal did not go anywhere near far enough to be called an improvement in public safety.

His concern was that the general public could well get the impression that verandahs with posts were safer than verandahs without posts which may be true on a simple logic basis.

8.2 Key evidence presented in the Officer's report:

8.2.1 Re Submission 6.1c32

- Safety is mentioned in the s32 report, not the Proposed Plan change.

9.0 MAIN FINDINGS ON PRINCIPAL ISSUES

9.1 The Committee considered each submission and confirmed a recommendation for each. Refer to Appendix 1 for the decisions on submissions.

9.2 The Committee noted the submitter's general support for the Plan Change.

10.0 Section 32 REPORT EVALUATION

10.1 Minor amendments have been made to the S32 report – see appendix 2.

11.0 STATEMENT OF DECISIONS AND REASONS

11.1 Refer to Appendix 1 to this report for the Committee's recommended decisions and reasons relating to each decision.

12.0 Appendices:

- 1: Recommended decisions on Submissions and Reasons for Decisions**
- 2: Amended Section 32 Evaluation**

Signature of Chairman

Councillor Hamish McDouall