

## **Whangamata Ratepayers Stormwater Action Group (WRSAG)**

This report is to provide follow-up information to those who attended the 15 December 2024 Public Stormwater Meeting.

Date: 20 December 2024.

We thank the 58 people who attended. This was a good response as summer means plenty of distractions enjoying our paradise. WRA has circulated minutes of the meeting. This document is to respond in greater detail to the many questions raised in the meeting.

As always, we thank councillor Walker for representing council and tabling up to date figures from the Flood letter drop-in sessions.

### **Flood letter to be withdrawn and an apology issued.**

WRSAG spokesperson says this is a win for common sense. Our advice to everyone is take no further action. Do not debate the flood modelling further.

We will wait and see what the apology looks like before commenting.

This coming from councils spokesperson was welcome news to the 58 attendees

### **Council spokesperson said council was rewording the letter and expects to mail out a new one soon. WRSAG asks Councillors to take care before they do this.**

It is WRSAG position that before councillors vote to changes to any flood letter, they consider these key elements.

1. Issuing 5000 flood letters under a blanket decision is unlawful, an inflammatory act and disrespects all owners who have legally built on their land under an official building consent issued by TCDC.
2. It is irresponsible to believe all 5000 properties will flood to an extent all dwellings will be damaged, or occupants will be put in harm's way.
3. If it is true Government has ordered councils to issue flood letters, then all 26,000 properties in TCDC should have received similar letters. Whangamata is not the only place that floods. We have asked for this directive.
4. A blanket decision does not provide individual owners with clarity why they have a notice or how they are to proceed and develop their properties. This adds an unnecessary layer of red tape and costs considering council has already accepted the unreliability of the flood modelling. Council has already revoked 56 letters on request by lay owners.
5. Blanket decisions are an indiscriminative sledgehammer approach that will adversely affect property values that clearly will not flood.
6. Council will need to accept a reduction in rateable value and loss of rates.
7. Council has failed to take into consideration the unnecessary stress and well-being issues for lay owners receiving them.
8. Flood letters do not resolve the stormwater deficiencies the modelling has identified.
9. Councils failure to engage or consult in this matter adds distrust especially when the intent of the letters is to shield blame from councils failure to meet statutory requirements under its District Plan (floor levels to be 500mm above flood levels), Building Act and building code

(floor levels to be no less than 150mm above the crowns of roads) and Resource Management Act (no development to occur unless stormwater infrastructure is in place to manage flooding) by allowing floor levels to drop below flood levels to now suffer from unmanaged surface water. If council had met its obligations letters would not be required.

10. Council provided to HAL information that 71 properties do flood. These should already have flood letters and notations on property files so don't need another.
11. Council is aware from the Opus 2003 survey that 400 owners accepted their properties had occasional surface water ponding. Council added this notation on property files at the time so they don't need another.
12. Continuing on with the Blanket decision affects community trust in council now we hear council continued breaching its statutory duties regarding floor heights after warnings from at least a dozen previous consultants' reports, or take advice from the Auditor General, or comply with the MBIE technical review.
13. The Amendments to s44A to the Local Government Official Information and Meetings Act 1987 do not come into effect until an Order in Council or 1 July 2025 so until then have no effect.
14. Changing the typed wording within a letter does not make the flood modelling more accurate or reliable to comply with s44A of the Local Government Official Information and Meetings Act 1987 (LGOIMA). To do this the HAL report and AECOM peer review would need moderating and upgrading to remove the disclaimers they have included.
15. There are other ways council can provide the information council wants to make available that does not stigmatise all 5000 properties. By law this must come from a direction issued by Waikato Regional Council not our territorial council TCDC.

Detailed explanation:

**1. Blanket decision is unlawful:**

The new flood letter cannot be a general blanket decision. It must be specific to each property, have a sound basis for its issue and be of irrefutable fact. Blanket decisions are unlawful. MBIE has provided this warning to councils in the past.

