

21 September 2006

- MEMORANDUM -

TO: All Mayors/Chairs
All Chief Executives

FROM: Susan Edwards, Manager, Environment and Regulation

SUBJECT: Flood Risk Management

Purpose

The purpose of this memorandum is to update all councils on the work being undertaken by the Regional Affairs Committee (RAC) and its Flood Management Sub-committee on flood risk management. Ian Buchanan, Chair of the Sub-committee, requested that this memorandum be sent out to all councils.

Introduction

In February this year a *Managing Flood Risk Draft New Zealand Protocol* was released for consultation. The protocol was the result of a collaborative effort between some local authorities (mainly regional councils), central government agencies, the Centre for Advanced Engineering at Canterbury University and IPENZ. The next step in the process is to decide whether the protocol should be given any formal status and, if so, what type of status.

Meanwhile, the Ministry for the Environment (MfE) has been undertaking a review of flood risk management. This includes the work they have recently completed on the 17 local authority case studies. There has been some common membership between the two working groups.

The RAC has formed the Flood Management Sub-committee to develop a local government position to input into the MfE review and to consider the next steps for the protocol.

A significant amount of work will be happening on flood risk management over the coming six months, which is likely to be relevant to your council. The Sub-committee will be making information available on the *Local Government New Zealand* website (www.lgnz.co.nz) and through updates when there are significant matters to report.

Decisions of RAC when establishing the Sub-committee

At the 18 August RAC meeting, the Committee:

1. **Agreed** to the formation of a Flood Management Sub-committee consisting of Ian Buchanan, Chair of Greater Wellington Regional Council, Stephen Cairns, Chair of Otago Regional Council and Meng Foon, Mayor of Gisborne District Council.
2. **Agreed** to the President of *Local Government New Zealand*, the Mayor of Manawatu District Council and the Mayor of Queenstown Lakes District Council being invited to participate in the Flood Management Sub-committee.
3. **Agreed** to the following chief executives being part of the Sub-committee: Graeme Martin from Otago Regional Council, Michael McCartney from Horizons Regional Council, Steve Ruru from Thames-Coromandel District Council, Andrew Caseley from Hawkes Bay Regional Council and Bill Bayfield from Environment Bay of Plenty.
4. **Asked** the Flood Management Sub-committee to prepare a Terms of Reference for its work for sign-off by the Regional Affairs Committee.
5. **Asked** the Flood Management Sub-committee to review the options for moving the protocol forward and to come back to the Regional Affairs Committee for a recommendation for the National Council on what the next steps with the protocol should be and how it could link in with the Government's flood management work.

First Flood Management Sub-Committee meeting

The first Flood Management Sub-committee meeting was held on 13 September. Papers on the agenda covered:

- The proposed Terms of Reference for the Sub-committee.
- Flood Management Sub-committee composition.
- Political environment and project timeline
- Roles and Principles for the future direction of flood management
- Options for the Flood Risk Management Draft Protocol.

A copy of the papers can be found on the *Local Government New Zealand* website (www.lgnz.co.nz) in the 'Current Projects' section.

Following the meeting, Sub-committee members met with the Ministers of Agriculture, Environment and Civil Defence and Emergency Management.

Meeting Outcomes

Good progress was made at the first Sub-committee meeting. Key outcomes from the meeting were as follows:

Terms of Reference

A draft Terms of Reference (ToR) was considered by the Sub-Committee and with some minor amendments it was agreed to refer the ToR to the RAC for sign-off. This will formally occur at the next RAC meeting on 27 October.

Flood Management Sub-committee composition

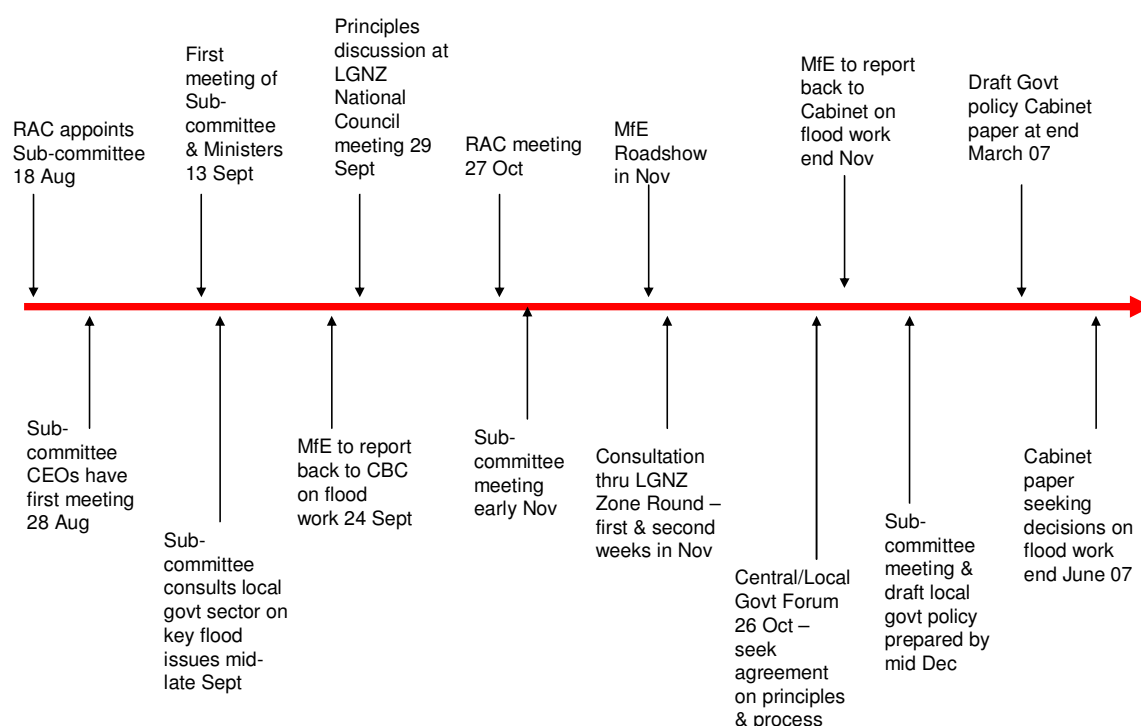
A paper was considered concerning the representativeness of the Sub-committee. It was agreed that it would be useful to increase the membership of territorial authority chief executives on the Sub-committee. The additional chief executives invited to join the Sub-

