

Cover Sheet Label

HEARING SUBMISSION SET

Yoon Soo Rah (John)

17 Hellyer Street, Macandrew Bay

Plan Change 1 - DCC Hearing

Includes: Written Statement with Appendices A-F, Oral Statement, Q&A Sheet

Speaking Time: 18 August, 11:45am

Written Statement with Appendices A-F

WRITTEN STATEMENT

Prepared by: Yoon Soo Rah (John)

Hearing: Dunedin City Council - Plan Change 1 (PC-2024-1)

Property: 17 Hellyer Street, Macandrew Bay

EXECUTIVE SUMMARY:

This submission outlines concerns about underground stormwater and watercourse impacts affecting 17 Hellyer Street. It includes evidence of surface and subsurface flows originating from upslope farmland and the backyards of 11 and 9 Featherston Streets. The statement incorporates a rebuttal to DCC's assumption that individual landowners are solely responsible for stormwater infrastructure, and calls for appropriate Council-managed intervention.

APPENDICES:

- Appendix A: Original Submission
- Appendix B: Stormwater Observations + 2 Photos
- Appendix C: Additional Stormwater Evidence + 3 Photos
- Appendix D: Rebuttal to Peter Rawson's Comments
- Appendix E: Annotated Maps (MAP I-III)(~~IV~~ V)
- Appendix F: Historical Flood Events (2002, 2010, 2024, 2025)

(With DCC GIS and Planning Maps)

Oral Hearing Statement

HEARING ORAL STATEMENT

Presented by: Yoon Soo Rah (John)

KEY CONCERNS:

- Water flows downhill from the upslope farmland and neighboring backyards of 11 and 9 Featherston Streets.
- These flows now cross 17 Hellyer Street both above and below ground, especially after heavy rainfalls.
- Long-term underground erosion and recent surfacing of water suggest an unregulated, unmanaged watercourse.

REQUEST:

- Council investigation into the source and path of stormwater across the area.
- Installation of appropriate infrastructure, including a manhole and piped watercourse connection from 9 Featherston Street to the existing network at 15 Hellyer Street.

NOTE:

This statement complements the written evidence, including historical floods and photographic documentation.

Oral Statement – Yoon Soo Rah

Plan Change 1 – Minor Improvements

Dunedin City Council Hearing – 18 August 2025

Submitter: Yoon Soo Rah (John)

Property: 17 Hellyer Street, Macandrew Bay

Tēnā koutou,

Thank you for the opportunity to speak to my submission. My name is John Rah, and I live at 17 Hellyer Street in Macandrew Bay. I am here today to express my concern about a natural watercourse that crosses under my property and the hazard it presents to my land and home.

This watercourse flows from upper farmland and the backyards of 11 and 9 Featherston Streets, crosses beneath my property, and appears to connect with the public stormwater system only at the manhole at 15 Hellyer Street. It is not piped or managed through my property, yet it causes visible erosion and has begun to undermine the stability of my land.

My concern is that this issue is being treated as if it were solely a private matter. In his email on 14 July, Peter Rawson, Senior Planner, stated that watercourses on private land are the responsibility of landowners. With respect, I must disagree with that view, and I've addressed this in detail in Appendix D of my Written Statement.

Where stormwater originates off-site, crosses multiple private properties, and creates a natural hazard risk—as it does in my case—the Council has both a duty and the authority under the Resource Management Act and the Local Government Act to investigate and manage the risk. This is especially true when public infrastructure exists nearby but does not complete the necessary connection.

I am therefore asking Council to:

- Investigate this flow path formally
- Consider installing a manhole and piped connection between 9 and 15 Hellyer Street
- Recognise that this is not an isolated drainage issue, but a known hazard that deserves a coordinated solution

I also ask the panel to consider whether PC-2024-1 can better support landowners in situations like mine—where the cumulative effects of unmanaged watercourses threaten the safety and sustainability of private land.

Ngā mihi nui for your time and consideration.

Q&A Sheet

Q&A SHEET - DCC Hearing: Plan Change 1

Q: What is the main issue affecting your property?

A: Unmanaged underground and surface stormwater flows crossing my land at 17 Hellyer Street, likely from upslope properties (11 and 9 Featherston Streets) and farmland.

Q: How has this impacted your property?

A: Water has surfaced in multiple events (2024, 2025), contributing to erosion and the risk of land instability.

Q: What do you want DCC to do?

A: Investigate and install Council-managed infrastructure, such as a manhole and watercourse pipeline from 9 Featherston Street to 15 Hellyer Street.

Q: Is this just a private issue?

A: No. The flow path involves multiple properties and appears to be part of a larger, historic watercourse. This calls for a public solution, not just private responsibility.

A. Clarification on the Issue

Q1: Can you describe exactly where the water is coming from and where it goes?

A: Yes. The water originates from upper farmland and the backyards of 11 and 9 Featherston Streets. It flows underground across my land at 17 Hellyer Street and appears to surface or connect at a public manhole on 15 Hellyer Street. There's no piped connection across my property.

B. Responsibility & Rebuttal of Council Position

Q2: Isn't this a private matter between landowners?

A: Not entirely. While I take responsibility for drainage on my property, this watercourse originates off-site, crosses multiple private titles, and causes erosion.

Under the Resource Management Act (RMA s6(h)) and the Local Government Act (LGA 2002 s124), Council has the ability and duty to manage hazards from natural water — which this situation clearly involves.

Q3: Peter Rawson said Council doesn't manage private watercourses—why do you believe it should in your case?

A: Because this is a shared, unmanaged flow that converges on my property and connects to existing Council infrastructure.

I am only requesting a manhole and short piped connection to complete what already exists at 15 Hellyer Street.

This fits the scope of a minor infrastructure improvement under Plan Change 1.

C. Feasibility & Precedent

Q4: Would this set a precedent for the Council needing to fix every backyard drain?

A: No. I am asking for a targeted remedy:

- The flow crosses multiple properties
- It connects to existing public infrastructure

- It causes documented erosion

This is about completing a logical gap in the network, not expanding it.

Q5: Is there evidence this is causing erosion or property damage?

A: Yes. My Written Statement includes five photos (Appendices B and C) showing surface water, erosion, and proximity to my house foundations.

D. Planning and PC-2024-1 Scope

Q6: How does your request fit within this Plan Change?

A: Plan Change 1 includes minor stormwater improvements and hazard management.

My request directly addresses unmanaged stormwater contributing to natural hazard risk.

Q7: Are you asking for rezoning or new rules?

A: No. I'm not asking for rezoning — only for a reasonable minor infrastructure fix under existing provisions.

E. What You're Asking the Hearing Panel to Recommend

Q8: What exactly do you want the Hearing Panel to recommend?