**2. Council accepts the flood modelling is not accurate or reliable:**

The HAL report dated August 2023 clearly states the flood modelling (DEM) is neither accurate or reliable. It is a model.

For council to record this information onto property files for the intent the information is to appear under s44A LGOIMA within LIM requests means HAL must correct its report by using accurate modelling parameters, or data sets, or validation techniques, until HAL can remove this disclaimer.

The HAL report stated an earlier version of the HAL report was peer reviewed by AECOM in 2020. It is understood LGOIMA responses included many points that requires a 'reset' to the original HAL modelling. This becomes an 'adverse peer review'. It would be expected that once HAL has moderated its report to make the modelling accurate and reliable AECOM

would then be engaged to peer review the replacement report to satisfy it was now accurate and reliable and fit for purpose as warnings under s44A.

### 3. Stormwater Flooding comes under WRC as Natural Hazards:

TCDC is claiming stormwater flooding falls under Natural Hazards. If this is true, under RMA it is the Regional Council that must, if it considers reasonable, issue appropriate information to the Territorial Authority if it considers stormwater flood modelling is required by TCDC to be included in Natural Hazards warnings under s44A LGOIMA (and its amendment in July 2025)

Recent LGOIMA response from WRC was TCDC has not advised modelling has been completed or that they should review it.

Stormwater flooding, *Surface runoff* (also known as overland flow) is the unconfined flow of water over the ground surface, in contrast to channel runoff that ends up in rivers and the Ocean. The Whangamata stormwater system does not provide run-off to rivers and the Ocean. The road runoff floods nearby low-lying properties and fills depressions. Where these have buildings with low floor levels they become flooded. Runoff is not being managed.

Extract from amendment to s44A LGOIMA requires WRC to advise TCDC

#### **44C Regional council must provide territorial authority with natural hazard information**

- (1) A regional council must, as soon as is reasonably practicable in the circumstances, provide to a territorial authority within or partly within its region—
  - (a) information that identifies the following, to the extent that the information is known to the regional council:
    - (i) each natural hazard, and each impact of climate change that exacerbates natural hazards, that affects land in the territorial authority's district:
    - (ii) each potential natural hazard, and each potential impact of climate change that exacerbates natural hazards, to the extent that the regional council is satisfied that there is a reasonable possibility that the hazard or impact may affect land in the territorial authority's district (whether now or in the future):

### 4. Stormwater Flooding 'may' fall within s44A(3) LGOIMA

Council 'may' issue further information on property files if it considers the information to be reasonable. To do this would mean council will need all of the above issues resolved first.

S44A (3)

*In addition to the information provided for under subsection (2), a territorial authority may provide in the memorandum such other information concerning the land as the authority considers, at its discretion, to be relevant.*

Relevance must include only information that is accurate and reliable and reasonable within the likely intended use of the property. The current s44A does not provide council with a 'good faith' policy defence. It would be incumbent to only include indisputable fact. Council has reversed 56 flood letters already, withdrawn its flood letter and has not had HAL or AECOM upgrade their reports.

WRSAG cannot find any reference in the HAL report that they have prepared the report following the NIWA/MfE good practice guide for flood modelling.

The fact council chose not to engage with its elected stakeholders and on release it has been successfully challenged by lay owners places doubt on the validity of the flood modelling to be included under s44A (3) LGOIMA.

**5. Must relate to Development and use of Land (unless it could cause damage or life threatening issues).**

The damage is insurable which it currently is

Life threatening means deep water or rapidly flowing water. None of the maps show this.

Dangerous currents and depths are normally associated with rivers and overland flow paths Provisions for the Development of land is already included in the District Plan so nothing new is required.

Use of the land is unknown until an application is made so blanket decisions only effect is to cause uncertainty and add to costs of experts.

Property files already have up to 471 warnings in place.

**6. Council already has specific information relating to the use of land with existing buildings**

It is assumed, if council was complying with its statutory duties, all existing buildings would have floor levels 500mm clear of flood levels as required in the District Plan. None of these require flood letters.

