

To the Chief Executive of the Hutt City Council

1. This is a submission from Stephanie K Middleton, Owner and Resident of property address:-15 Whiorau Grove, Lowry Bay, Eastbourne, Lower Hutt 5013.
2. My email address is: stephaniemiddleton888@gmail.com
3. I could not gain from trade competition through this submission.
4. The specific provision of the proposal that my submission relates solely to the identification of a HIGH Natural Flooding Area affecting my property.
5. I do wish to be heard in support of my submission
6. If others make a similar submission, I will consider presenting a joint case with them at the hearing.

Appended are the following:

A : My Submission for Flood Hazard Overlays

B: Photograph of small stream that flows underneath the edge of my front deck (NOT under the house as shown on the records) (IMG-0249)

C: Photograph of small stream that flows underneath the edge of my front deck (NOT under the house as shown on the records) - note the sunlight streaming through deck boards (IMG-0251)

D: Image of Proposed District plan with flood risk overlays - displaying the path of the stream corridor and the incongruous representation of it being high risk in proximity to my home but low risk in adjoining properties.

1. INTRODUCTION

1(a) My property at 15 Whiorau Grove, Lowry Bay, is shown in the mapped overlays of the draft HCC District Plan as being subject to flooding as a Natural Hazard in any given year. The level of risk shown by way of overlays is “high risk” in part, “medium risk” in part and “low risk” in part.

1(b) I emphatically request the “high and medium risk” removed, and the entirety of the property shown purely as “low risk”, consistent with the general sweep of surrounding properties.

1(c) We accept that the Council has under the current 1991 RMA, soon to be superseded, should take measures to identify risks arising from Natural Hazards, and seek to avoid or mitigate any adverse effects of activities on the environment.

1(d) We do not accept the methodology adopted in the plan to identify areas at risk to flooding nor do we accept the manner in which it is proposed represent these risks on individual property reports.

2. HISTORICAL

2(a) I purchased the property in 2023. Before doing so my lawyer and real estate adviser contacted the Hutt City Council and were told that the property was clear of any risks including Māori guardianship, flooding and hillside instability. I can produce evidence of those assurances.

2(b) The house was built in 1980 and there is no record or other evidence of flooding. All of this was further verified by adjacent neighbours who had been in residence for many years prior to 1980. We were naturally cautious on the question of flooding because of the proximity of the stream despite its low volume and strong embankment. We were reassured on all counts.

3. THE METHODOLOGY

3.(a) All natural events carry a level of risk for our people and their environment. The question of whether or not to address the risk requires a balanced approach, that takes into account of both the level of risk and the consequences of the risk materialising. Importantly, it should also take into account the human cost that may arise coincidentally.

3(b) To the extent I have been able to understand the underlying parameters of the modelling used to assess the risk of flooding, it is apparent that considerable weight has been given to a number of somewhat extreme predictions arising from climate change. For example, the anticipated increase in rainfall of 35% over next 100 years and the 1 in a 100 chance of an undefined level of flooding occurring in any year.

3(c) The generalised application of this modelling has in effect resulted in my property, in the space of three years, being viewed as one of no risk to flooding to one of “high risk”. This is little short of ludicrous. Moreover, it has been determined without any on-site inspection of my property by a qualified geotechnical engineer. Still further, the overlay shows the area of “high risk”, presumably arising from the proximity of the stream corridor, as being confined to my property whilst the stream runs through multiple other adjacent sections that have no such determination of risk.

3(d) I need also to add that an on-site inspection will confirm that my property has a gentle and uniform gradient and yet the overlays show that in the space of 894 square metres the property is in part “high risk” to flooding, in part “medium risk” and in part “low risk”. Surely this is a nonsense, revealing the frailty of the methodology based on little more than a “desktop” analysis, and without any input from a geotechnical engineer based on a proper on-site inspection.

3(e) As I have said previously, and I protest again, that to assert a key part of my property has virtually, overnight, moved from a category of no risk to one of high risk is unfounded, unprofessional and carries damaging consequences for me.

4. THE CONSEQUENCES

4(a) What regrettably has been ignored in the methodological approach is the impact these risk assessments will have on the value of the properties and the serious ramifications that will flow from the “high risk” and “medium risks” assessments. An experienced real estate valuer has told me that the attachment of a high and medium risk assessments to any future LIM report will seriously discourage potential buyers and significantly devalue the property when there is absolutely no need to do so; as demonstrated in 2023 at the height of Cyclone Gabrielle, when the rainfall would have exceeded by far the 35% over the next 100 years touted by NIWA. There was no flooding or even any threat of such.

4(b) The consequences go beyond a matter of property devaluation and future investment`. Property insurance will increase or even be withdrawn, mortgage renewals will be jeopardised and there is also the vitally important factor of the financial health and wellbeing of current owners. None of these impacts appear to have been considered when arbitrarily designating part of my property as “high risk” and two other parts as “medium” and “low” risk simply because of a small and well-guarded “stream corridor”. NOTE: I have appended to this submission a photograph of the stream, showing both the small volume of water in the stream corridor and the substantial clearance that exists between the stream corridor and any part of the house and deck. It can be seen that no increase in water volume could in any way invade or put at risk any of the elevated house structures, I have also appended a diagram showing the path of the stream corridor in relation to the risk overlays both in my property and those adjoining it.

4(c) If these risk assessments are not corrected the financial and other consequences for me will be enormous, indeed crippling. I am a widow of twenty-two years and have raised three children from early childhood alone. I purchased the property in good faith after full and proper consultation with Council officers hoping for some respite.

4(d) For the Council to proceed on this basis is a betrayal of the trust that I and other ratepayers believe is invested in the Council to act always in our best interests.

5. DECISION REQUIRED

5(a) I emphatically request the proposed “high and medium risk” designations be wholly removed, and the entirety of the property shown purely as “low risk”, consistent with the general sweep of surrounding properties.





