

SPEAKING DRAFT FINAL 30 MINUTES ALLOWED

BEFORE THE HUTT CITY COUNCIL HEARING COMMITTEE

SUBMITTER 122 – JOHN WADHAM

HEADLINE PRESENTATION TO THE CHAIR AND HEARING PANEL

RE: ALLEGED NATURAL HAZARD – SLOPE STABILITY HAZARD AT

23 POMARE ROAD, TIROHANGA ,LOWER HUTT.

Submitter: John Wadham

Submitter No.: 122

Property: 23 Pomare Road, Tirohanga

For speaking Date:26/08/26.

Good afternoon, commissioners.

Thank you for the opportunity to speak today regarding **23 Pomare Road**.

Our position is clear and evidenced.

: the proposed Slope Assessment Overlay as applied to our specific property is legally unsupportable, technically unverified, and built upon fundamentally flawed data that has already been retracted or corrected by the very agencies that generated it.

Our case is remarkably simple.

Emphatic straightforward evidence has been submitted which simply cannot be argued against by a desktop system [from afar] in our view using out of date ,obsolete information that has been admitted as such by agencies that generated it .

The WWL reports carried out extensive on-site physical Investigation of the property, ,then carried out hydraulic modelling reviews twice which categorically **stated that there is no flooding or inundation risk at 23 Pomare Road Tirohanga.**

As outlined in earlier filings on the committee

In New Zealand, *flooding and inundation act as primary triggers and compounding accelerators for slope instability{ NHC site info }

[meaning we submit - in our property, 23 Pomare Rd specific case, it is proven that no primary trigger is existing as WWL TESTS reports confirmed no flooding or inundation risks thus HCC has officially removed* the same from our property and the Town Hazard Plan]

HCC Chief Town planer endorsed that in writing and advised HCC would remove the specific hazards for the property from the Town hazard plan -which they did.

We ask the committee to remove the Slope Stability hazard from our property .

And

We urge the Committee to reject the blunt, 'district-wide' desktop model applied to our land, based on three undeniable facts now recorded in the hearing timeline:

1. Zero Site-Specific Reality

The WSP model operates at a district-wide desktop scale.

It is entirely blind to the actual, physical characteristics of 23 Pomare Road.

It ignores our existing topography, and completely pretends that our railway sleeper retaining walls ,engineered brick walls and concrete inground retaining walls do not exist.

Most [but not all] are depicted in the WWL file review [report & photos 24/5/24] detailed as critical site [review] features .

Despite this detailed comprehensive evidence of these protective structures filing, no person or entity ,especially WSP ,has filed a single line of technical or written engineering rebuttal.

They have chosen to ignore reality because reality breaks their desktop model.

2. Defunct Hydrological Assumptions

In paragraph 3.6 of Mr BRABHAHARAN rebuttal evidence, the Council's expert claims that updated water and flood modelling do not affect his slope failure assessment.

Yet, engineering logic dictates that water saturation is the primary trigger for land instability.

As formally confirmed in writing by the HCC Head Planner and Wellington Water Limited reports the specific flooding and inundation risks originally assigned to 23 Pomare Road have been **completely removed**.

We submit -This removal action by HCC fatally destroys any argument that the slope Stability hazard is valid on our property as the WWL report that HCC acted on ,in removing the flooding /inundation hazards from 23 Pomare Road and the Town hazard plan ,removes the 2 main essential components that the Slope Stability Hazard requires to legally exist or be sustained.

Furthermore -The baseline hydrological assumptions under pinning WSP's initial assessment are now obsolete.

You cannot change the water inputs entirely and claim the slope output remains perfectly identical.

3. Contradictory Data & The NHC Apology

The most damning failure of this proposed overlay is the data foundation itself. In

official OIA responses, the Council admits it relied on the national hazard portals to cross-check and formulate these zones.

Yet, the Council's own expert, Mr.

Brabhakaran, openly rejects that same data as inaccurate for our property in paragraph 3.7 of his rebuttal .

