

Submission on publicly notified proposed district plan

Clause 6 of Schedule 1, Resource Management Act 1991

Privacy Statement

Your submission must include your name, and an address for service (preferably email, but you can use a postal address). All information you include in this submission, including your name and address for service, will be provided to other submitters and published on Hutt City Council's website. Paper copies may also be made available. Hutt City Council is required to collect and publish this information to carry out its functions under the Resource Management Act 1991 and to enable others to take part in the district plan process. The Council, other submitters, and the Environment Court may need to contact you during this process.

If your submission does not include your name and an address for service, it will be rejected.

While the Council will retain all information provided in your submission in secure council systems, all contact details will be removed from any documents published on Council's website once the district plan process is complete. However, your name and the contents of your submission will still appear in these documents.

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please contact us at contact@huttcity.govt.nz, call 04-570-6666, or write to us at Private Bag 31912, Lower Hutt 5040.

To: Chief Executive, Hutt City Council

Via email to district.plan@huttcity.govt.nz.

1. This is a submission from Hamish Hill on the Proposed Lower Hutt District Plan 2025.
2. My email address for service is hambog@xtra.co.nz.
3. I could not gain an advantage in trade competition through this submission.
4. The specific provisions of the proposal that my submission relates to, my submission on those provisions, and the decisions I seek are shown in the below table. I also seek all further, alternative, necessary, or consequential relief as may be necessary to fully achieve the relief sought in this submission.
5. I do not wish to be heard in support of my submission.
6. If others make a similar submission, I will not consider presenting a joint case with them at the hearing.

Introduction

7. I provided feedback to Council via email on 14 December 2023 in response to the previous draft of the Proposed District Plan related to the flood hazard risk as it applies to our property. The text of that previous email is repeated below for your reference,

minus the attached supporting documents that were supplied at that time (I can supply these again if needed). I am making a submission now as – other than acknowledgement of receipt – we had no further engagement from Council on the matters we raised, and the concerns we raised previously around the accuracy of the result of the flood hazard assessment when compared to actual physical topography at our property still apply.

----- Original Message -----

From: H Hill <hambog@xtra.co.nz>

To: "district.plan@huttcity.govt.nz" <district.plan@huttcity.govt.nz>

CC: Sarah Blackburn <seblackburn@hotmail.com>, "Sean.Bellamy@huttcity.govt.nz" <Sean.Bellamy@huttcity.govt.nz>

Date: 14/12/2023 16:00 NZDT

Subject: Feedback on Draft District Plan Flood Hazard Assessment

We recently received a letter from Council notifying us that our property at 69 Cedar Street is classified in the Draft District Plan as being in a 'High Hazard Area'. Subsequent enquiry to Council's helpline confirmed the assessment was based on a generalised computer model that shows our property to be in the 'inundation zone' for the neighbouring creek in a 100 year flood event.

After recent climate events in New Zealand, we understand and support the need for councils to re-assess risks of natural hazards in District Plans. The letter from Council states that *"the implication of being within a High Hazard Area is that resource consent may be required for new activities"*. This statement ignores the fact that such risk designations are already affecting owners' ability to obtain insurance, mortgages, or sell properties. Therefore the implications of such high hazard ratings are much more serious than acknowledged. So Council assessments must be as accurate as possible and provide clarity for at-risk property owners on future implications and courses of action.

This email provides feedback on the Draft District Plan questioning the model used to assess flood risk. We provide evidence that the resulting risk classification in our case is inaccurate, as follows.

1. The neighbouring creek has a deep, wide bed shown on survey plans undertaken by Wigley & Roberts Surveyors in 2008 as approx. 6m below road level, with the area on our property shown in the Draft District Plan as 'inundation zone' also being up to 2m above road level;
2. So if the area was inundated, surrounding properties not classed high risk would also be flooded;
3. Information supplied to us by Cuttriss Consultants dated 12 March 2001 in conjunction with the joining of Cedar Street to Cyprus Drive – for which we were an affected party – stated that a 600mm culvert was deemed large enough to cater for a (then) 100 year storm event;
4. We sought further assurance from Cuttriss Consultants and detail from Council at that time;
5. Council storm water plan C11 supplied to us then shows the creek beside our property to be fed by two pipes - one of 12" diameter, the other of 6" diameter;
6. Our own current site inspection shows that there are in fact three pipes – two corresponding to the above with another not shown on your plan of approx. 150mm diameter;
7. Either way, flow into the creek is restricted by the pipes feeding it, plus nearby overland runoff;

8. The creek bed slopes downhill and widens beside our property with no restrictions on outflow;
9. As a result of our correspondence at the time, we were subsequently advised by Cuttriss Consultants on 25 September 2001 that a decision had been taken at “*considerable extra cost*” to construct a bridge over the gully, stating that the bridge option meant “*no long term interference with the existing watercourse by culverting and associated earthworks*”;
10. The bridge built is still extant, allowing Cedar Street to cross the creek, with a span of 16m;
11. Creek depth & width vary according to natural landforms - indicative current on-site measurements taken by laser distance meter yield the following cross-sectional areas near to our property ground level:
 - a. At exit of pipes into creek = 24.333 m² more or less
 - b. Adjacent to front corner of dwelling = 44.986 m² more or less
 - c. Under bridge = 37.112 m² more or less

So in summary, our feedback challenges the accuracy to your risk assessment model in our case, which appears to be based solely on our property being adjacent to the creek bed, but without consideration of on-site physical landforms and characteristics.

We ask that the model and/or method of assessment for flood risk be reconsidered before the Draft District Plan is finalised, and for properties assessed as high risk, that the actual risk be verified by accurate on-site assessments, given the potential implications for Council and owners.

The following documents are attached to support the evidence provided above:

- Letter received from Council advising of High Hazard Area rating (8 Nov 2023);
- Flood overlay from Draft District Plan showing part of our property as ‘inundation zone’;
- Relevant part of Wigley & Roberts survey of our property with elevations (Jan 2008);
- Relevant part of Council storm water plan C11 feeding to creek (supplied to us 12 Apr 2001);
- Letter from Cuttriss Consultants outlining proposal to culvert the creek (12 Mar 2001);
- Letter from Cuttriss Consultants advising of decision to bridge the creek (25 Sep 2001);

We are happy to meet with Council-appointed surveyors for a site visit to verify relevant details and look forward to your response on this matter.

Kind regards,

Sarah Blackburn & Hamish Hill

Decisions Requested

#	Chapter	Provision	Position	Reasons	Relief sought
1	Natural Hazards	Flood Hazard Overlays	Support with amendment	<p>After recent climate events in New Zealand, we understand and support the need for councils to re-assess risks of natural hazards in District Plans, but the modelling behind the flood risk assessment as it is shown for our property and surrounding areas does not reflect the actual topography. If flooding were to occur to the extent marked on the flood hazard overlay, surrounding areas with now flood risk shown would be inundated.</p>	<p>Risk designations are already affecting property owners' ability to obtain insurance, mortgages, or sell properties. The implications of high hazard ratings are much more serious than acknowledged in the supporting information proved around the flood hazard methodology and how results are used. Whilst Council will not use them for insurance rating purposes, a document as significant as the District Plan from an authoritative source such as a local body will become a major reference for insurance companies in determining their own risk criteria.</p> <p>Therefore we strongly ask that the method of assessment for flood risk be reviewed before the Proposed District Plan is finalised. For properties assessed as high risk, the actual risk should be verified by accurate on-site assessments, given the potential significant implications for owners, ratepayers and the Council.</p>