TCDC has set floor level requirements at 500mm above any flood level. This is a higher level than required under the Building Code so provides additional protection especially where we rely on private soakage pits and many roadside soakage devices.

## **TCDC District Plan**

### **453 - Standards**

Floor levels of all houses and all habitable rooms shall meet the following standards:

In areas covered by flood management plans:

- (a) Primary overland flow areas: Not less than one metre above natural [ground level](#);
- (b) [Secondary overland flow](#) areas: Not less than 0.5 metres above natural [ground level](#);
- (c) [Ponding areas](#): Not less than 0.5m above the flood datum level stated on the planning map;
- (d) [Overland flow and ponding](#) areas: Not less than one metre above natural [ground level](#).

Floor levels of all houses and all habitable rooms for sites located in a [flood hazard area](#) shall meet the following standard;

Not less than 0.5 metres above predicted flood levels. **Predicted flood levels are determined by reference to flood modelling, flooding history, a derived flood event, and existing flood protection measures. In defended areas, floor levels must be 0.5 metres above the predicted flood level for a [1% flood](#) event.**

In defended areas, new houses must be set back a minimum of 20 metres from the base of any flood defence, unless an easement, or other legal instrument, for the purposes of access to and [maintenance](#) of the flood defence has been registered on the Computer Freehold Register or Certificate of [Title](#).

In medium flood hazard areas, replacement houses or additions to houses must be designed with foundations that are open and allow the free passage of floodwaters to pass beneath them to ensure habitable areas are not subject to inundation and floodwaters are not diverted or displaced onto surrounding properties.

What does this mean? Without council disclosing the Opus 2004 flood modelling completed with LiDAR to the 1%AEP (same description as the 2018 and 2023 LiDAR modelling to 1%AEP) who will know where the 'flood hazard areas' are located? Surely council had a duty to explain this to developers and owners so plans would be lodged with the appropriate floor levels, or at least council staff processing the PIM's and building consents would be required to refuse the applications on these grounds.

MBIE Natural Hazards Provisions 2023 states:

### WHAT DOES THE BUILDING CODE SAY?

Relevant performance requirements of Building Code Clause E1

E1.3.1 – Except as otherwise required under the Resource Management Act 1991 for the protection of other property, surface water, resulting from an event having a 10% probability of occurring annually and which is collected or concentrated by buildings or sitework, shall be disposed of in a way that avoids the likelihood of damage or nuisance to other property.

E1.3.2 – Surface water, resulting from an event having a 2% AEP shall not enter buildings.

The minimum floor levels that may be required to comply with the requirements the Building Code may not be the only floor level requirements. There are often floor level requirements in the district/ city plan, and these requirements can require a greater level of protection.

If council is suggesting blanket flood letters are required for another reason, like trying to get owners to correct existing buildings from flooding because council failed to require them to comply with the District Plan, the letter needs to state why this is the owner's problem.

Surely, these existing buildings would have complied to councils District Plan when consents were approved and CCC issued.

Table 3 of MBIE Natural Hazards Provisions explains councils consenting process.

# The process for considering the natural hazard provisions

The below flow chart table outlines the general process for considering the provisions.