To completely resolve any doubt, we have tabled in our Supplementary Submission dated **21 July 2026**

- **Context evidence ref [E4} HCC OIA Release which confirms HCC Had meeting with NHC ,obtaining their portal links and using NHC data in this matter.**
- **a formal, written apology from the Chief Executive of the Natural Hazards Commission, Tina Mitchell, explicitly admitting to systemic data errors in their portal regarding our site /property .**
[I commend her for that as its refreshing .]
- **In writing GWRC Flooding engineer has confirmed the Flooding map links were out of date and that we could use her email to confirm GWRC had no flooding concerns about our property.**
- **WSP have acknowledged clearly in their report disclaimer where their data was sourced from their client & others and absolutely denied any responsibility for information that was incorrect.**
- **We believe we have definitely proven it was incorrect in relation to 23 Pomare Road as there is absolutely no doubt in the applicant's opinion that the portal evidence used for 23 Pomare Road was incorrect as the agencies that disseminate it have [admitted] stated so and have implemented apologies ,retractions, corrections for this incorrect information and this has been filed as context evidence on the committee .**

Conclusion

Commissioners, we are left with a bizarre contradiction: The Council relies on a portal map, the creator of that map has formally apologized for its errors, and the Council's own expert rejects the portal data while defending a boundary line built upon it.

In natural fairness

we cannot restrict private property rights based on a desktop model that ignores site-specific engineering, relies on deleted flooding data, and clings to

a national portal map that has been formally retracted with an apology from its CEO.

1. INTRODUCTION

1.1 Submitter 122, John Wadham, relies upon the submissions, evidence and supporting documentation previously filed with the Hearing Committee.

Epecially , but not limited to ,the following :

- [E1]the Wellington Water Limited (WWL) expert hydraulic modelling reviews [2] filed on the committee.
- [E1a] HCC Head Planner endorsement of WWL report and action plan to remove specific Flooding & Inundation hazards
- [E2]Greater Wellington Regional Council (GWRC) confirmation regarding incorrect flooding mapping and their confirmation that 23 Pomare Road is not captured by GWRC flooding maps .
- [E3]Natural Hazards Commission (NHC) acknowledgement and correction of inaccurate information & written apology from their CEO
- [E4]HCC Official Information Act disclosures.
- evidence regarding the information supplied to WSP for its assessment.

The Applicant submits that this new evidence directly affects the reliability of the original hazard assessment.

1.2 Those submissions include third-party evidence supporting the Submitter's position that the alleged Hutt City Council ("HCC") slope stability hazard identified in relation to **23 Pomare Road, Tirohanga** is not appropriately supported by the evidence and does not reflect the particular circumstances and physical characteristics of this property.

1.3 The Submitter's position is that **23 Pomare Road is materially different in its circumstances from the general slope stability conditions relied upon in applying the proposed hazard provisions to properties situated on the western hills.**

1.4 The Submitter therefore asks the Hearing Panel to **consider the evidence relating specifically to 23 Pomare Road rather than treating the property as though it necessarily presents the same circumstances as other properties within the broader area.**

