

Speaking notes for presentation to the Hearing Panel considering submissions on Change 56 to the Hutt City Council's District Plan.

From: Susan Ewart, Secretary, York Bay Residents' Association.

Submission NO.210 in Volume 3 of the submissions.

I was originally scheduled to present to you last Friday (April 14) but withdrew from that as I had sat in on the Wellington Regional Council's presentation on natural hazards and wasn't sure I had much more to add. However, when I was here yesterday intending to hear the Hutt City Council's expert witness on sea level rise, I heard you, Mr Chair, mention that you'd had only the one submitter from the Eastbourne area. I felt, therefore, that it could be worth reinforcing, from a resident's point of view, some of the points that have been made. I apologise for my equivocation over presenting, and I very much appreciate you accommodating me in this respect – thank you, Nathan for organising this.

When I made the submission last year, I was facilitating the rejuvenation of our York Bay Residents' Association – I am now the secretary. While I included various points in the submission based on requests from residents, today I would like to concentrate on what I see as the two key matters – one about the way the MDRA has been applied in York Bay, and the other being the wider issue of whether Change 56 should be applied to the Eastern Bays and Eastbourne at this time, or deferred until more up-to-date coastal hazards data and advice is available.

York Bay specific issue

Firstly, to the York Bay specific matter.

In terms of York Bay itself, the broad-brush approach of applying the MDRA to all properties with a "general residential" zoning has resulted in some peculiar anomalies because of inconsistent and somewhat irrational zoning in the current District Plan.

Along with most of this steep-sided bay, the flattest, more spacious and most easily accessible properties are zoned "hillside residential" and so are excluded from Change 56. However, a small pocket of sections are zoned "general residential" so they are included in the change despite much of the area of some of them being steep hillside. For instance, one has a very small house at the top, no flat land at all and a sheer drop on three sides into a steep gully and stream, while others have a little flat land, but much of it is road reserve, with near-vertical hillside banks behind.

It may be that ordinary building consent provisions are sufficient to take account of these anomalies but it seems to me that it would be clearer if these properties (clearly identified in my submission) were assessed to see if they are really the sort

intended to be included in the MDRA provisions, particularly given that “more frequent and intense heavy rainfall events are likely to lead to more erosion and landslides”. (The Ministry for the Environment report on climate change projections for the Wellington and Wairarapa Region)

Deferring application to Eastern Bays/Eastbourne

My key recommendation, however, relates to the Eastern Bays/Eastbourne suburb as a whole. Although the Officers’ Report (p89) characterised my submission as opposing densification in Eastbourne and the Eastern Bays, that is not correct.

The need for more housing utilising existing infrastructure and public transport is accepted and I am also aware that the Council is constrained by very tight legislative requirements, which allow almost no grounds for variation.

However, as I looked into the proposed change, and particularly the qualifying matter of natural hazards as it applied to the Eastern Bays and Eastbourne area, it became apparent that a number of related developments were under way which would provide much better data and information upon which to base a decision.

My key recommendation, therefore, was that any application of Change 56 to this area be deferred until that further information was available, which was expected to be within two years of last August – now less than 18 months away at most.

As mentioned in my submission, these include:

- The Government’s intention to introduce legislation this year dealing with managed retreat and, now we can add to that, decisions as to how the Cyclone Gabrielle Taskforce handles this issue, which will set precedents.
- The National Adaptation Plan, which includes producing updated climate projection datasets by 2024 and passing a Climate Adaptation Act.
- A full update to the coastal hazards and climate change guidance for local government, due to be published this year.
- The Hutt City Council’s own comment that new modelling on sea level rise would not be complete in time to inform Plan Change 56 but was expected to be available for its overall District Plan review, which would include a more comprehensive review of natural hazards and the appropriate response.

The key issue is access to the suburb. You have heard from more expert submitters about the risk to Marine Drive which provides the only access in and out of the Eastern Bays/Eastbourne suburb, as well as between bays and the services at Eastbourne. There seems to be a general consensus that accelerating sea level rise, land subsidence and increased storm surge activity, with its associated coastal erosion and inundation, are compounding to seriously jeopardise this access.

This is already causing increasing inconvenience and dangerous driving conditions more often, particularly around high tide. The most vulnerable section is at Lowry Bay but as that is at the northern section, it effectively cuts off all the suburb except Pt Howard. But all the road can be affected and as well as waiting for the tide to drop, it takes some hours for the road to be cleared of debris before traffic can use it again.

The Ministry for the Environment report on climate change projections for the Wellington and Wairarapa Region notes “an increased risk to coastal roads and infrastructure from coastal erosion and inundation, increased storminess and sea-level rise.”

Alistair Osborne from Wellington Water last week spoke of a projected sea level rise of at least 1 metre within the next 100 years – that is within the average lifetime of most housing stock.

If the road becomes unviable as is highly possible, then whether particular properties are at risk is irrelevant. The whole suburb would be untenable as no one would be able to access their homes.

And there are no access alternatives. The hills rise steeply from sea level to a maximum height of 373m – there is no practical way of creating roads up from each bay to an access road running along the ridge, which is, anyway, within a regional park.

You asked yesterday about a tunnel. There is a valley (Gollans Valley) between the bays and Wainuiomata so any tunnel would have to go under two ranges of hills and would then only reach Wainuiomata which itself has only one access road in and out of the suburb. And adding Wainuiomata traffic coming from the other direction to Eastbourne would bring other traffic issues. Also, any tunnel would serve only those homes in its immediate vicinity as the residents from each bay and Eastbourne would have no interconnecting road with which to get to the tunnel.

Mitigation in the form of engineered protections would be impracticable and prohibitively costly, as Iain Dawe said when presenting here for the Regional Council last week. So some form of managed retreat would be the only realistic and cost-effective option, but, as he said, one that would become immensely more difficult and costly to future communities if development was allowed to intensify in areas known to face increasing risks from sea level rise and climate change.

He advocated that with Marine Drive already regularly being impassable, a more precautionary approach was needed until there was a better understanding of the impact of sea level rise and land subsidence in the area, with further work to be done on the district adaptation process. I support that approach.

With housing stock generally expected to have a life of around 100 years, it seems to me that it is socially and economically irresponsible to encourage housing densification before there is a greater understanding of how likely it is that people may have to abandon these properties with the council and/or central government picking up the cost.

Last week, the Regional Council's legal counsel Michelle Mehlhopt made the point that the RM- mandated plan change was still required to give effect to national policy statements, including the New Zealand Coastal Policy Statement 2010 and its policies.

For instance, Policy 25 of that statement refers to development in areas of coastal hazard risk and says that in areas potentially affected by coastal hazards over at least the next 100 years:

- a. avoid increasing the risk¹⁰ of social, environmental and economic harm from coastal hazards;
- b. avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;
- c. encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events;
- d. encourage the location of infrastructure away from areas of hazard risk where practicable;
- e. discourage hard protection structures and promote the use of alternatives to them, including natural defences; and
- f. consider the potential effects of tsunamis and how to avoid or mitigate them.

I support the view that the RMA provisions for housing densification do not trump this national policy but should be read alongside it.

I believe this provides the Hutt City Council with the option of deferring application of Plan Change 56 to the Eastern Bays and Eastbourne so that any decision can be based on the most up-to-date data and modelling available in deciding how likely it is that sea level rise, land subsidence and storm surge erosion will combine to make Marine Drive impassable and living in the area untenable (hopefully not in my lifetime).

Thank you.