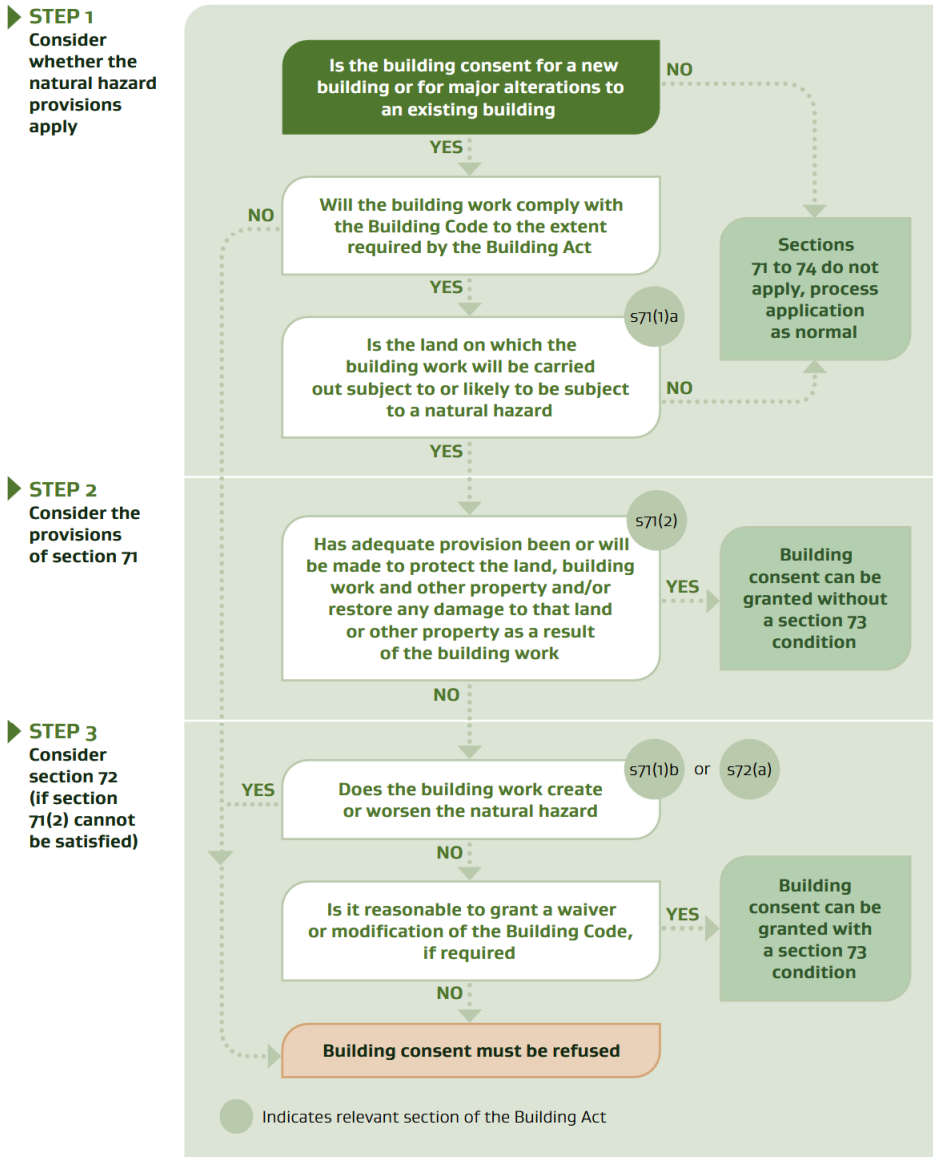


Figure 3

Because none of our houses are connected to the pipe network all surface water falling on each property (private and public) must be dealt with within that property. When the water table is elevated and above the soakage pit levels, infiltration rates are lost, and surface runoff is created. The building consent needed to take this into consideration otherwise neighbours will be falsely blaming them for water trespass.

Surface water can no longer find overland flow paths because successive councils have filled them with roads and allowed development blocking them.

Building work includes roading systems. To create a tar sealed road means council must demonstrate its stormwater infrastructure is capable of managing any runoff caused by the impervious surface. Because council blocked the overland flow paths the obvious solution is to replace them with our roads. Council must then provide suitable marshalling like swales and verges.

What the flood mapping shows is the roading network is what is flooding and causing flood water to trespass onto properties. This puts council on notice it must manage road water run-off better, to the extent water levels cannot exceed 500mm to flood floors. Council has failed to police this.

None of this is an excuse to issue flood letters as owners cannot solve the problems within their properties.

**7. The 1%AEP is not a requirement under the Building Act.**

The Building Act has a 10% and 2%AEP requirement – rain water shall not enter properties.

