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Committee Policy, Finance and Strategy  
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## **Flood Risk Management – Ministry for the Environment review and proposed National Policy Statement**

### **1. Purpose**

To inform the Committee of:

- The Flood Protection Department's perspective on the current national flood hazard review.
- The response to the Ministry for the Environment's (MfE) letter requesting comment on the proposed National Policy Statement on Flood Risk Management.

### **2. Significance of the decision**

The matters for decision in this report do not trigger the significance policy of the Council or otherwise trigger section 76(3)(b) of the Local Government Act 2002.

### **3. Background**

The Ministry for the Environment (MfE) is currently undertaking a 'Review of Flood Management' in New Zealand. The MfE work programme is now well underway and is due to be finalised in June 2007.

The 16 February 2007 'Councillors Bulletin' included an update report on the review and the 27 April 2007 'Councillors Bulletin' included a position statement from local government on a National Policy Statement on Flood and Stormwater risk management. Both papers were prepared by the LGNZ's Regional Affairs Committee Flood Management Sub-Committee, chaired by Cr Buchanan.

Flood Protection staff have also been involved in a number of forums as part of the review process.

#### **4. Flood Protection Department's perspective**

Flood management in New Zealand has revolved around structural protection works to protect people and property from the effects of flooding. A typical response to flood risk is to attempt to prevent flood events from causing damage through by example the building of stopbanks. While structural works have an immediate benefit, they only provide flood protection up to their design standard (e.g. 1 in 100 year flood event). This limit is often ignored or not understood by the community who want to continue to develop in areas 'protected' by structural works without due consideration for the residual risk (the resulting damage when the design standard of the stopbank (structural work) is exceeded).

Floodplain management planning requires a widespread appreciation of the full spectrum of flooding risks, community understanding of the available options and the costs of managing the flood risk. Our principal vehicle for delivering flood management is our floodplain management plans (FMPs) developed with local authorities and the community.

Since 1990 Flood Protection's approach to flood management has focused on floodplain management planning. This was an intentional change in philosophy from our historic river management approach which focused only on "structural solutions". We have prepared floodplain management plans for most of the major floodplains in the region.

In undertaking this work there are a number of issues that still affect the work Flood Protection does. The key ones are:

- Damage from flood events is increasing.
- Flood management has no central government direction.
- Flood management approaches are not consistent across New Zealand.
- National benefits of flood management ("public good") are not recognised or funded by central government.
- Predicting future events and their consequences is not supported by sufficient research.
- Private property rights are given preference over a precautionary approach to development in areas with a potential flood risk.
- There are decreasing numbers of people with expertise in flood management.

## **5. Issues needing to be addressed**

To achieve better flood risk management a number of actions are required at a national level, which then need to be reinforced and adopted by practitioners at the local level.

### **5.1 Consistent National Approach to Flood Management**

- Developing an overall direction and context for flood management and ensuring approaches to flood management are consistent across New Zealand. This could include flood risk being defined in Part 2: Purpose and Principles (in either Section 6 – Matters of National Importance or Section 7 – Other Matters) of the Resource Management Act 1991 (RMA)
- Developing a National Policy Statement on Flood Risk Management.
- Developing a New Zealand Standard<sup>1</sup> for Flood Risk Management.
- Clarifying the role of Iwi in the governance of rivers and streams.
- Central government funding in recognition of the national benefit of “good”<sup>2</sup> flood management planning.
- Crown agencies and infrastructure owners contributing to flood mitigation costs where they receive a benefit.

### **5.2 Capability and Expertise**

- Re-establishing ongoing capability and expertise in flood risk management in MfE to implement the outcomes of the review and help ensure a consistent approach to flood risk management is applied throughout New Zealand.
- Establishing a centre of excellence for the training of practitioners in flood management.

### **5.3 Flood Warning**

- Undertaking research to develop understanding of the weather patterns that cause significant flood events.
- Improving monitoring networks to enable better forecasting of the consequences of a particular weather pattern. In particular a more extensive weather radar network.
- Collecting (LIDAR) topographical information for all catchments in New Zealand in a nationally coordinated programme, within the next 5 years.

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<sup>1</sup> A NZ standard is presently being developed by Standards NZ based on the Flood Risk Protocol prepared for Regional Council CEs

<sup>2</sup> “Good” in this context means in accordance with any National Policy Statement /NZ Standard/ Flood Protocol or identified best practice.

- Commissioning research to increase understanding of natural geomorphological processes that occur in New Zealand Rivers.

#### **5.4 Delivering Flood Management**

- Assessing flood risk on all floodplains.
- New development avoiding areas that have been identified as having a flood risk.
- Requiring decision makers to take a precautionary approach to approving development in areas considered to have a flood risk.
- Where new development occurs in an area subject to a flood risk it should have a minimum floor level above the 100 year return period flood event. (Safe egress to flood free areas should be covered as well).
- Identifying and recording the risk of flooding to existing development either in a national register or on individual titles.
- Key community infrastructure such as hospitals, emergency management centres, power supplies, communications networks etc having a minimum 1 in 500 year return period level of protection.
- Requiring infrastructure assets to be upgraded by the asset owner/provider where the community has adopted an agreed design standard (e.g. 1 in 100 year or above).
- Ensuring climate change is allowed for in the determining of flood risk.
- Clearly identifying and advising the community about the consequences of overtopping or failure of flood defenses (residual risk).
- Developing community response plans (including for overtopping or failure of flood defenses).
- Relocating people and assets from high risk floodable areas is identified as a preferred flood risk reduction strategy and funding is made available to assist with its implementation.
- Ensuring physical works in rivers and streams are undertaken so that they enhance the existing ecological and social environment.
- Ensuring decisions about land uses in the upper catchments consider the consequences on flood risk down stream. (Integrated Catchment Management (ICM) approach).