A: I respectfully request that the panel:

1. Recognise this unmanaged watercourse as a shared hazard
2. Recommend Council investigate the flow from 9 to 15 Hellyer Street
3. Consider installing a manhole and piped connection
4. Acknowledge broader implications for similarly affected sites



Written Statement

Yoon Soo Rah (John)

17 Hellyer Street, Macandrew Bay

Submission on Plan Change 1 – Minor Improvements (PC-2024-1)

Dunedin City Council Hearing – 18 August 2025



Executive Summary

This submission responds to Plan Change 1 – Minor Improvements (PC-2024-1) with particular attention to the lack of provisions for managing natural watercourses and stormwater infrastructure in sloped residential areas such as Macandrew Bay. My property at 17 Hellyer Street is affected by an unmanaged underground watercourse originating from upper farmland and the backyards of 11 and 9 Featherston Streets, which has led to visible erosion and subsidence risks.

I am requesting that DCC investigate and consider installing infrastructure—including a manhole and piped watercourse connection between 9 and 15 Hellyer Street—to mitigate downstream hazard to private property. This is a modest but necessary minor improvement in line with the purpose of PC-2024-1.

This Written Statement includes a rebuttal to the view expressed by Senior Planner Peter Rawson (email dated 14 July 2025), which suggests that responsibility for managing such flows lies solely with private landowners. That position is not aligned with the Council's responsibilities under the Resource Management Act (RMA) and the Local Government Act (LGA 2002), particularly where cross-boundary flows create natural hazard risks. See Appendix D for full rebuttal.

Body of Statement

1. Background

My home at 17 Hellyer Street lies on a downslope that receives stormwater runoff from multiple upstream private properties—notably 11 and 9 Featherston Streets, as well as upper farmland. A subsurface watercourse passes beneath my land before it connects—informally or ineffectively—to the public manhole at 15 Hellyer Street.

Surface risk there may already be gradual. Invisible erosion beneath my property caused by natural underground flow. Any new infrastructure must be carefully assessed to avoid worsening this risk.

This flow is not mapped or managed by Council infrastructure, yet it consistently saturates and erodes the subsoil, presenting long-term risk of subsidence and property damage.

2. Why This Matter Falls Within the Scope of PC-2024-1

Plan Change 1 is intended to clarify and improve minor provisions of the 2GP. This includes rules relating to infrastructure, natural features, and hazard overlays. While heritage and urban form dominate the 42A Report, stormwater and cross-boundary watercourse issues are also appropriate subjects for minor improvement—especially where hazard risk is already documented.

3. My Request to Council

I respectfully request that the Council to:

- Formally investigate the underground watercourse between 9 and 15 Hellyer Street geotechnically and hydrologically
- Assess the feasibility of installing a manhole and piped stormwater connection along this route
- Update the 2GP to include minor provisions enabling Council to act in such contexts where private property is at risk from unmanaged runoff
- Clearly define legal responsibility for future land damage, flooding, or erosion , even subsidence
- Support mitigation infrastructure and provide a clear process and assistance for affected homeowners

This would align with RMA sections 5, 6(h), and 31(b)(ii), and with Council's infrastructure planning duties under the LGA.

Appendices

Appendix A: Original Submission to Plan Change 1 (PC-2024-1)

- 17 Hellyer Street is on a sloped site with older retaining walls
- The driveway shows signs of dampness and water retention
- There is no formal outlet or stormwater infrastructures connecting the uphill source to the DCC connection system
- Subsurface flows are unregulated, posing long-term risk

From the 2024 DCC Planning Map, I noticed that the line representing the natural underground stormwater flow (the red real line on it) has been shifted approximately 5 to 10 metres closer to our house from its original direction, which is shown by the dotted line of my drawing.

When we moved into this property in 1996, I clearly noticed that I could hear the sound of running underground water where I have marked with a dotted line on my map. The sound followed a path flowing down alongside the driveway, and then crossed over underneath the driveway, and continued towards the existing manhole at 15 Hellyer Street.

This observed change suggests possible subsurface erosion or redirected pressure, and further justifies the need for proper investigation before installing any new infrastructure.

I respectfully wish to raise the following specific concerns and requests:

- Subsurface Risk - there may already be gradual. Invisible erosion beneath my property caused by natural underground water flow. Any new infrastructure must be carefully assessed to avoid worsening this risk.
- Unclear Liability - it is not clear who would be held responsible if future flooding or damage occurs due to this watercourse: DCC, ORC, or the landowner?
- Support mitigation infrastructure and provide a clear process and assistance for affected homeowners.

I am not opposing the intention of Plan Change 1, but rather asking that it be implemented fairly and with appropriate protections for affected landowners.

Appendix B: Stormwater Observations and Photos (17 Hellyer Street)

- Photo 1: **Driveway area** - facing neighbor's fence over the garden

This area is where I used to hear the sound of an underground watercourse flows. I believe the watercourse crossed under the driveway and entered the neighboring property at 15 Hellyer Street, discharging into an existing manhole.



- Photo 2: **In Front of Garage** - Water entering property from uphill

In this photo, you can see water that appears to have flowed downhill from 9 Featherston Street.

This is the first time I have observed visible stormwater collecting on this surface.

It remains for extended periods, particularly after rain, and seems to have followed a new flow path.



Appendix C: Additional Stormwater Evidence (July 2025)

- Photo 3: **Subsurface Water Collecting** along the edge of the driveway, indicating poor drainage.



- Photo 4: **Moisture and Wet Trail** extending from uphill, showing the direction of water flows shifted toward the front of the garage.



- **Photo 5: Proximity of flow to house foundations. Accumulated Wetness near the Garage threshold**, suggesting possible long-term infiltration or erosion risks.
-



Appendix D: Rebuttal to Peter Rawson (Senior Planner – 14 July 2025)

In his 14 July email, Peter Rawson stated:

“Where watercourses cross private land, the responsibility for managing water within the property boundary generally rests with the landowner.”

Response:

While landowners are responsible for on-site drainage, this position oversimplifies the legal and planning context where:

- Water originates from other properties or public land
- Water crosses multiple titles and causes cumulative downstream effects
- The result is natural hazard risk, such as erosion or subsidence

Relevant Legal Duties:

- RMA Section 6(h): Requires that Councils recognise and provide for the management of significant risks from natural hazards

- RMA Section 31(1)(b)(ii): Councils must control the effects of land use, including the provision of infrastructure for stormwater
- LGA 2002 Section 124: Councils may undertake drainage works to protect property and public safety where damage may result

The underground watercourse affecting my land:

