

Planning provisions for debris flow risk management on the Awatarariki fanhead, Matatā

SUMMARY

*Proposed Plan Change 1
(Awatarariki Fanhead, Matatā) to the Whakatāne District Plan*

*Private Plan Change Request - Proposed Plan Change 17 (Natural Hazards) to
the Regional Natural Resources Plan*

Date: June 2018

*This document provides a summary of the proposed plan changes to
manage debris flow risk from the Awatarariki Stream at Matatā.
This document has been prepared for public notification purposes.*

Awatarariki Stream Debris Flow Risk Management: Proposed Plan Changes to Bay of Plenty Regional Natural Resources Plan and Whakatāne District Plan

SUMMARY

Background

In May 2005, extremely heavy rainfall in the steep catchments behind Matatā caused a number of debris flows which devastated much of the coastal township. A total of 27 homes were destroyed, 87 other properties were damaged, and major transport links were cut, resulting in an estimated \$20 million in damage. The most destructive debris flow was from the Awatarariki Stream, at the western end of Matatā, where an estimated 300,000 cubic metres of debris was deposited on the fanhead. While there were no deaths or injuries, the destructive force of this natural hazard was such that deaths could easily have occurred.

An investigation into the causes of the debris flows in 2005 by GNS Science confirmed they were a natural event triggered by exceptionally heavy rain.

Debris flow mitigation works to manage risk from future debris flows have been completed for all other catchments at Matatā (Awakaponga, Waitepuru, Ohinekoao and Waimea). Flood management works have been undertaken on the Awatarariki Stream, but engineering advice confirmed that debris flow mitigation works were not viable.

After the event, a range of options were identified for an appropriate way forward.

Initially, the Whakatāne District Council decided to establish an engineered Debris Flow Control System in the catchment to protect houses on the fanhead. However, this system proved not to be viable. The Council then investigated engineering solutions on the fanhead, but these also proved not to be viable. With no feasible engineering solution available to reduce the risk from future debris flows in the Awatarariki catchment, the Whakatāne District Council decided to pursue planning-based options.

Planning Options

The Resource Management Act 1991 specifies that management of significant risks from natural hazards is a matter of national importance and requires local authorities (and others) to recognise this when making decisions under the Act that relate to the use, development, and protection of natural and physical resources.

The Bay of Plenty Regional Council's Regional Policy Statement includes provisions that require risks from natural hazards to be identified and assessed and, where found to be high, reduced to medium and lower, if reasonably practicable.

The Bay of Plenty Regional Council is required to observe and the Whakatāne District Council is required to give effect to the Regional Policy Statement. The proposed plan changes to the Regional Natural Resources Plan and the Whakatāne District Plan give effect to the Regional Policy Statement for debris flow risk from the Awatarariki Stream.

Risk Assessment

In 2015, the Whakatāne District Council commissioned a hazard and risk assessment for debris flows on the Awatarariki fanhead. The assessment identified the risks to life and property on parts of the fanhead as being high. Risk is the combination of the likelihood of the event occurring and the consequence for life and property. The risk assessment was peer reviewed by independent debris flow experts from GHD, GNS Science, and the University of Canterbury. A further independent expert peer review of the risk was commissioned by the Ministry of Business, Innovation and Employment as part of a Building Act determination. The peer reviews support the risk assessment of high for a large part of the fanhead (refer Figure 1 attached).

The high risk area encompasses 45 properties, of which 34 are in private ownership. Of these, 16 have houses and the balance are vacant sections.

The assessed level of high risk is reinforced by the Ministry of Business, Innovation and Employment Building Act determination which concluded the Council should not issue any further building consents for new dwellings in the high risk area, due to the high life safety risk.

Risk Reduction

Under the Regional Policy Statement natural hazard policies, the Whakatāne District Council is required to take steps to reduce the high risk on the Awatarariki fanhead to a lower level (medium, or lower if practicable).

The Whakatāne District Council has developed the Awatarariki Debris Flow Risk Management Programme to manage risks from future debris flows. The Council investigated options to reduce life safety risk which could enable continued residential occupation of that area of the fanhead that had been assessed as having a high debris flow risk. Options included assessments of the viability of early warning systems and active catchment management practices. The assessments were independently peer reviewed by experts from Manaaki Whenua Landcare Research and the University of Canterbury. The authors of the original risk assessments and the peer reviewers all concluded that, for a range of reasons, neither early warning systems nor active catchment management practices were viable risk reduction options for this catchment.