Our soakage devices, pipelines, curb and channels, overland flow paths etc must already comply with these requirements. That is councils' statutory duty. What is essential for the first stage in modelling outputs is to confirm or not that our stormwater system complies with the building code to the extent of a 2%AEP. Where the modelling shows stormwater deficiencies these must be corrected.

Council's duty is to find out why and advise owners why the 2%AEP failed and what council intends doing about it.

If council believes the 2%AEP is no longer a suitable yardstick for that property it must state, why. Council will need to release the modelling validations at least to the 2%AEP and 10%AEP design to justify this change.

It is conceded Government is requiring councils to model a 1%AEP for Natural Hazards. Material loss and claims is far more than is sustainable. Better protections against natural hazards are required especially when taking account of global temperature changes.

It is likely the 1998 Woodward Clyde report set the 500mm floor level benchmark for this purpose. Council cannot find this report.

**8. Advisable to include stormwater improvement plans reflected in the 1%AEP modelling**

It is unreasonable for owners who have built properties to councils' requirements to now have warnings on property files when the flooding originates from council-controlled surfaces like roads. Owners have no power to change this. Only council. Issuing such notices where owners have no power or control over to correct is a misdirection to where notices should be addressed.



That said the requirement for the 1%AEP modelling is for councils to put into the model future spatial plans where development is expected to take place and use the model to determine what stormwater improvements are required to meet this extra demand when the development takes place.

Using the 1%AEP as a blunt model for current environmental conditions is not the appropriate use.

## **9. Council has misused the flood modelling results**

The modelling is obviously flawed, or council is misusing the information because

- (a) Council has already conceded 56 properties wrongly had the flood letters issued by agreeing to remove them. This is acceptance that when lay owners lay challenge the model is accepted as flawed.
- (b) HAL did not state the purpose of the DEM flood modelling was to place warnings onto property files
- (c) Council has failed to validate any of the 5000 properties it issued notices to by not surveying at least a sampling number
- (d) Council already has 400 properties it knows has surface ponding from the Opus 2003 questionnaire. These 400 properties would be a useful sample to validate the flood modelling
- (e) The HAL report included 71 properties that did flood. These are recently flooded homes so would be more likely accurate to validate the flood model
- (f) Council stated it was following the Tauranga City Council TCC process in releasing the flood letters. TCC adopted a 'no secrets' policy but TCDC hasn't. The Opus 2004 flood maps, the 2018 HAL flood maps and reports, the master plans 2018 and 2020 are still withheld. TCC surveyed all properties to have 'bad news' letters before they were sent, TCDC hasn't. TCC scrubbed out all flooding less than 100mm presumably because floor levels are required by the building code to be above this. TCDC did not exclude this depth of flooding

## **10. Any flood warning is contentious so engage the Ombudsman before further letters.**

It is WRSAG contention council has misused s44A LGOIMA, the intention of flood modelling, failed to comply with legislation (Building Act and RMA) and failed to comply with its own District Plan.

This places jeopardy on the ability of council to remain independent and issue a non-contentious warning letter. Council is conflicted when it chose to issue 5000 letters under a blanket decision purporting to comply with yet to be enacted legislation (Amendment to s44A LGOIMA) knowing council has failed its statutory duties of care regarding floor heights.

These letters have affected almost all of the property owners in Whangamata. This is not a small matter relating to a dispute on one parcel of land. It is all our land.

It is our advice that to manage this conflict council seek the Ombudsman to review s44A, the amendment to s44A-D to be introduced in July 2025, the actions of council, undertake discussions with WRC and other regulatory parties, undertake engagement and consultation so council can be directed what the purpose and statutory requirements are to comply with s44A.

Council has provided 5 different reasons so far none of which in WRSAG opinion meet the statutory requirements of s44A LGOIMA.

LGOIMA is managed by the Ombudsman so this would be a good reference and provide guidance on the appropriate use of the flood modelling and need for warnings.