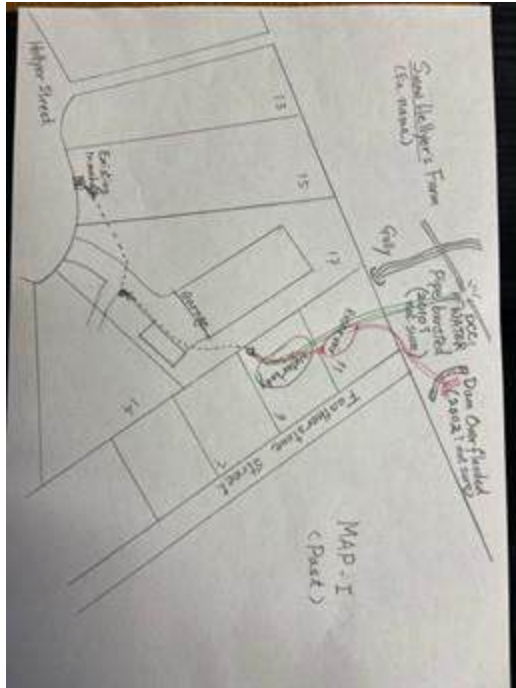
- Flows from upper farmland and the backyards of 11 and 9 Featherston Streets
- Passes beneath multiple properties
- Has no formal infrastructure until 15 Hellyer Street
- Poses an active risk of ground movement and long-term damage

Conclusion:

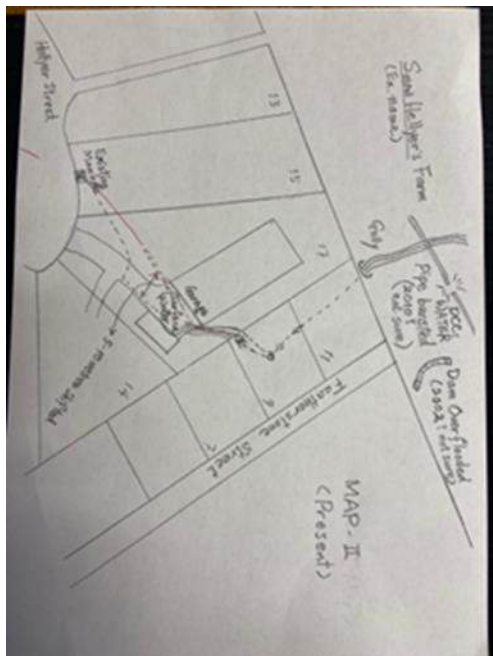
I respectfully submit that this matter exceeds the threshold of a private responsibility and calls for a coordinated response. The Council has the legal power—and, I believe, the ethical responsibility—to intervene where unmanaged water poses a risk to property and people. This request is not exceptional; it seeks to complete a partially existing stormwater network and to prevent further degradation.

Appendix E: Annotated Maps

MAP I - **Historic Water Path** through 11 & 9 Featherston Street from the upslope farm dam overflowed to 11 Featherston Street around 2002 (?), and another case with DCC Water's waterpipe bursted around 2010 (?).



MAP II - Current Surface and Subsurface Flow



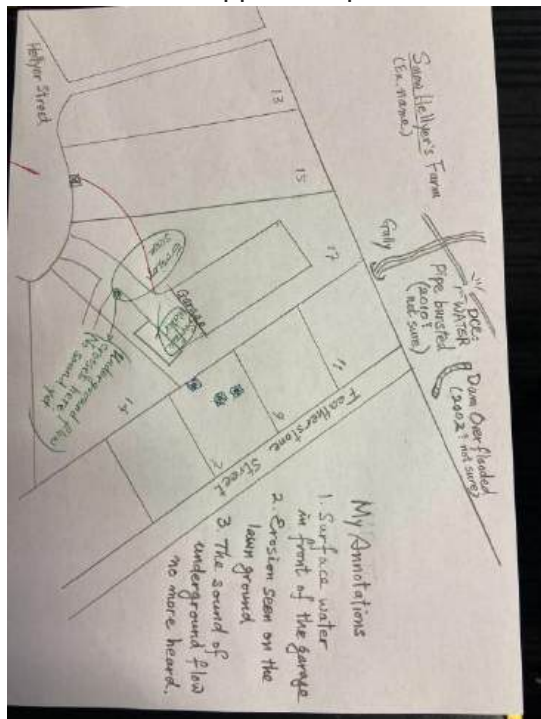
MAP III - Proposed Infrastructure Route

Appendix F: Historical Flood Events

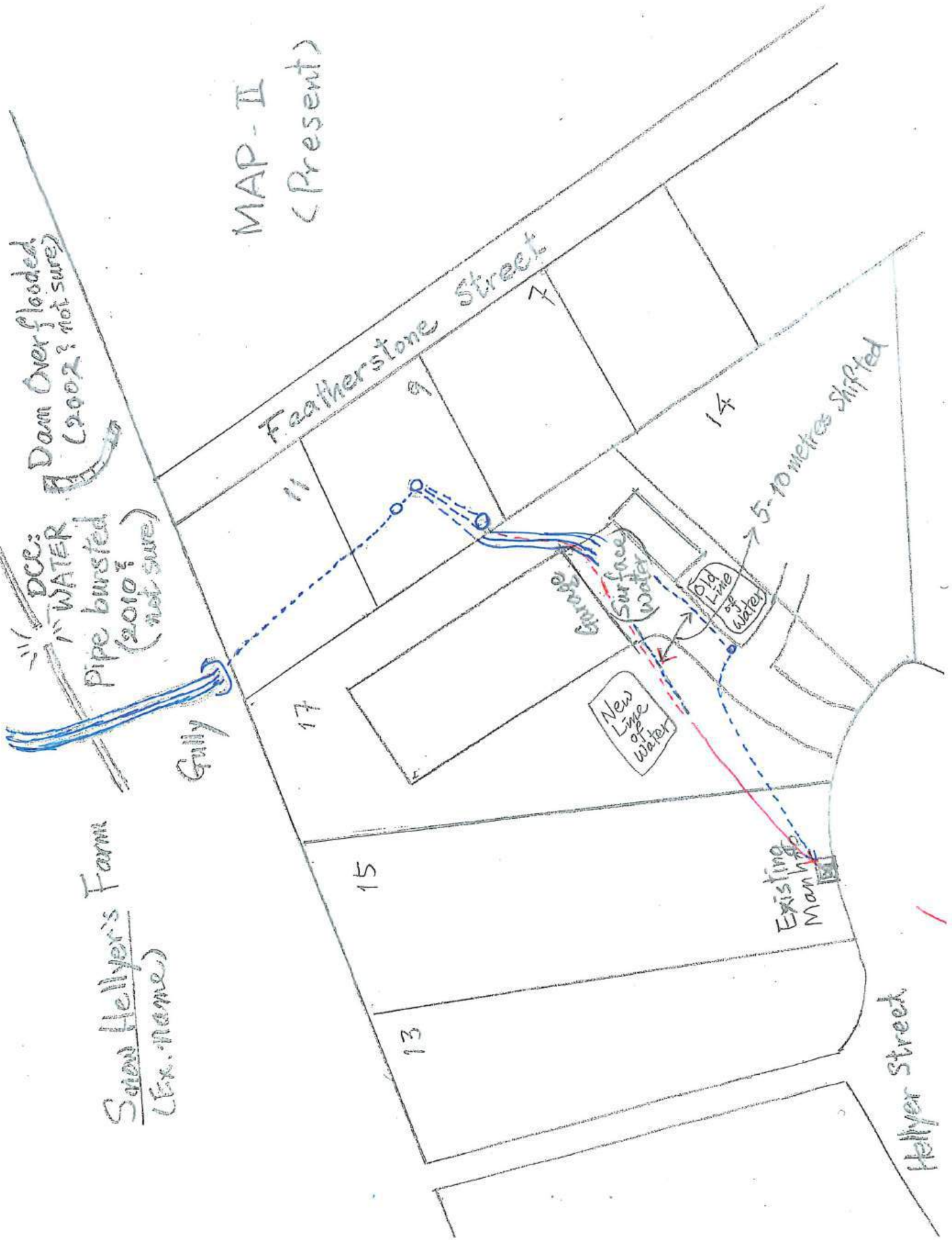
Two significant flooding events affected the area:

