

Conditions

Legal advice was taken on issues and concerns associated with house raising which were raised at the KFMC workshop. These concerns can be addressed through conditions attached to funding and would include:

- that funding applies to existing identified properties only, and would be by formal application;
- that funding for raising be a "one-off" payment - although the flooding risk may increase in the future there will be no commitment for funding of future works to those properties raised;
- that the individual property owner be responsible for undertaking the house raising but with a financial contribution from Council
- that any funding provided by Council be staged over a ten year period with individuals obliged to take up the funding within two years of an approved application;
- that specified standards be met in terms of the level of flood protection, building requirements etc. to be specified by the Council and KCDC, eg. that houses be raised to a specified level, that it is not subsequently lowered and that there be no habitable rooms below that level. A memorandum of encumbrance will be executed on the titles of those properties, giving details of the agreement;
- building consent issues, for example where the raised dwelling exceeds the building envelope, are to be resolved by the property owner
- that Council will not be liable for flood damages which might occur thereafter;
- any other contingent liabilities will be borne by the property owner.