

Proposal

FOSAL Voluntary Buyout & Relocation Policy

1 Context and Situation

Land classed as Category 3 land under the Future of Severely Affected Locations (FOSAL) Programme, is land that was severely impacted by the North Island Weather Events (NIWE) of January and February 2023, and includes areas impacted by Cyclones Hale, Gabrielle, and the Auckland Anniversary Floods, where there is an ongoing intolerable risk to human life from future severe weather events that cannot be mitigated. The Far North District Council is coordinating a voluntary buyout and relocation programme for eligible landowners in Te Tai Tokerau, focusing on properties assessed as Category 3 as of February 13, 2023. The programme acknowledges the severe impact of these events and aims to reduce the risk of continued habitation on Category 3 land. This is a one-time policy to address the exceptional circumstances of the 2023 extreme weather events. Costs for voluntary buy outs and relocations will be shared equally between central government and Council. Demolition and removal costs are not included in the government funding arrangement and would become the responsibility of the Council.

On 6 June 2024, the governing body of the Council determined that funds would be allocated in the Long-Term Plan (LTP) to undertake an assessment of land in Te Tai Tokerau, to determine if there are residential properties that meet the FOSAL criteria. To progress the FOSAL Programme, a Policy is required that sets out how Council will undertake voluntary buyouts and relocations. This will provide clarity regarding the process involved and provide surety to Category 3 landowners by formalising the buyout and relocation eligibility criteria.

2 Proposal

The Council proposes to establish a new Voluntary Buy-Out and Relocation Policy for the FOSAL Programme. This Policy only applies to those properties that Council identifies and confirms as being Category 3, being land that was significantly affected by the NIWE, where future severe weather event risk cannot be sufficiently mitigated and there is an intolerable risk to human life.

3 Reasons for the proposal

The Policy is required to provide interested parties with a clear and consistent decision-making framework to address buyouts or relocation of any Category 3 properties that are identified by the FOSAL Programme. The Policy formalises the FOSAL buyout and relocations criteria and procedures to provide clarity and certainty for affected landowners.

4 Analysis of the reasonably practicable options

There are two options: 1) make a Policy 2) do not make a Policy. The advantages and disadvantages of these options are summarised in the following table.

Option	Advantages	Disadvantages
Make a Policy	<ul style="list-style-type: none"> • Clarity and consistency regarding the process • Having clear guidelines to reduce ambiguity. • Transparency of decisions. • Reduction in delays and confusion by improving operational efficiency. • Provides some legal protection in the event of disputes or legal challenge. • Equity – ensures that all people are treated fairly. 	<ul style="list-style-type: none"> • None identified.
Do not make a Policy	<ul style="list-style-type: none"> • More flexibility to tailor the approach to specific situations. • Ability to experiment with alternative solutions on a case-by-case basis. 	<ul style="list-style-type: none"> • Inconsistency in decision-making. • Potential for confusion and miscommunication among staff and the public. • Reduced transparency impacting reputation and trust in Council. • Increased risk of legal challenge. • Delays and inefficiencies. • Unclear expectations for impacted property owners. • Ad hoc decisions increase the risk of bias leading to unfair outcomes.

5 How to give your views on the proposal

The Council encourages any person or organisation affected by, or having an interest in, the FOSAL Voluntary Buyout and Relocation Policy to present their views on the proposal to the Council by making a submission. Note that submissions close on 10 October. This timeframe is to meet the government’s deadline for Council’s participation in the FOSAL Programme. Council will not ask for formal verbal submissions on the decision to make the Policy or not because of the tight government deadline.

You can make a submission by using any of the following methods:

- online at the Council’s website www.fndc.govt.nz/have-your-say
- email your submission to submissions@fndc.govt.nz
- drop-off your submission at any Council service centre or library, details of their locations and opening times are listed at www.fndc.govt.nz/contact or you can get that information by phoning the Council on 0800 920 029
- post your submission to: Climate Action and Resilience Department, Far North District Council, Private Bag 752, Kaikohe 0440

Please include your full name and email address or postal address in your submission if you want the Council to acknowledge receipt of your submission.

Any submissions that are out of scope, offensive, inappropriate, or late may not be accepted by the council. You will be notified if your decision is not accepted and, where appropriate, invited to resubmit.

Privacy statement – Please be aware, any submissions that are made on the new FOSAL Voluntary Buyout and Relocation Policy become part of the public consultation process. As such, all submissions, any summaries of submissions, and any documents provided with your submission, are copied and made available to the Council’s governing body as well as the public. Any personal information included with a submission such as your name is treated as part of the submission and will also be released publicly. Your submission and any personal information that you supply such as your name will not be treated as confidential unless you specifically request it in your submission.

5.1 Draft FOSAL Voluntary Buyout and Relocation Policy

The draft policy is available to view at www.#####.

A printed copy of the policy is available to be printed at any Council service centre or library