1. Around 2002 (?) - Heavy rain caused the Snow Hellyer's farm dam to overflow, flooding into the backyard of 11 Featherston Street.
2. Around 2010 (?) - DCC Water's water pipe burst, a big amount of water formed a waterbody at the backyard of 9 Featherston Street, and stayed there for a while.
3. 17 Hellyer Street was not visibly damaged at that time, but later surface and underground water appeared during and after the heavy rain in October 2024 and June 2025, and still accumulating surface water in front of my garage.

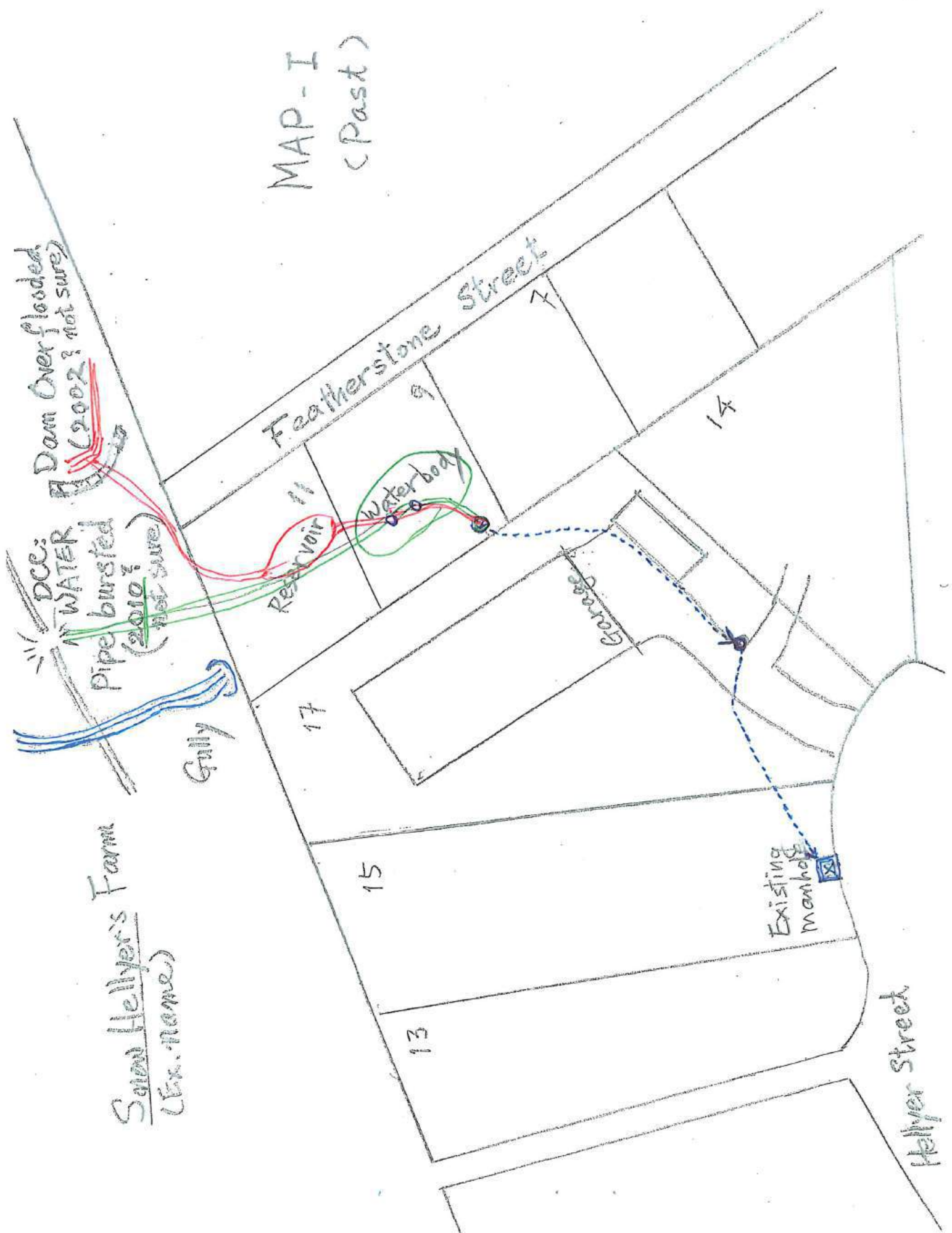
These events support the presence of an unmanaged watercourse across multiple lots.



MAP - II
(Present)



MAP - I
(Past)



Sara Hellyer's Farm
(Ex. name)

