

PLAN CHANGE 28 – HAZARDS AND RISKS, HISTORIC HERITAGE AND NOTABLE TREES, VARIATION 1 TO PLAN CHANGE 26, AND VARIATION 1 TO PLAN CHANGE 27

FURTHER SUBMISSION

**FORM 6
UNDER CLAUSE 8 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

Please note all information provided in this submission will be made publicly available

Details of Further Submitter

Full Name: <small>(Required)</small>	Lionel Vincent Green and Anthony Jay Albert Knowles as trustees of the Lionel Green Family Trust
Contact Person: <small>(If different from above)</small>	C/- RVG Law
Postal Address: <small>(optional)</small>	
Email Address: <small>(Required)</small>	emily@rvg.nz
Telephone Number: <small>(Required)</small>	0274279424

Further Submitter Declaration

I am:

a person representing a relevant aspect of the public interest. In this case, also specify the grounds for saying that you come within this category below.

a person who has an interest in the proposal that is greater than the interest the general public has. In this case, also explain the grounds for saying that you come within this category below.

(Tick one box)

Further Submission Details

I support the submission of: Mary Murdoch

The particular parts of the submission I support/oppose are:
(clearly indicate which parts of the submission you support or oppose, together with any relevant provisions of the proposal)

See attached letter

The reasons for my support or opposition are:
See attached

I seek that the whole or part (describe part) of the submission be allowed or disallowed: *(give precise details) see attached*

I wish to be heard in support of my further submission.

I do not wish to be heard in support of my further submission.
(*Tick one box*)

If others make a similar further submission I **would** be prepared to consider presenting a joint case with them at any hearing.

Signature of further submitter or person authorised to sign on behalf of further submitter
(*A signature is not required if you make your submission by electronic means.*)

Date:

The closing date for lodging a further submission is **5pm Monday 24 February 2025**. Please note that a copy of your further submission must be served on the original submitter within five working days after it is served on the Mackenzie District Council.

Your submission (or part of your submission) may also be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious;
- it discloses no reasonable or relevant case;
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further;
- it contains offensive language; or
- it is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Once the closing date for further submissions has passed, Council hearings for the Plan Changes, Variations and Designations will be arranged to consider all submissions. Anyone who has made a submission or further submission and indicated that they wish to be heard will have the right to attend the hearings and present their submission or further submission.

If you have any questions regarding the Plan Changes, Variations and Designations or the further submission process, please do not hesitate to contact the Planning Department at 03 685 9010 or via email districtplan@mackenzie.govt.nz.

21 February 2025

Plan changes 28/29/30, Variations and Designations to the Mackenzie District Plan
Mackenzie District Council
PO Box 52, Main Street Fairlie 7949

By email: districtplan@mackenzie.govt.nz

Plan change 28 – hazards and risks

We act for the trustees of the Lionel Green Family Trust (**Trust**). The Trust owns the property at 7 Dakota Drive, Pukaki, which it purchased from the Mackenzie District Council (**MDC**). The Trust wishes to make a submission on the above, and in particular the proposed insertion of the hydro inundation overlay as it relates to the Pukaki Airport where the Trust's property is located.

We have been provided information by fellow landowner Mary Murdoch, and note the trustees support her position and comments. It appears that the consequences of a Pukaki Inlet Dam breach have been well known for some time by various parties but have not been disclosed to landowners.

We agree with Ms Murdoch's submissions and echo them as follows:

1. The MDC insists that Meridian take responsibility for the residual risk that remains of the very unlikely event of dam breach and provide protection for the ratepayer's assets and therefore also the properties at the airport.
2. If the flood inundation risk mapping is to be included in the District Plan, with subsequent emergency planning, we would hope to see that the inundation mapping is also accompanied by commentary from Meridian regarding extremely low risk of hydro inundation actually occurring due to their confidence in the dam. Dam breach while possible is unlikely.
3. The modelling of hydro inundation of the airport, is in essence theoretical only in a specific set of circumstances.
4. If Meridian are not prepared to do this then that suggests perhaps they may not have the confidence in the dam, they purport to have and MDCI then needs to refer to proposal one above.
5. The purpose of adding contextual comments to the mapping by Meridian would go a long way to protecting the airport section owner's property values and property rights. It would be also very helpful to have a mathematical number put to the risk. For example, in the meeting (April 2017) notes that we have been provided a 1 in 10,000 chance of dam breach occurring was alluded to. This would hopefully ensure that our client's insurance premiums are not adversely affected by an unlikely event.
6. Our client would not like to see any further regulatory control put on the airport section owners regarding what can and can't be built other than what is already provided for. We note the MDC is not happy with the direction taken in regard to activities on some properties, in the airport subdivision, however a robust resource consent process and strict adherence to the rules already in place would prevent this from happening.

Law Offices:

Website:

www.rvg.nz

Email:

admin@rvg.nz

Christchurch

The Ruby Black Building
Level 2
201 High Street
PO Box 22656
Christchurch 8011
Phone +64 (3) 365 0223

Queenstown

The Mountaineer Building
Level 3
32 Rees Street
PO Box 1513
Queenstown 9348
Phone +64 (3) 409 2006

7. If the MDC, were to adopt the Hydro inundation mapping without the proper context and it resulted in negatively impacting our client's property value, insurance premiums and property rights, many section owners would have legal redress given it appears MDC not inform those owners in LIMs or during the consent process that hydro inundation was a possibility. The mapping that has now been done should have been done long before now, given that information was clearly available.
8. This information may have given many property owners at the airport to reconsider their section purchases (noting many were purchased directly from MDC) and or building. MDC has encouraged development at the airport and has benefited from that development this. It appears that advice to include the modelling was not considered.

Yours sincerely



Emily Nind

Director

emily@rvg.nz

+64 27 427 9424