

UHCC PC42 - Mangaroa and Pinehaven Flood Extents

To: Hearing Commissioner

28th September 2017

From: Submitter #16 – Susan Pattinson

My submission today is not technical, it is mostly about context. I want the Commissioner to understand how decisions, actions, procedures and policies by Greater Wellington Regional Council (GWRC) and Upper Hutt City Council (UHCC) have manipulated the outcome, and judging by what many community members have experienced is indicating to a pre-determined outcome regarding the Pinehaven flood maps.

We have consistently asking for a truly independent investigation and audit into the flood maps. We would like that audit to include investigation into the Upper Hutt City Council and Greater Regional Wellington Council procedures, the consultant and experts that have been engaged by the Councils, and their relationships with the Councils, to determine whether or not they have acted impartiality.

These flood maps have significant safety implications for local residents and for our properties.

As residents, and as part of Save Our Hills, we were the ones who actually lobbied for the 2015 audit of the Pinehaven flood maps. We asked to be part of the selection of the auditor.

There's been a huge imbalance of power here. We wanted the selection of an auditor who would be neutral from ourselves and neutral from the Council. And we felt justified to be involved in that selection process as property owners and ratepayers.

We also asked for input into the Terms of Reference for the audit, which **we wanted to be about the impact of future development on the hills on flooding.** When we tried to raise this at the meeting that was convened for the purpose of discussing the Terms of Reference, **both Councils walked out of the whole room and refused to look at the information which we provided to explain our rationale for wanting this issue audited.**

I looked up what is meant by the word 'independent'; here are some dictionary meanings:

“free from outside control, not subject to another’s authority, free thinking, non-aligning, autonomous, self-standing, not depending on another for livelihood or substance, capable of thinking or acting for oneself, not influenced by others, impartial, unbiased, unprejudiced, neutral, disinterested, objective, open-minded, equitable, even-handed, fair, fair-minded, just, the opposite of being tied to or connected with someone, not connected with another or with each other, separate, unconnected, unrelated, unassociated, unattached, etc.

We wanted the Pinehaven flood maps audited by an independent expert/consultant who had not done work for Greater Wellington Regional Council or Upper Hutt City Council, including no previous or ongoing engagement or payment.

I request a matrix be drawn up of the consultants who have been engaged by and received payment from Upper Hutt City Council and Greater Wellington Regional Council, when they were engaged and on what projects. I strongly believe we need someone truly independent. Independent of us, independent of Greater Wellington Regional Council and Upper Hutt City Council, we need someone independent of all parties to investigate these flood maps.

There's so much at stake for the community's safety and wellbeing.

The other thing that we have asked for, and been denied (reflecting again an imbalance of power against ratepayers), is that there is a lot of technical information, and we understand that we have a right to receive and present information in a way that we can understand it. So we asked Council to provide the community with an independent expert or consultant to actually help us understand the technical aspects of these flood maps. That was denied. We've had to go and engage an expert ourselves. We still request this, an independent technical expert to assist the community with understanding the flood maps, someone who is not connected with either of the two Councils.

Upper Hutt City Council insisted we present our information on 27 Elmslie Road to the auditor or there would be no Audit. Our property, 27 Elmslie Road, features prominently in the 2015 Audit Report. We were not made aware that information about our property would be published in the audit report, nor did anyone ask for our permission to do so. **The Auditor has made public in the Audit Report information about our property that is incorrect.**

We haven't had access to ratepayers' money for the teams of lawyers and for technical experts like Upper Hutt City Council and Greater Wellington Regional Council have had. The community has had to do their own investigating, in their own time (often at times it doesn't suit, due to work commitments), and with their own money.

So once again, there is an **imbalance of power** here.

Some issues might sound petty, but when you put it all together (it's the context I am talking about) there's manipulation by Council and an imbalance of power working against residents and ratepayers.

This next issue isn't petty, to have **360 submissions on the flood maps disregarded and treated as one submission by Greater Wellington Regional Council.** These were actually individual submissions on a template.

The reason we used a template (and I was alerted to the fact that as residents we should be allowed to present information in a way that we can understand and that suits us as submitters) was that we were asked to create a template by local residents. They asked if we could prepare a template that they could sign. It came as a request from residents and was not engineered by us.