DCE: WATER
Pipe bursted
(2010? not sure)
Gully

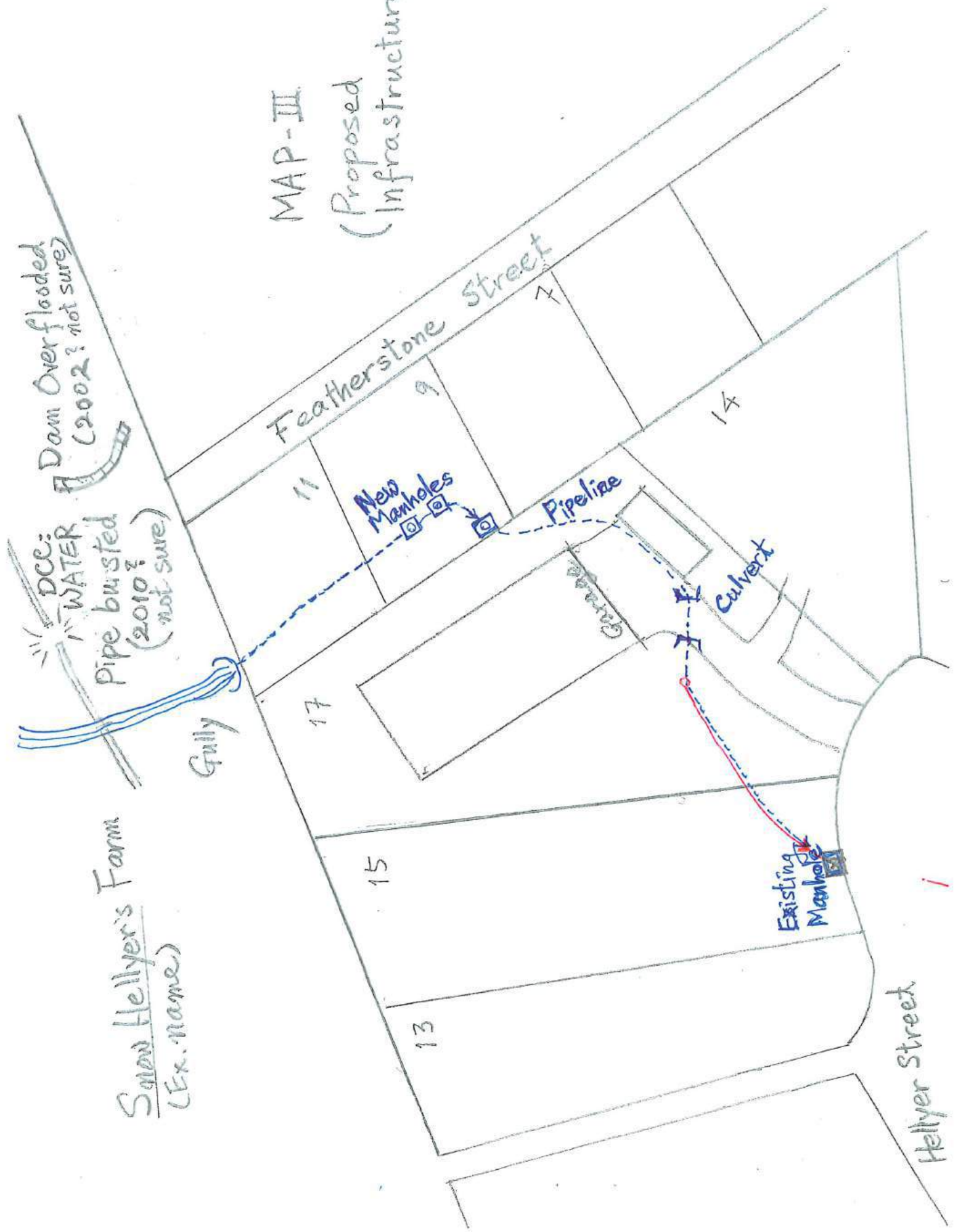
Featherstone Street
Reservoir
Water body

Garage

Existing manhole

Hellyer Street

MAP-III
(Proposed Infrastructure)



Saew Hellyer's Farm
(Ex. name)

DCC: 1" WATER
Pipe bursted (2010? not sure)
Dam Overflooded (2002? not sure)

Gully

My Annotations

1. Accumulating of Surface water in front of the garage
2. Erosion seen on the lawn ground
3. The sound of underground flow no more heard.