#### **11. Decision on future of properties that will flood**

This is perhaps the heart of the issue. It is likely a number of properties cannot be built on, or if they have existing buildings they should not have. It would be in the public interest especially to future owners and developers to have clear and fair warnings for these properties.

It is likely a number of properties will need extensive work so they can be built on. Councils role must be to acknowledge this by providing planners guidance to what is needed.

It is likely a number of properties are likely to have surface ponding but no damage. Council needs direction on how this should be communicated in s44A LGOIMA. This direction should include future stormwater infrastructure improvements that will mitigate flooding to which council commits to and how will council be accountable if it then fails to implement this directive.

#### **12. Trust in council must be restored so property owners can meaningfully engage**

Owners are too afraid to engage with council. This results in apathy and concealment. Neither are useful to begin the improvement program. Owners we speak to are worried council will use invitations to their properties as a platform to issue fines and orders not associated with stormwater.

#### **13. Staff do not comprehend the stormwater issues or solutions**

Staff sitting in on the drop-in sessions did not have the answers and could not provide direction for owners. If staff cannot be trained how will lay owners understand what is going on. This has been reported to WRSAG as staff do not possess common sense.

#### **14. Council immediately adopt TCC 'no secrets' policy**

Council claims it is following TCC process when they released flood letters to its ratepayers. We see something entirely different. When WRSAG was invited into the TCDC Stormwater Improvement Project we sought an induction pack comprising what council currently knows about stormwater.

All projects begin with research reviewing all existing reports, documents, owners inquiries, history of flooding, previous stormwater works completed and ongoing maintenance.

Council was not forthcoming. WRSAG has to date lodged 34 LGOIMA to extract information. An early council response to a LGOIMA included:

- a) I lodged a series of LGOIMA starting on 31 March 2023 relating to TCDC Comprehensive Stormwater Discharge Consent CSDC 105667 with WRC. It turns out the CSDC was lodged 'under urgency' in 2001 to avoid public consultation. This is an abuse of the term 'under urgency'. What WRC provided was a series of documents pertaining to unfulfilled requirements dated 2021 that even after 20 years 'under urgency' TCDC was yet to complete the CSDC to WRC satisfaction. One of the documents included failures of the stormwater system. It concerned me that this would logically be RFS or previous to these flood complaints. I then turned back to TCDC to obtain known or advised instances of flooding. TCDC responded levelling a charge of \$1311 for staff to undertake research to provide information about the RFS and flooding of properties. This information is really the backbone of why and where Whangamata requires flood mitigation works. The list of flooded properties would assist where planning should start. This information was finally released in November 2024 (20 months after my request) and was found to be pages within an existing expert report prepared as long ago as 2018 (referenced by the HAL 2023 report). There is no way council staff had to research anything except send me a copy of this report ratepayers had already paid for. I now understand that the 2018 report is still being withheld on the basis it is too contentious for the public to see. This means council has misled me saying a charge is required when it already existed but had senior staff require it embargoed. The Ombudsman has already determined TCDC was 'hampering the release of information' when council made unreasonable demands for payment on the Forrest and Bird Society over the mangroves debate. This is obviously a behavioural issue at council and an existing policy tactic.
- b) In the same LGOIMA response council claimed that the RFS and flooded properties information would not assist stormwater planning. This is an astounding statement showing either a complete lack of understanding how stormwater projects develop, or in this case a formal abuse of councils power to withhold, hamper, or control what information it chooses to release. Whilst I now accept this information was finally released in November 2024 over 20 months later the report was apparently mistakenly provided not to me but a member of the public asking a casual question – can I see what the modelling is about? No LGOIMA, no delay. Given within the time it took to photocopy it. This LGOIMA began on 31 March 2023 during which time council has 'controlled 6 workshops, 2 walkarounds and made numerous decisions'. This policy of hampering has wasted probably a thousand hours of stakeholders volunteer time and cost council 34 LGOIMA requests likely costing \$80,000 to complete. It also makes councils numerous decisions unsafe and likely to be recalled on the basis stakeholders were deprived of existing essential information to an extent they had little grounds to participate in meaningful decisions.
- c) Council claimed reports were too contentious so would not be provided is also a reflection of council trying to manage its conflict of interest that by not disclosing

the information council would be seen to have been negligent. This impacts directly on future decisions and councils credibility to make independent decisions in the interests of ratepayers and our community. This is council putting its defence mechanism in priority to sound decision making. Our community cannot rely on council making decisions that serve us and that our money is being wisely spent.