In summary, **we have had no public money to spend on experts for help, and everything we've asked for has been denied.** Public officials can use position, policies and power to get what they want, to manipulate things. That's why, again, we're asking for someone to audit the flood maps who is completely impartial and independent.

A submitter, Mely Brown, has said in her submission how **Council has been intimidating,** people have felt scared to speak.

We were threatened at one of Upper Hutt City Council's 'Focus Group' meetings by Council's CE, threatened by his comment to us after the meeting along the lines that we have upset the Director of Guildford Timber Company and he's going to get his big lawyers from Wellington onto us and sue us.

We've been **told by a Council planning staff member,** after one of our public meetings, that we're just like a pack of 2-year olds – **Council staff pretend they're listening** to us **but** they just switch off and **don't listen to us.** We've got witnesses who can confirm what was said.

There's also an **email, from a Council planning staff member** to Greater Wellington Regional Council flood department staff, that looks like it could be Upper Hutt City Council's CE **requesting that the two Council's corroborate against Pattinson's expert evidence** (of significantly less flooding on our property than Greater Wellington's flood maps show), so that Upper Hutt City Councillor's won't get worried about Pattinson's expert evidence.

We have seen numerous examples of what we call the **bamboozle method, by the Council issuing conflicting information.**

And, as we have heard today from other submitters, their experiences with Council include comments like: –

- *"the community is not listened to"*
- *"we're expected to shut up and go away"*
- *"the community don't know what they are talking about"*
- *"this is not genuine consultation"*

We have also heard from other community members that Council doesn't reply to their communications. To get information from Council takes numerous attempts. The time, and the emails backwards and forwards, is frustrating. You actually don't get answers, you have to wait, only to eventually find out that the information you asked for is denied.

One quite humorous example was when Council published the objections to the flood maps in one of their reports, it was summarised so small you could hardly even read it with a magnifying glass. These are the sort of things that we've had to put up with from Council.

We were also **told by Upper Hutt City Mayor and Councillors** regarding the 403 submissions on the Land Use Strategy opposing the proposed future development on the Guildford land: **"Well there's 38,000 people in Upper Hutt, and you've only got about 400 submissions, therefore they don't count because all the other people haven't submitted,** which means

they don't agree with you". I notice Council don't apply this rationale to their votes in local body elections where not everyone voted for this Mayor and these Councillors.

Commissioner, today you've heard how these maps have been pushed through by Greater Wellington regional Council, how all 11 submitters **at last year's GWRC Hearing** asked for a truly independent review. At this Hearing, **our flood expert Bob Hall was refused to be able to present his evidence** either via Skype (which we had the technology ourselves for and offered to bring), or by phone conferencing. We were advised that the meeting was "being recorded" which was misleading because it wasn't.

After that Greater Wellington Hearing last year, three of us spoke with a **Regional Councillor** and he indicated that he **agreed that it wasn't a fair Hearing**, that it was a pre-determined outcome. But Councillors won't stand in isolation, they tend to just pull rank together.

We've heard from the community comments like "I'd like to help but you're fighting the old boys network here."

There's been **no response from Councillors**. We've asked Councillors **to come and meet with us**. They've **all refused** – there's been a **wall of silence from Councillors**.

I know we're not talking here about the hills, but if you think about it, **there's a hell of a lot of money to be gained from developing the hills - for Council and their consultants - if that development goes ahead**. And we're **not convinced that there is impartiality** on the part of Council's flood experts regarding the development on the hills and the flood maps.

We **want a completely independent review, and an auditor that we collectively and jointly choose, that we come to an agreement on**. We don't want it to be people that have worked for or been involved with either of the Councils or Guildford.

We also **want financial assistance to get legal advice and technical advice**.

We **want to see a matrix of the maps, who produced them – who produced these latest flood maps that just came out this month? Who reviewed them? We'd like to see a matrix of whose been involved, and their relationship to the Councils**, because money and power speak.

We **want a truly independent review, and we want it to include reviewing the community's experience of how Upper Hutt City Council and Greater Wellington Regional Council have treated the community and pushed through a predetermined outcome to get these flood maps to where they are today**.

*Susan Pattinson
Pinehaven*