Featherstone Street

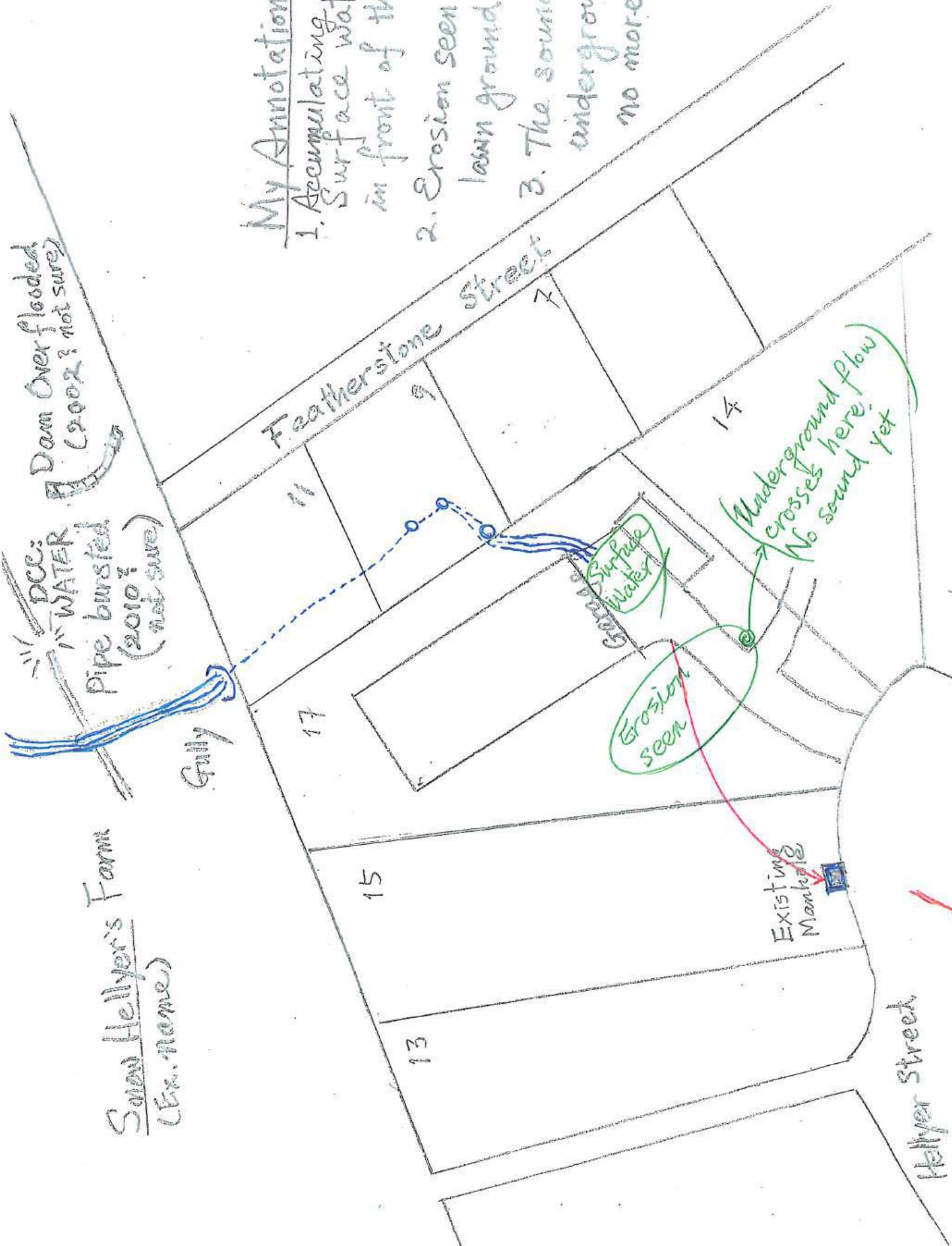
Erosion seen

Ground Surface Water

Underground flow crosses here. No sound yet

Existing Manhole

Hellyer Street



Planning Map



27/11/2024, 10:13:46

- Plan change 1 - polygon
- Plan change 1 - line
- Plan change 1 - point
- Appeals
- Property
- Railway Centreline
- Parcel Boundaries
- Parcel
- Hill Slopes
- Middlemarch Basin
- Peninsula Coast
- Talent Plain
- Address Point
- Coastal
- High Country
- Hill Country
- Major Facility
- Major Facility - School
- Major Facility - Campus
- Major Facility - Other
- Industrial
- Industrial Port
- Rural Residential 1
- Rural Residential 2
- Commercial and Mixed Use
- Central Business District
- CBD Edge Commercial North
- CBD Edge Commercial South
- Harbourside Edge
- Phipps, Parry and Harrow Street
- Smith Street and York Place
- South Dunedin Large Format
- Warehouse Precinct
- Centres
- Trade Related
- Residential
- General Residential 1
- General Residential 2
- Inner City Residential
- Large Lot Residential 1
- Large Lot Residential 2
- Low Density Residential
- Township and Settlement

1:500
0 0.01 0.02 mi
0 0.01 0.02 km

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★ Hazard

Hazard ID: 10127
 Class: Land Stability - Land Movement
 Subclass: Peninsula Landslides Class 3 – Moderate Risk

[Open in Pātaka](#)

★ Hazard

Hazard ID: 11407
 Class: Seismic - Liquefaction
 Subclass: Domain A

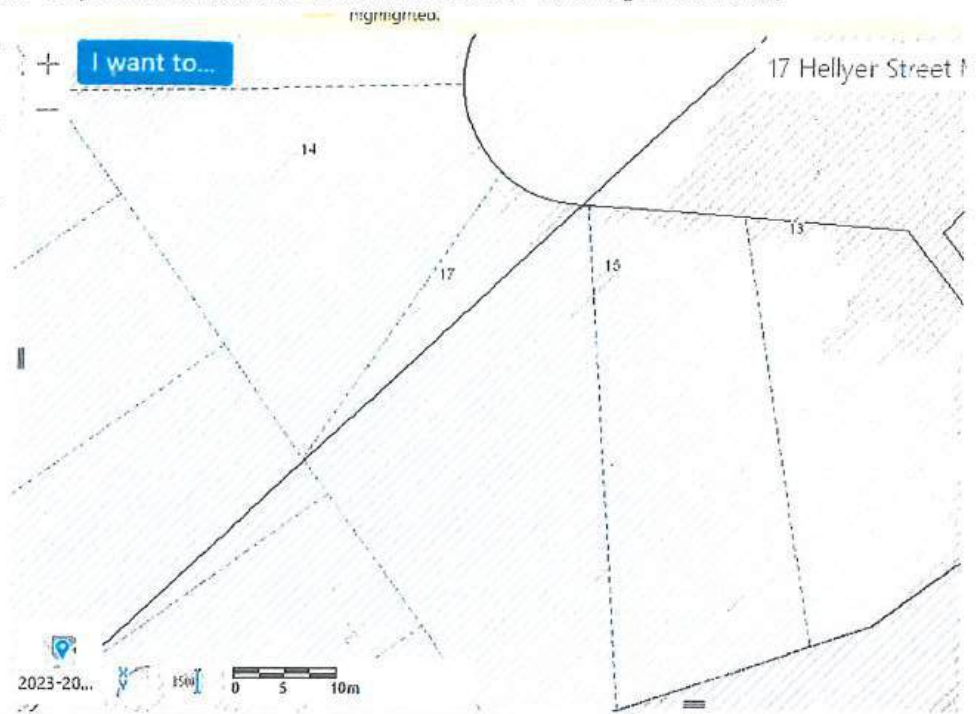
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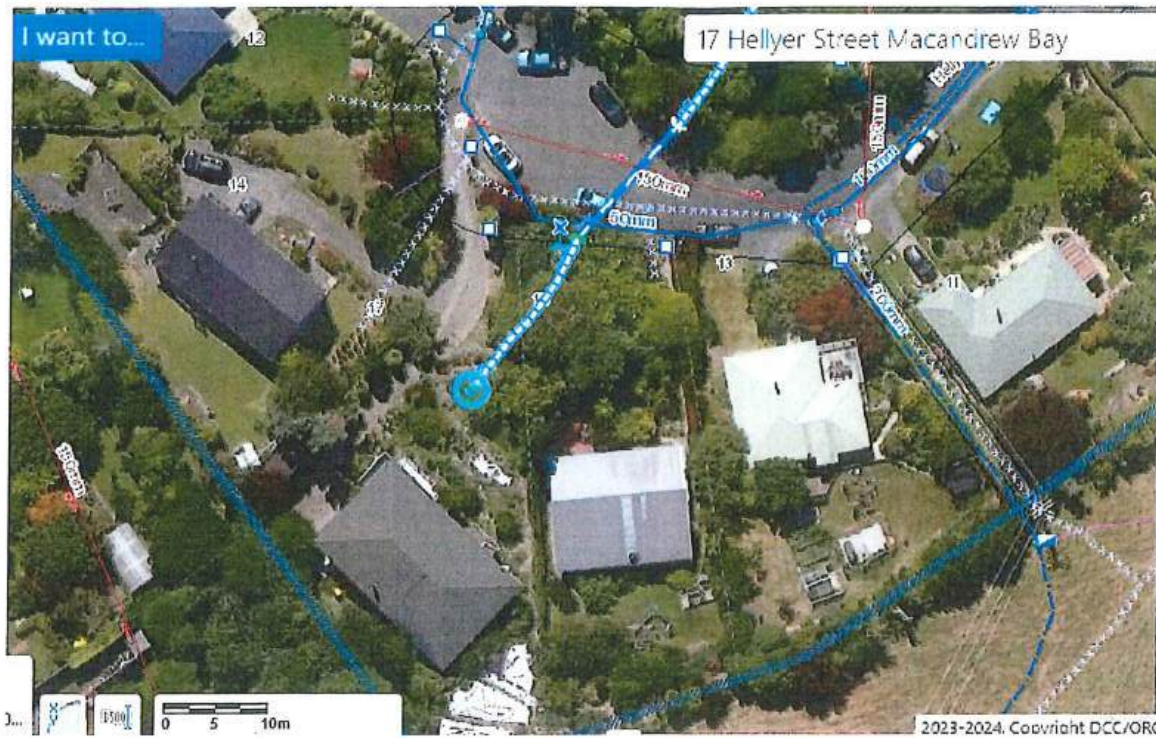
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From: Planning <cod.planning@dcc.govt.nz>
Sent: Monday, 14 July 2025 7:36 a.m.
To: Resource Consents Public Enquiries <ResourceConsentsPublicEnquiries@oa.dcc.govt.nz>
Subject: FW: Request for Technical and Geotechnical Evidence-Plan Change 1 Submission