- d) Reports completed for council had been lost, or council no longer held copies of them. This is not how LGOIMA works. The writers of these reports have assigned rights to council for their use. If council can no longer find them this places doubt on whether staff can actually read them to become informed. In any respect council is required to request a copy of the misplaced or lost documents.
- e) Council has removed parts of reports that we now know are contentious. One is from the 2005 Opus report where a series of 1%AEP flood modelling maps using LiDAR have been removed. We suspect this was the confirmation of flood levels the Woodward Clyde report that became the District Plan s453 requiring floor levels to be 500mm above flood levels policy. Losing these is not possible. The admission began that council did not retain a copy of the Opus report. Even if that were true the flood modelling maps must have been used to create the District plan itself as it relates to a 1% flood model map. It may be that council has a poor record keeping system but these are reports ratepayers have paid for and determine our floor levels are clear of flooding.
- f) Council is claiming many reports are 'draft' so not complete so won't be discovered. The notion of 'draft' reports is that means projects are still being worked on. That means staff and resources have made progress. Withholding these means the cost to our rates is lost, wasteful, and means ideas and solutions already investigated that may have been useful are lost. It means new staff and stakeholders must start again and waste their time.
- g) The Ombudsman is very clear on discovery of information. Councils actions have denied the stakeholders (and community) information that is required so we can become informed to participate.
- h) It is more important now than ever that council complies with the TCDC Significance and Engagement Policy.
- i) We expect better of our council than to use its power and control over us in this way.

#### **15. Council has misled the stakeholders.**

Council set objectives for the TCDC Whangamata stormwater improvement project Workshops to produce a master plan. The benefit of a master plan is council can then approve it so staff can continue the improvements within an approved methodology without undue red tape going back and forth to council for every change or work scope. What we have now discovered is:

- a) Council had already paid HAL to complete 2 master plans. Council is still withholding these on the basis they are drafts. Councils' direction to the workshops should have been to complete and where required make corrections to complete the draft master plans. This may only have taken a few months. Now we have lost 20 months and still no master plan.

- b) Council had previously engaged KTB, before HAL, to produce a stormwater master plan. This was discovered under LGOIMA but held contentious things like council has an existing contract to clean all cesspits every May every year. This had not been done. Council will not provide answers whether ratepayers paid for services that were not performed, that the prolonged flooding could have been averted if council ensured the contractor had fulfilled his contractual duties and regularly cleaned them, and because they failed to clean them do we get a refund?.
- c) Council staff have made decisions unlawfully and issued media statements that we stakeholders had agreed with certain decisions. This is untrue. We understand staff told our councillors the same thing which impedes elected members relationships with the community.
- d) Council told media that the stakeholders were not professionals and must accept what the experts are saying. This is in relation to the 'wetlands' decision for Williamson Park. LGOIMA requests on WRC and TCDC discovered that there is no expert report for a wetland but one does exist for a Drybasin [Metis Drybasin Report Williamson Park](#). Council has been asked for just a single example of a successful man-made wetland in sand dunes within a beach like ours. There are none.
- e) Council has not retracted any of this behaviour. It is obvious council has no intention to openly engage or be transparent.
- f) Several times in workshops staff have explained to us if we don't agree with them no work will be done at all, and the budget money would be lost. This is duress. Staff do not have the authority to change the financial expenditure already approved in annual plans. Staff do not have the power to override councillors' decisions in council meetings.

