

# 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](mailto: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](mailto:district.plan@huttcity.govt.nz).

1. This is a submission from Mike Humphrey and Nic Hill on the Proposed Lower Hutt District Plan 2025.
2. Our email address for service is [Humphrey.hill.192@gmail.com](mailto:Humphrey.hill.192@gmail.com).
3. We could not gain an advantage in trade competition through this submission.
4. The specific provisions of the proposal that our submission relates to, our submission on those provisions, and the decisions we seek are shown in the below table. We also seek all further, alternative, necessary, or consequential relief as may be necessary to fully achieve the relief sought in this submission.
5. We wish to be heard in support of our submission.
6. If others make a similar submission, we will consider presenting a joint case with them at the hearing.

## Introduction

7. We have owned the property at 192 Normandale Road for 29 years and built the house on the section.
8. In the Proposed District Plan part of the property is subject to a high-risk classification in the flood hazard overlay. The area subject to flooding is shown on the overlay as extending to a width of 10m (see figure 1).
9. We want this removed as it is an inaccurate assessment of the level of risk.
10. The topography means that even at the maximum level of flooding modelled (0.5m, see figure 2) the stream could not flood to the extent shown in the overlay because:
  - a. it is small and intermittent and is at the bottom of a deep (around 6-8m), steep gully
  - b. it runs in a channel at the bottom of the gully that is deeper than 0.5m
  - c. we are at the top of the catchment so a small amount of water will flow into the stream even in heavy rain (see figure 3).
11. The overlay means that activity on our property is restricted for no good reason. The Council's own material on the flooding overlay says:

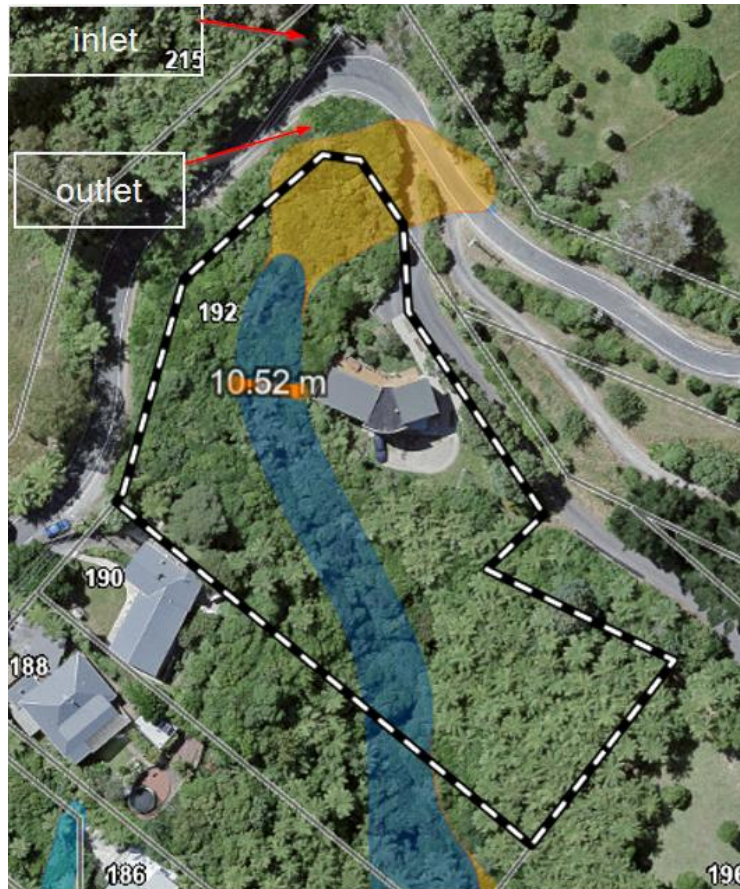
*"Risk is a product of both the likelihood of and the consequences from a natural hazard. A risk-based approach to natural hazards balances allowing people and communities to use their property and undertake activities, while also ensuring that lives or significant assets are not harmed or lost as a result of a natural hazard event. When addressing the consequences from natural hazards, priority has been given in this plan as follows to:*

- *the protection of people from loss of life and injury,*
- *reducing damage to buildings from natural hazard events, and*
- *the protection of essential infrastructure to ensure the health, safety and resilience of communities."*

*"It is therefore important to identify areas susceptible to natural hazards and to avoid or manage subdivision, use, and development, relative to the [natural hazard](#) risk posed, to reduce the potential for damage to property and the potential for loss of human life.*