From: John Rah <yoonsoorah@gmail.com>
Sent: Saturday, 12 July 2025 12:49 a.m.
To: Planning <cod.planning@dcc.govt.nz>
Cc: Emily.McEwan@dcc.govt.nz
Subject: Request for Technical and Geotechnical Evidence-Plan Change 1 Submission

Tēnā koutou,

[Quoted text hidden]

2 attachments

-  Landslip Potential on Otago Peninsula (1321578).pdf
1322K
-  Otago Peninsula Landslide Report - DM Leslie 1974 (1944633).pdf
3334K

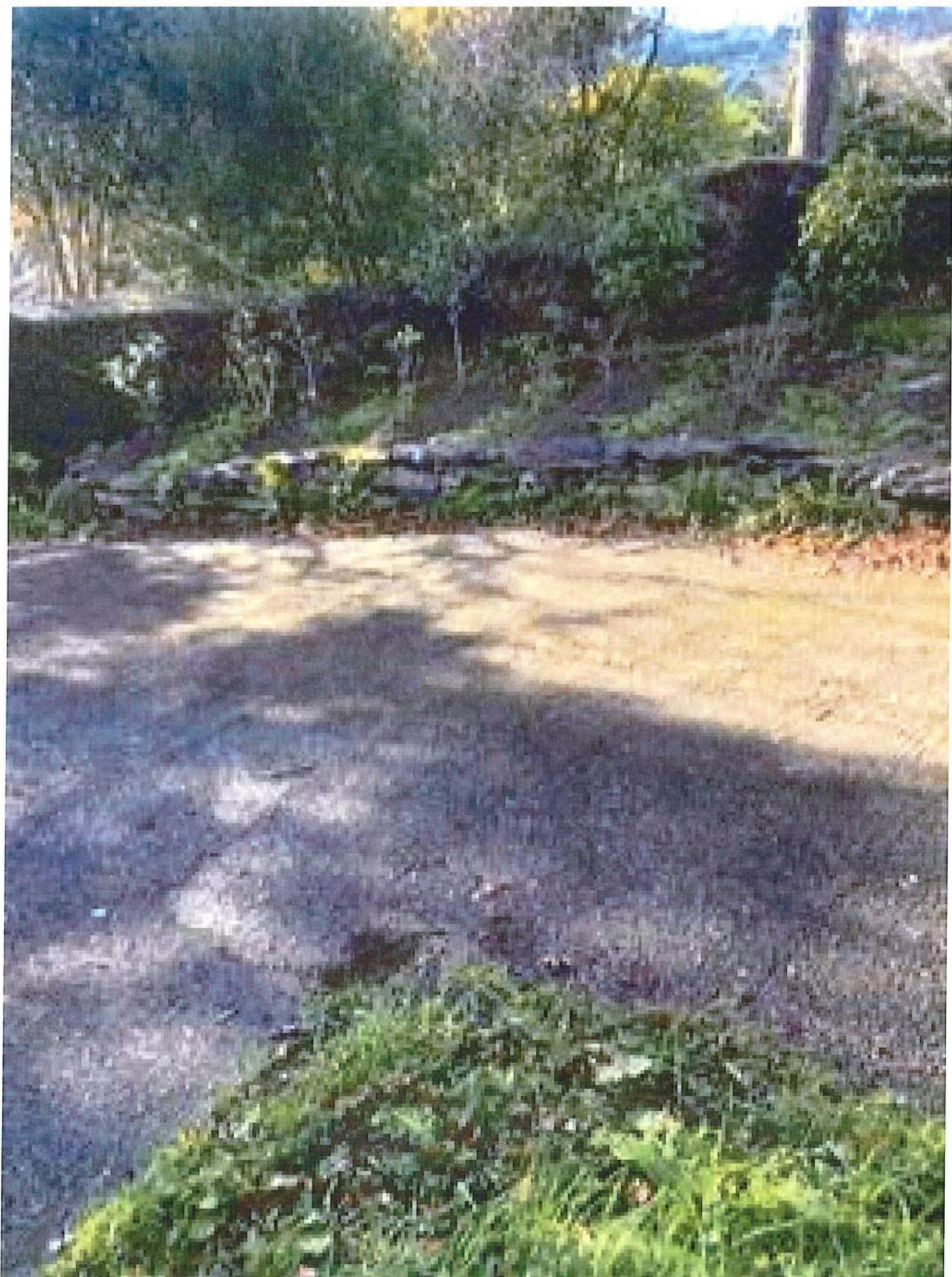


Photo 1



Photo 2.



Photo 3.



Photo 4. & 5

Appendix G – October 2024 and June 2025 Stormwater Evidence (Photo-Embedded)

Photo 1 - Water pooling at the fence between 9 Featherston and 17 Hellyer Streets – entry point of underground natural watercourse at the 17 Hellyer Street.

Looking from the backyard of 9 Featherston Street



Photo 2 - Driveway of 17 Hellyer Street during 5th. October 2024 rain event

small water trait of accumulation visible but for the moment, under the red car.