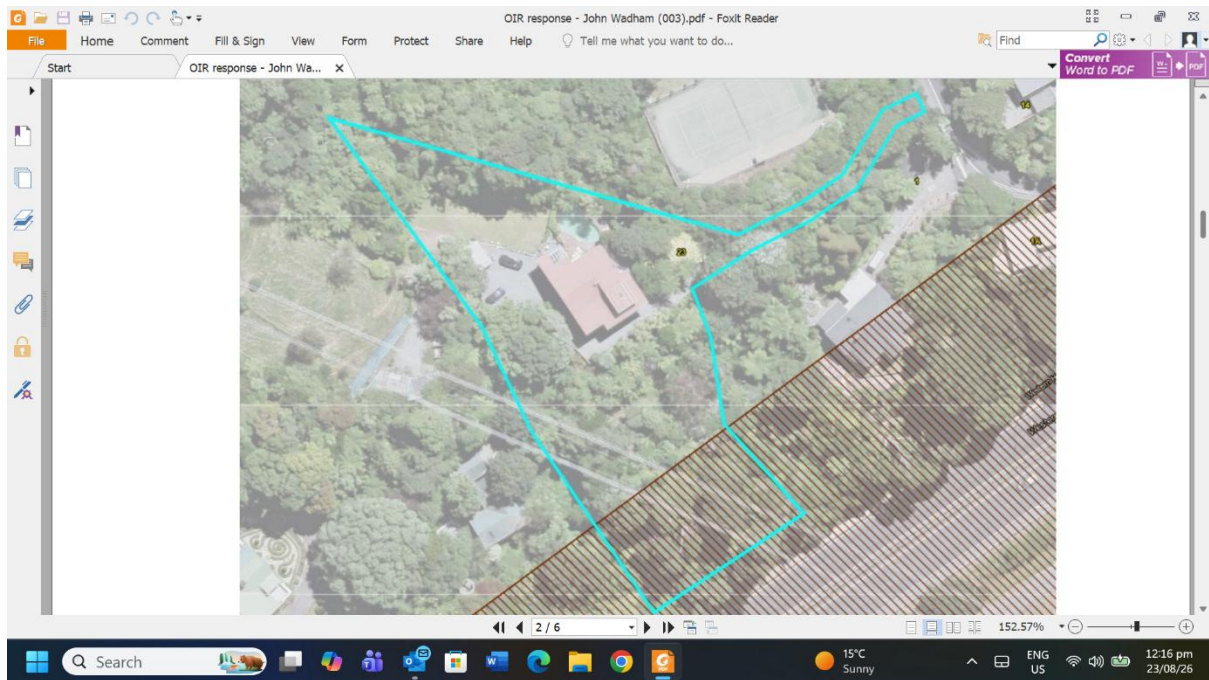
This really is important as our property is primarily flat , ever so slightly sloped in the majority of the useable land where 10 to 12 car parking areas exist, grass tennis court ,swimming pool ,sauna and the large house ,garages and sheds are situated.

How can HCC /WSP allege Slope stability Hazards on **primarily flat land section with plenty of protective retaining features and drainage [supported by WWL site report**

photos by Alistair Osborne Modelled Flooding at 23 Pomare Rd, Tirohanga 24/05/2024 filed on the planning hearing committee.

It is only the last 20 metres of the one-acre sized property at highway level that could be said had a bank to the highway below exists of some estimated 10-15 metres high .

It is interesting to note that when HCC first contacted us about alleged hazards, they sent us a hazard map showing /depicting the last 20 metres of our property near highway that could be potentially affected . [MAP VIEW }



So, I submit it's a real stretch to go from 20 metres of unused property down by the highway bank to the whole one-acre property as the WSP desktop version seems to have done with total disregard for the onsite real facts, of the existing site manmade and natural drainage ,primarily flat land , retaining & protective walls and HCC endorsed [and removed hazards action]WWL reports confirming no flooding and inundation risks exist.

I submit to the committee that it must be in my opinion that WSP.

- is an HCC expert witness as represented by HCC to the hearing committee /participants?
Or
- An independent report provider giving high level desktop opinions ?
Or
- an engaged contractor hired to defend and justify HCC's preconceived hazard boundaries ?

Which is it, I do not know ?

and -I submit in my opinion and view we should be allowed to know as it's an especially important and a necessary take-away for citizens involved in these forum /proceedings !

In fairness to laypeople applicants, I believe we have a right to know and thus I wanted to ask MR Brabakaran of WSP a series of questions to ascertain and understand the position, but the committee /chair would not permit the applicant to do so and the committee did not ask Mr Brabakaran the questions I submitted to them that I would have liked to have asked myself .

I submit in my opinion there is a high level of procedural unfairness to the majority of affected laypeople applicants /submitters in this type of system as in my view it's really for professionals and not for laypeople .

In my view laypeople struggle with it this hearing system ,as information is withheld from them ,questions are not responded to adequately and promptly .

This in my view and opinion means this causes a failed level of natural justice and procedural fairness [in multiple respects] that can disadvantage laypersons in this forum ,and the natural Justice that you get and expect in other forums does not exist here .