In the absence of any other viable option, the most effective measure left to reduce risk is a managed retreat from the high risk area. The Whakatāne District Council's managed retreat programme includes a proposal to enable property owners to relocate away from the high risk area. The proposal is subject to funding support. A detailed business case to support funding of managed retreat has been prepared and forms the basis of ongoing discussions between the Whakatāne District Council, Bay of Plenty Regional Council and central Government.

Proposed Plan Changes

Despite the managed retreat proposal, the resource management approach for managing debris flow risks on the Awatarariki fanhead area needs to be changed to appropriately recognise and address the significant risk from debris flow hazards that has been identified.

Therefore, changes to the **Operative Whakatāne District Plan** are proposed, including:

- Identifying an Awatarariki Debris Flow Policy Area on the planning maps, including “high risk”, “medium risk”, and “low risk” areas;
- Rezoning the high risk area from “Residential” to “Coastal Protection Zone”;
- Prohibiting all activities in the high risk area, other than those that relate to transitory recreational use of open space;
- Making any new activities and intensification of existing activities in the medium risk area subject to a resource consent application, where natural hazard risk is assessed in deciding whether to grant or refuse resource consent, and the imposition of any necessary conditions.

Because of existing use rights, changes to the District Plan are only effective in managing new development or redevelopment. However, a regional rule is not excluded from applying to existing use rights and can be used to remove existing residential activities that are subject to high risk. Therefore, changes to the Operative Regional Natural Resources Plan are also proposed and include:

- Adding a new objective and new policies that set the intention to reduce the natural hazard risk on the Awatarariki fanhead from high risk to at least a medium risk level;
- A rule prohibiting residential activities on identified residential sites within the high risk area, with effect after a specified date (31 March 2021).

To initiate the Plan Change process to the regional plan, the Whakatāne District Council requested that Bay of Plenty Regional Council change the Regional Natural Resources Plan. The Regional Council has accepted the request and is administering the formal submission and hearing process for considering the proposed regional plan change.

Social Impacts of the Proposed Plan Changes

Property owners will be directly affected by the proposed plan changes.

The Ministry of Building, Innovation and Employment's Building Act determination effectively means that no new dwellings will be able to be constructed within the high risk area. Owners of vacant sections are therefore currently in a position of owning a residential property that cannot be developed for residential use under the Building Act. The proposed change to the Whakatāne District Plan affirms this constraint under the Resource Management Act framework.

For owners of properties with houses, the change sought to the Regional Natural Resources Plan will result in their having to abandon their homes. The social impact upon this group of property owners is significant. A Social Impact Review acknowledges the adverse effects of the proposed plan changes on affected property owners.

The review also recognises the potential adverse social effects that another debris flow will have on the fanhead community and concludes that the adverse social consequences of another event involving loss-of-life, significant property damage, and the consequential social costs of recovery, are greater than those effects caused by the proposed plan changes. In recognition of the social impacts upon property owners, the Whakatāne District Council's preferred outcome is through the route of managed retreat.

Further Information

Copies of the plan change documents, including supporting technical reports, are available and can be viewed during normal office hours at:

District Plan Change

- Customer Services desk, Whakatāne District Council, Commerce Street, Whakatāne;
- Matatā Community Resource Centre, 31 Wilson Street, Matatā;
- Te Kōputu a te whanga a Toi - Whakatāne Library and Exhibition Centre, 49 Kakahoroa Drive, Whakatāne;
- Edgecumbe Library, 38 College Road, Edgecumbe;
- Murupara Library and Service Centre, Civic Square, 48 Pine Drive, Murupara; or
- Ōhope Library, 4 Harbour Road, Ōhope.; and

Regional Plan Change

Bay of Plenty Regional Council's offices:

- 5 Quay Street, Whakatāne;
- 1125 Arawa Street, Rotorua;
- 6 Rata Street, Mt Maunganui;
- 87 First Avenue, Tauranga; and
- At any public library and the principal offices of district and city councils in the Bay of Plenty region.

The proposed Plan Changes are also available online at the councils' websites

www.whakatane.govt.nz/documents/council-plans/operative-district-plan-2017

www.boprc.govt.nz/fanhead

Figure 1 Awatarariki Fanhead Risk Map