committee are Clive Manley, Far North District Council and Rod Titcombe, Manawatu District Council. Both are keen to be involved in the work.

The timeframe

The Government is very keen to see progress on managing flood risk. The diagram below illustrates the timeframe that the Sub-committee is working in order to have input into the MfE flood risk management review. It is evident from the timeline that the work needs to progress at a rapid pace.

Flood Management Timeline



Roles and Principles for the future direction of flood risk management

The Sub-Committee developed a set of principles to guide the flood risk management work and the relationship with central government during the MfE review process. These are outlined in Appendix 1.

The principles were provided to the Ministers at the meeting with them. They requested that Departmental officials work with the Sub-committee to agree a common set of principles that could be taken to the Central/Local Government Forum in November as a way to progress the review.

Options for the Flood Risk Management Draft Protocol

The Sub-committee considered a paper on the options for taking the Flood Risk Management Draft Protocol forward. The paper outlined three options: status quo of leaving the draft protocol as a guideline with no formal status, developing the draft protocol into a NZ Standard under the Standards Act, or the development of a National Policy Statement and/or National Environmental Standard on flood risk management. The paper contained a brief analysis of the pros and cons of the various options.

After consideration of the options the Sub-committee decided that the best option was to develop the draft protocol into a NZ Standard under the Standards Act, subject to it being prepared within a specific context. The Sub-committee considered that such a voluntary NZ Standard should allow flexibility for the needs, preference and circumstances of local communities to be taken into consideration and for wider public consultation to be undertaken to ensure that any NZ Standard developed takes into consideration the views of the wider local government sector and other stakeholders. The NZ Standard approach is likely to complement the outputs from the MfE review.

The NZ Standard would be similar to the NZ4360 standards already developed and would be more 'process' oriented, rather than being prescriptive. A NZ Standard could also help translate risk concepts to a wider audience, including councillors and senior management, so that robust flood risk management is better understood.

The recommendation of the Sub-committee to promote the development of the protocol into a NZ Standard will be considered by the National Council when it meets on 29 September. The National Council will be asked to endorse the NZ Standard approach.

Action

That this memorandum be circulated to relevant politicians and officers within your council.

Susan Edwards
Manager, Environment and Regulation
Local Government New Zealand

Appendix 1

Principles we want to promote that we believe closely align with central government:

Some under-pinning concepts might help guide development of future local and central government engagement in catchment and river management.

1. Sustainable catchment and river management:
 - A. is an individual, community and societal risk management problem
 - B. is at the intersection of dynamic social, economic, catchment and climate systems,
 - C. is not just a physical natural resource management,
 - D. is affected by, and affects, infrastructural and lifeline systems people depend on,
 - E. is one essential rational basis of planning, sustaining and protecting human use and habitation.

2. Looking to the future we must:
 - a. manage the consequences of past catchment and river management decisions,
 - b. dynamically manage for known and foreseeable community, catchment and river behaviour,
 - c. regularly review management stratagems for continued validity and sustainability,
 - d. recognise that some communities will not be able to adapt to within societally acceptable risks without external help to effect change,
 - e. recognise that however catchments and rivers are managed, communities will have to live with and be able to safely respond to residual risks.

3. For shaping a possible expanded Government role and involvement in the future, some principles of approach would be useful. These might include:
 - A. The Crown, as an affected property owner and occupier, will contribute on the same basis as all other affected property occupiers, to the costs of planning, implementing and maintaining catchment control and river control activities conducted by Local Government;
 - B. The Crown will set policy to actively encourage communities, via their Councils, to implement sustainable catchment and risk management that will reduce the recovery costs from weather events (Recovery costs include the array of social, economic, structural and catchment recovery activities)
 - C. The Crown will provide legislative processes and supporting policy to facilitate retreat from catchment, river circumstances that have incompatible land uses with unacceptable risk exposures.