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PROPOSED NATIONAL POLICY STATEMENT ON FLOOD RISK MANAGEMENT

SUBMISSION TO THE MINISTRY FOR THE ENVIRONMENT

3 October 2008

BACKGROUND TO IPENZ

The Institution of Professional Engineers New Zealand (IPENZ) is the lead national professional body representing the engineering profession in New Zealand. It has approximately 10,000 Members, including a cross-section from engineering students to practicing engineers to senior Members in positions of responsibility in business. IPENZ is non-aligned and seeks to contribute to the community in matters of national interest giving a learned view on important issues, independent of any commercial interest.

EXECUTIVE SUMMARY

IPENZ supports the development of a National Policy Statement (NPS) for flood risk management. In this submission, we provide suggestions of changes to be made to the Proposed NPS.

IPENZ believes it is important that the NPS reference and cite the New Zealand Standard entitled Managing Flood Risk – A Process Standard.

We urge that this policy statement be prepared as soon as possible to enable regional councils and territorial authorities to have clarity and certainty to then enable changes to regional and district plans. IPENZ is happy to provide support to the NPS process if required by the Ministry.

SUBMISSION

The following are our responses to the content of the draft proposed NPS.

General Comments

IPENZ supports the development of this NPS.

IPENZ believes the NPS should reference and cite the New Zealand Standard entitled Managing Flood Risk – A Process Standard, which is currently being developed. The NPS should also have the standard attached if possible.

IPENZ believes the language in the draft NPS is not definitive enough and would support the strengthening of the language to more explicitly state what is expected through the NPS.

IPENZ notes that there are limited references in the proposed NPS to the environment and natural processes. IPENZ believes that the NPS should give more weight to the environment and natural processes as these subjects are important in relation to flood risk management.

The comments below are presented in the order that the associated text appears in the document entitled “Proposed National Policy Statement on Flood Risk Management.”

Recommended Changes to the Proposed National Policy Statement

IPENZ recommends the following changes to the definitions in the proposed national policy statement:

Flood hazard - delete the definition of a flood hazard. We believe the definition of a hazard is adequate to define flood hazard in the context of this NPS on flood risk management.

Flood hazard area - reword the definition of flood hazard area to “Flood hazard area means any land area that is susceptible to a hazard as defined in this document”. This change is recommended as in some cases flooding can be beneficial.

Flood risks - reword the definition of flood risk as the current definition is incorrect. We consider a more correct definition to be “flood risk is the combination of the probability of a flood occurring multiplied by the consequence of the effects of that flood.”

Hazard - reword the definition of hazard to “Hazard means the actual or potential interaction between significant storm events and human activities causing damage, loss or disruption to property or people including consequential damage or loss from associated erosion and deposition of hazardous substances and other debris. IPENZ recommends this change as in engineering, extreme (i.e. once in a hundred years) refers to a rare event where as flood in this context needs to refer to more frequent events (say once in five years to once in ten years and extend to rarer events).”

Managed retreat - reword the definition of managed retreat to refer to flood hazard area rather than flood risk areas to maintain consistency in the document.

Policy 1

IPENZ considers that the roles and responsibilities associated with flood risk management are nationally approved roles and responsibilities. It is important that these roles and responsibilities do not vary across the country.

Policy 2

Regarding the time by which a regional or district plan must be changed or reviewed, IPENZ suggests that this should be completed **as soon as possible**. We are unsure how long a plan change takes but suggest that a period of two years may be appropriate. We urge this policy statement be prepared as soon as possible to enable regional councils and territorial authorities to have clarity and certainty to then enable plan changes.

Policy 3

IPENZ suggests that the term “local authorities” be amended to “regional councils and territorial authorities” to reflect the role of both these parts of local government.

We also suggest that the parties to be consulted be set more broadly to include landowners and other stakeholders.

Policy 4

We have no comment on this policy.

Policy 5

IPENZ acknowledges that this policy is focussed on sustainability. However, we suggest that this policy document could be strengthened to make the focus on sustainability more explicit.

Policy 6

IPENZ suggests that this policy be reworded to “Priority shall be given to avoiding any increases in flood risk from new or changing land use, subdivision or development.” We believe this reworded policy is clearer than the original version.

Policy 7

Clause (i) – reword the clause to “Identify in district plans up to date flood plains, flood hazard areas and areas subject to residual flood risk.”

Clause (ii) (c) – we are unclear as to the definition of resources in this context. Are the resources natural or man-made?

Above Clause (iii) – add a new clause that local authorities shall “identify changes in frequency and extent of flooding as a result of climate change effects over time.”

Below Clause (iii) – add a new clause that local authorities shall “identify issues surrounding new developments and re-development with a view to ensuring subsequent owners and occupiers are informed of the flood risk which will be of significance for their financiers and insurers.

Policy 8

IPENZ suggests removing “in flood hazard areas” from the text at the beginning of Policy 8. Following this amendment, the text would read “In formulating objectives, policies, rules and other methods to manage the effects of flooding local authorities shall take into account:”

IPENZ supports Clause (i), which we consider will lead to sustainability.

We are unclear what clause (ii) is referring to. The clause reads as follows: these objectives, policies, rules and other methods could include, but not be limited to: “discouraging or preventing the use of structural measures for flood defence in undeveloped areas where urban land uses are likely to be adversely affected by flooding.”

Below clause (iii) we suggest adding a new clause that these objectives, policies, rules and other methods could include, but not be limited to “use of innovative developments and methods to reduce the effects of flood risk to an acceptable level.” IPENZ considers that the methods such building or stilts or other technology may be acceptable.

Below Clause (iv) – add a new clause that in formulating objectives, policies, rules and other methods to manage the effects of flooding local authorities shall take into account “the effects of flood risk management measures, including cumulative effects and risk transfers”. We consider the inclusion of this clause to be essential. Clause (iii) mentions assessment but does not consider the actual activity of managing the flood risk.

Conclusion

IPENZ appreciates the opportunity to make this submission and is able to provide further clarification if required. IPENZ is happy to provide support to the NPS process if required by the Ministry.