I have started creating a list of [Council decisions](#) to examine how council proceeds with projects. Council has refused to provide me with simple things like what of the 30 odd recommendations in the Opus 2005 report have been completed. This is a simple tick or cross marking exercise. For the mitigation works completed we could see how that improved flood mitigation. More could be done if this type of work was successful. For the projects not undertaken these homes will continue flooding. Its that simple. I can see why council is reluctant to complete this disclosure. To move forward this is a critical input to the master plan.

## **16. Council wasting staff and stakeholder resources.**

In December 2023 WRSAG had become so frustrated we prepared a considerable complaint to the Ombudsman. Councillors pleaded us not to file it. They claimed it would take up valuable staff time and the master plan would be delayed. In return if we withheld the Ombudsman complaint, we were promised the master plan by the end of January 2024. We agreed not to file the Ombudsman's complaint because getting the master plan would serve our community better. Council has now stated no master plan would be prepared, only scopes of works would be. This is despite recent discovery that master plans already exist.

Whilst scopes of work are essential to make improvements it is dangerous for our community if we have no constructive master plan signed off by council that is set in place to avoid yearly lobbying for funding in annual plans for various scopes. Community requirements change over time and stormwater is one of the invisible essentials in infrastructure protections.

What this means is all staff time prior to 2023 is wasted when earlier master plans and flood modelling were undertaken and now deemed inaccessible.

It also means the flood letters were sent out to 5000 ratepayers without any form of integration into the master plan objectives. The flood letters are now recalled so all staff time is written off.

This has deliberately inflamed the current levels of distrust in council.

Staff withholding information has caused WRSAG to make 34 LGOIMA requests. These were mostly for existing reports that should have been provided in our induction packs. Requesting information under LGOIMA has likely cost council staff well over 1000 hours. This is a waste of \$80,000 or more, has stretched relationships within the workshops and made it dysfunctional.

Staff deliberately withhold information for 21 days even though the reports exist and could be released that same day. This adds cost and time and delays information build, and limits the ability of stakeholders to fairly participate. The outcome of this is staff then make decisions that become unsafe and need to be reversed. This delays the improvements and costs more staff time and continues the ongoing wasteful council spending.

In the case of the Williamson Park development well over \$1-2 Million has been wasted in the pipe duplication project, the Gross Pollutant Traps (WRC said won't work) and the numerous consultant costs. We are left with weeds growing and an unattractive mess. Staff are still trying to validate a wetland. Staff obviously have their own agenda which is not aligned to our communities needs or desires.

The net result for the stakeholders is we have had to exist on poor information obtained by 34 LGOIMA requests which leads to arguments and dissention. This ends up expanding into presentations to our councillors to waste their time, to the community board to waste their time and gross time wasting for our efforts. We are volunteers. This has culminated in a trial by media.

#### **17. WRSAG message to council.**

WRSAG has posted a number of recommendations on the WRA website [WRSAG recommendations](#). We expect council to consider these before flood letters or the stormwater project goes any further.

We understand worksopes are at tender stage or already been let. Council has refused to disclose how these projects got finalised. We do acknowledge that 5 of the 11 areas had 19 worksopes prepared and WRSAG did provide its view on what priorities and importance these had BUT this was before council had released where the flooded properties were.

We have not been provided with the results of how council determined the priorities or the overall master plan including worksopes for the remaining 6 areas or the priorities of these. Our rough guess is about \$40 Million is required. This means our elected members will be

begging at council meetings for another 30 years just to tidy up the current deficiencies in floor heights that should not have resulted if council had complied with its statutory duties.

What is important is that engagement has not been open or transparent.

**18. Next public meeting 19 January 2025 Whanga Club Lounge 1pm.**

At this meeting we expect we will know whether council is intending to engage openly, be transparent, has adopted the 'no secrets' policy and engaged the Ombudsman in respect to an independent interpretation of s44A LGOIMA.

If council proceeds to issue a replacement flood letter, we will know councils position is to continue making decisions without engagement from a position of conflicted interest.