## 6. National Policy Statement

One outcome of the MfE review process to date has been general acceptance of the development of a National Policy Statement (NPS) on managing flood risk under the Resource Management Act 1991. MfE is currently seeking GW views (see letter contained in **Attachment 1**) on the proposed NPS.

MfE's development of the NPS is still in its early stages and very little work has been done on what a NPS would contain. MfE has, however, identified strengthening policy frameworks so Councils can adopt and maintain policy approaches with more certainty as a key area where a NPS may be helpful.

A NPS is important in raising and maintaining the profile of flood risk management nationally. Flood Protection supports the proposed NPS as a first step in changing flood management practice in New Zealand through providing a common national direction for flood risk management practitioners. We also support the development of a National Standard on Flood Risk Management currently being developed.

While MfE has not done significant work on the NPS, Local Government New Zealand (LGNZ) has already developed a position statement and circulated this to Councils. Flood Protection has reviewed and made comments on the statement in conjunction with other river managers in NZ and these comments have been fed back to LGNZ. A copy of the statement with our comments added has been included as **Attachment 2**.

The key item to be included in the NPS, as detailed in the River Managers' work is:

### ***Policy Direction to include in NPS:***

Reducing flood risk is a matter of National Importance.

The role of the government in managing flood risk is to coordinate flood risk reduction strategies at a national level, and support the actions to manage and reduce flood risk at the regional and local levels.

Communities are supported to have existing and future flood and stormwater risks identified and appropriately managed, with all landowners, occupiers and utility providers meeting their fair share of the costs of the necessary management responses.

Investment by Government and LG is made to manage flood and stormwater risks and to reduce community exposure to those risks. Government investment may include providing assistance for catchment and river flood risk assessments.

Crown agencies and other national bodies will strive to reduce the impact of their activities on the flood risks in local catchments.

## 7. Challenges for GW

The Flood Protection Department continues to refine its floodplain management planning approach. We believe we are well placed to take on

board any changes the review or development of a National Policy Statement may signal. With any review process there will however, be challenges for both practitioners and councillors alike:

Challenges include:

- An enhanced policy role for central government.
- Maintaining political leadership and widespread community understanding and acceptance of the flood risk and the need for non-structural measures.
- The need to be able to better define the flood hazards in the Region.
- Understanding, accepting and planning for residual risk.
- Consistently applying floodplain management planning across the region.
- Retaining and increasing capability and staff resources.
- Strengthening policy direction to require new development to avoid flood risk areas.
- Encouraging a wide range of measures that reduce flood damages as well as the trauma and stress associated with a flood event.
- Acknowledging structural works can have significant environmental effects and should be considered as the least desirable option for flood control, except where there is an unacceptable risk to people and their property.

## **8. Summary Where to Next**

In this report we have outlined the broad range of issues that we consider need to be addressed as part of a national review. To date however we have had no indication of what the MfE review may contain other than the strong indication that the development of an NPS will form a significant part of it. If the MfE review goes no further than developing an NPS then there will be significant gaps in the development of additional tools to address flood risk and we will have to consider ways of addressing these gaps using our own resources.

Of particular importance to the management of the flood risk over the next few years will be the need to more accurately assess the flood risks on the regions flood plains and the requirement to up skill our own staff in the flood risk management area.

We will continue managing flood risk as it relates to floodplains through our floodplain management plan process. This includes collating our process into a stand-alone document. We believe our current approach is robust and consistent with the principles likely to be developed in a NPS and NZ Standard.

In terms of the review/NPS process:

- The development of a NPS - The Flood Protection Department is fully supportive of the development of a NPS.

- Liaison with central and local government – staff will continue to engage with all groups to promote “good” floodplain management practice as well as support for the National Policy Statement and New Zealand Standard for Flood Management. To this end, feedback on the proposed NPS will be provided to MfE by 15 June 2007.
- New Zealand Standards - we support the principles of the draft New Zealand Protocol for Managing Flood Risk, and see the development of a New Zealand Standard as a key factor in providing better social, economic, environmental and community outcomes.
- Recognising and reinforcing flood risk management principles through the review of the Regional Policy Statement (this work is currently ongoing).

## 9. Communication

Subject to the Committee’s decision, no additional action is required.

## 10. Recommendations

*That the Committee recommends that Council:*

1. **Receives** the report.
2. **Notes** the content of the report.
- 3 **Endorses** in principle Flood Protection’s support for a National Policy Statement on Flood Risk Management.

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Attachment 1: National Policy Statement on flood Risk Management – MfE letter

Attachment 2: River Managers Forum comments on LGNZ position statement on a NPS