One might say I am shooting myself in the foot to expose or raise these questions, but we are meant to be in a democracy and thus I should therefore have nothing to fear by informing my opinion in the interest of other laypeople participating in the future. I feel in my opinion this is a rubber-stamping process similar to the ticking the box program that in my opinion , HCC calls the consultation process with those affected .

We will see from the outcome .

The applicant has lived at 23 Pomare Road Tirohanga for close to 40 years and the property has the ability to completely drain torrential rains away within a few minutes .

This is /was evidenced on WWL file where the applicant was able to send by email ,time dated photographs to Alister Osbourne WWL immediately after one of largest rain events we had had in decades, and these showed the property completely dry almost within minutes after the torrential rains had concluded.

[SEE PHOTOS for hard copy readers see 3 photos proving primarily flat land after signature sign off below .

Another aspect -WSP/HCC has not taken into consideration in its desk top review for Land stability hazard inclusion .}

The Applicant submits regarding his property -

- no buildings have ever been flooded;
- no part of the Property was ever submerged;
- no creek overflow occurred;[there is no creeks only natural drainage, man-made drainage and natural drainage gully's all which were hidden from Lidar]
- there has never been a major flooding event of any type
- there was no inundation event of the type normally associated with a flood hazard designation.

Further in WWL first hazards review report

FROM	Alistair Osborne
DATE	24/05/2024
SUBJECT	Modelled Flooding at 23 Pomare Rd, Tirohanga

It depicts in photos multiple inground retaining walls ,engineered brick walls that had initially not been taken into consideration by WWL or Subsequently WSP .

As pointed out I repeat -In fact, no engineering rebuttal has been offered by any entity in the assumption of the desktop theory that has been put forward by WSP.

This was all confirmed in our supplementary submission to the committee dated 21/7/26 with context evidence of false and incorrect data, in hazard portals ,that HCC admit in our submitted evidence of OIA releases -was how HCC first came to claim that our property may be potentially ,flooding /inundation prone .

This is also indicated in Nathan Geard HCC emails letters dated January 19th & 25 2024 filed on the committee 21/08/26.

IN SUMMARY

The applicant has spent approx. 2.5 years investigating and seeking removal /corrections of the false and misleading data on Portals that are used by agencies in everyday decisions ,relating to various commercial assessment of ratepayer's properties .

Some of those decisions made by agencies based on portal information can have lifetime financial consequences for ratepayers in multiple ways ,yet they may be ,like in our property case, be false /misleading and therefore potentially damaging .

My conclusion opinion ,after those years of investigating this is ,that the portal system on historical data ,is seriously flawed because if GARBAGE finds its way into these portals you get GARBAGE out and that is what has happened to our property.

Thus, we ask the Committee to be absolutely fair , put aside my 77-year-old senior's adverse opinions of the hearing system ,deal with 23 Pomare Road property individually

and not on the broader WSP desktop hazard assessment system which in my opinion seeks to tar every property on the western hills with the same brush.

Our property is different because it has a WWL expert test reports proving there is no Flooding or inundation here that has been already acted on by HCC to remove incorrect Flooding/ inundation hazards from the property after rigid onsite testing reports by WWL.

Furthermore [the removed by HCC] Flooding /inundation component is a primary component necessity for any alleged slope stability hazard validity.

Other agencies retractions and corrections and acceptance of errors in the portal generated information will have been gleamed into desktop reports and assessment and thus in the specific case of 23 Pomare ROAD we ask the hearing committee ,for the official removal of the alleged Slope Stability hazard designated for 23 Pomare Road Tirohanga Lower Hutt.

Whilst this has not been the most pleasant [last final] 2 years or so of my life and I am really perturbed about the hazard planning system we have in place none of my criticism opinions are levelled at anyone participating and/or committee members on a personal basis .

I thank committee members for your time and look forward to removal of the slope stability hazards designated for my subject property .

Submitter: John Wadham

Submitter No.: 122

Property: 23 Pomare Road, Tirohanga

For speaking Date:26/08/26.

{SEE photos below [3] proving primarily 23 Pomare Road has mainly flat land ,not steep slopes as the Slope stability hazards is meant to be for! }

[Speaking time 20 minutes]