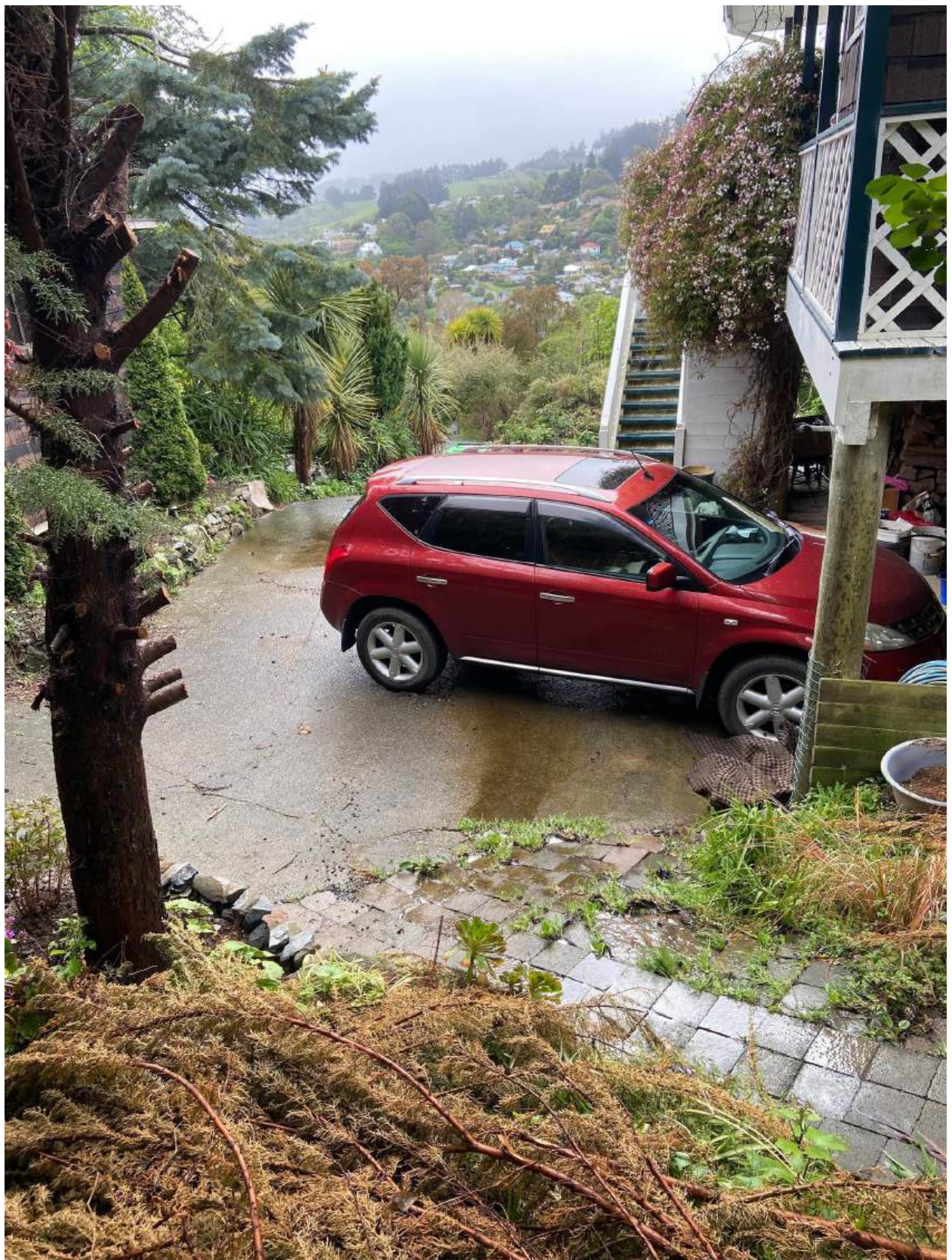


Photo 3 - Water holes at the backyard of 9 Featherston Street connected to the underground flow – active during rain.

One water hole is covered with woods.



Photo 4 - This is the backyard of 11 Featherston Street where the overflown water from the farm dam formed a reservoir once in around 2002.

At the top right, there's a gully which natural watercourse originates from, and keeps flowing down through the neighbours' properties of 11 and 9 Featherston Streets, until it goes down into the hole of natural underground waterway at 17 Hellyer Street, and then discharged into the existing manhole at 15 Hellyer Street.



Photo 5 - No surface water shown on the driveway in front of the garage of 17 Hellyer Street on 5th. October 2024.

Surface water now accumulating since June 2025 rain event, and keeps staying there.



Refined Q&A Sheet – Plan Change 1 Hearing

Yoon Soo Rah (John) – 17 Hellyer Street, Macandrew Bay

Q1: What is the main issue affecting your property?

A1: Unmanaged underground and surface stormwater flows are originating from the upper farm — formerly Snow Hellyer's farm — and then rush down from three upslope properties, including 11 and 9 Featherston Streets, to my property at 17 Hellyer Street, crossing all along underground natural watercourses until reaching the existing public manhole at 15 Hellyer Street. In total, the flow path involves five properties.

Q2: How has this impacted your property?

A2: In multiple recent events (October 2024 and June 2025), water has surfaced across my land, causing ground saturation, erosion, and increasing the risk of land instability.

Q3: What do you want DCC to do?

A3: Investigate and install Council-managed infrastructure — such as a manhole and piped watercourse connection — to complete the link from upslope 9 Featherston Street to the existing manhole at 15 Hellyer Street.

Q4: Is this just a private issue?

A4: No. The flow path runs from the upper farm, through three upslope properties, then across my land at 17 Hellyer Street to the public manhole at 15 Hellyer Street — involving five properties in total. This is a public stormwater management matter that requires a coordinated Council solution, not just private action.

Q5: Isn't this a matter for private landowners to resolve?

A5: Not entirely. While I take responsibility for drainage on my property, this watercourse originates off-site from the upper farm and three upslope properties, crosses my property, and continues downslope to the public manhole at 15 Hellyer Street — affecting five properties in total. Under the Resource Management Act (RMA s6(h) 1991) and the Local Government Act 2002 (s124), Council has both the ability and the duty to manage hazards from natural water — which this situation clearly involves.

Q6: Peter Rawson said Council doesn't manage private watercourses — why should it in your case?

A6: Because this is a shared, unmanaged flow that converges on my property and connects directly into existing Council infrastructure. I am only requesting a manhole and piped watercourse connection to complete the link from upslope 9 Featherston Street to the existing manhole at 15 Hellyer Street. This is a targeted, practical improvement that fits within the scope of minor infrastructure works under Plan Change 1.

Q7: Would this set a precedent for the Council needing to fix every backyard drain?

A7: No. This is a targeted remedy: - The flow crosses five multiple private properties - It connects directly into existing public infrastructure - It causes documented erosion and hazard risk This is about closing a logical gap in the stormwater network, not expanding it.

Q8: Is there evidence this is causing erosion or property damage?

A8: Yes. My Written Statement includes photos in Appendices B, C, and G showing surface erosion, saturated ground, and the proximity of this activity to my house foundation.

Q9: How does your request fit within this Plan Change?

A9: Plan Change 1 includes minor stormwater improvements and hazard management. My request directly addresses unmanaged stormwater contributing to natural hazard risks — including underground erosion, subsidence, land instability, and surface water accumulation.

Q10: Are you asking for re-zoning or new rules?

A10: No. I am not asking for re-zoning — only for a reasonable minor infrastructure fix under existing provisions, RMA s6(h) 1991 and LGA 2002 s124.

Q11: Have you proposed a solution?

A11: Yes. I have recommended installing a manhole and piped watercourse connection between 9 Featherston Street and the existing manhole at 15 Hellyer Street. This would prevent further erosion, manage stormwater effectively, and protect both my property and other downslope properties.

Q12: Under the Resource Management Act 1991, Section 6(h), the Council has a statutory duty to manage

A12: Section 6(h) of the RMA requires local authorities to recognise and provide for the management of the effects of natural hazards. In this case, unmanaged stormwater from the upper farm and neighbouring upslope properties (11 and 9 Featherston Streets) flows through a natural underground watercourse somewhere beneath my property at 17 Hellyer Street, crossing before discharging into a Council-owned manhole at 15 Hellyer Street. Recent events have shown increased surface pooling, underground erosion, and a heightened risk of subsidence. These are not solely private property issues — they are public infrastructure and hazard management concerns. The Council has both the authority and the obligation, under RMA s6(h) 1991 and LGA 2002 s124, to install infrastructure such as a manhole and piped connection to reduce these risks and fulfil its statutory duty.