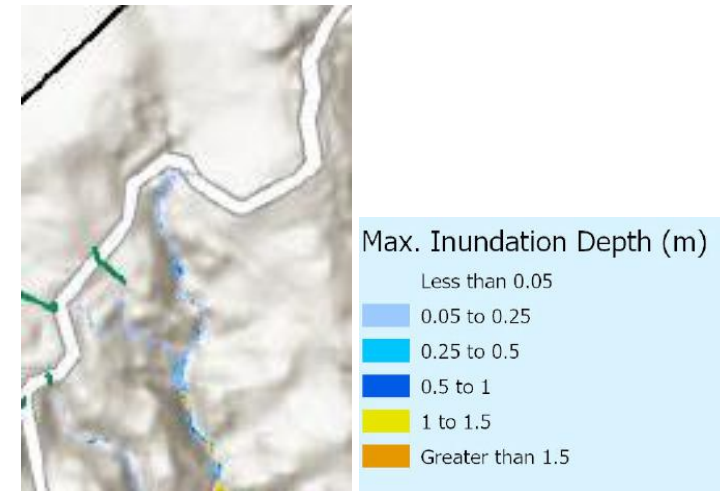
12. The stream on our property is both low likelihood of flooding and any consequences would be minimal because of the depth of the gully. There is no risk to people, buildings or infrastructure.
13. We have provided photographs and measurements demonstrating the depth and steepness of both the gully and the channel the stream is in (see Appendix 1).

**Figure 1: Proposed flooding overlay on our property**

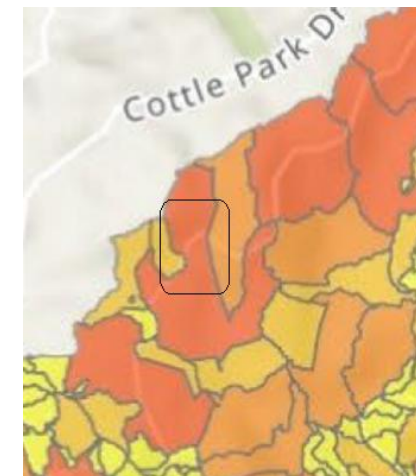
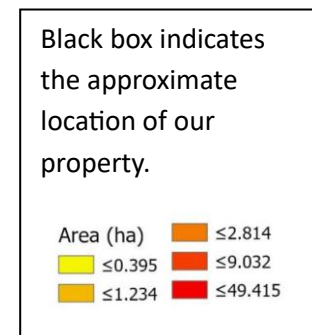


The inlet and outlet of the culvert are marked. The measurement (10.52m) was calculated in the Hutt Council proposed district plan mapping tool.

**Figure 2: Petone 100y ARI with climate changes maximum water depth (Petone Stormwater Model Build 2023 Stantec)**



**Figure 3 sub catchment delineation (from flood modelling report)**



## Decisions Requested

#	Chapter	Provision	Position	Reasons	Relief sought
1	Maps	Flood hazard overlay as it applies to 192 Normandale Road	<b>Oppose</b>	<ul style="list-style-type: none"> <li>a. The overlay is misleading about the actual level of risk – it overstates both the probability and impact of flooding. Both probability and impact are low, so at most the overlay can identify a low risk of flooding.</li> <li>b. It is also misleading about the scale of potential flooding. The width of the overlay (10m) implies the gully could potentially fill with water which is impossible. It also makes it look like flooding could reach the level of the house.</li> <li>c. The modelling the plan is based on identifies that the stream will be flooded to a maximum of 0.5 meters (see figure 2) even accounting for climate change impacts. The evidence provided in Appendix 1 shows that this level of flooding will not top the banks of the stream's channel, let alone flood the gully to its full depth.</li> <li>d. Water flow in the map is wrong – the water doesn't come from the top right corner of the section. The camber of the road drains the water to a ditch at the other side of the road. The water comes under the road through a culvert and drops into the stream.</li> <li>e. Our property is at the top of a relatively small catchment so there will only ever be a limited amount of water that can flow into the stream.</li> <li>f. The flooding overlay and relevant rules (NH-P1 and NH-R13) assume all stream corridors are at high risk of flooding. The evidence we have provided demonstrates this assumption is incorrect on our property.</li> </ul>	<p>Remove the flood overlay from our section. The evidence we have provided shows the risk (probability x impact) is negligible.</p> <p><b>Failing this we want:</b></p> <ol style="list-style-type: none"> <li>1. the risk level reduced to low <b>and</b></li> <li>2. reduce the width of the flood overlay to a more realistic width (eg a maximum of 2 metres).</li> </ol> <p><b><i>See appendix 1 for supporting information</i></b></p>

## **Appendix 1: photos and other information**

The photos below provide an indication of the depth of the gully and the stream bed. Additional information will be provided at the hearing.



Inlet to culvert (on opposite side of the road from our property).







Outlet of the culvert (see red arrow) and the start of the stream. This is at the boundary of our property.





View from the bottom of the gully back up towards the house. The red line is 3m long.





Looking back up the gully to the outlet. The stream channel at this point is circa 900mm deep and 700mm wide.





About 10m further down the gully from the previous photo.

Same point as previous photo. Channel is 1100mm deep and 2100 wide.

