

Briefing Paper: FOSAL Update

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Ngā whāinga | Purpose

To provide an update on the Future of Severely Affected Locations (FOSAL) Programme.

Horopaki | Context

On 16 October 2024, council staff had identified that only one general title and no Whenua Māori required further investigation to determine if the property meet the FOSAL criteria and could be considered for a buyout or relocation offer. Consultants Tonkin Taylor undertook a site visit and detailed assessment of that property, and on 5 November Council received a flooded property risk assessment report. The report determines that the property had not been significantly affected by the 2023 North Island Weather Events (NIWE) including Cyclones' Hale and Gabrielle and the Auckland Anniversary Floods, so does not meet the criteria for eligibility into the FOSAL Programme.

Therefore, there are no properties in the Far North District that qualify for the FOSAL Programme.

While there haven't been any FOSAL properties identified, the one general title property that was assessed by Tonkin Taylor does face a significant degree of risk and there are several marae that while not eligible under the FOSAL criteria, are also exposed.

Council staff are working with the Cyclone Recovery Unit (CRU) and Northland Regional Council (NRC) to implement property level solutions to reduce the risk on these properties.

The FOSAL residential buy-out and relocation framework was created to protect lives by reducing risk to residents in high-risk areas that were significantly affected by the 2023 NIWE, and where there is an ongoing intolerable risk to human life from future events. In June 2024, the Far North District Council approved funding for investigations to identify properties that met the FOSAL criteria. Central Government funding of 50% was available through the FOSAL framework for buyout of general title properties and 100% funding for iwi and hapū through a separate Whenua Māori and Marae Pathway. Iwi and hapū could not access the Whenua Māori and Marae Pathway if the Council did not first undertake a FOSAL categorisation process.

A district-wide computer simulation and multi-criteria analysis were used to shortlist properties, identifying 31 general and 23 Whenua Māori titles for further review. With funding for buyouts ending in June 2025, council staff accelerated their efforts, developing methodology, consulting the public on a buyout and relocation policy, and engaging with the potentially affected landowners to determine eligibility. This process included collaboration with the CRU, NRC, and Te Kahu O Taonui Iwi Collective.

Ngā kōrerorero | Discussion

General Title Property

The property does not meet the FOSAL criteria in that it was not severely affected by NIWE, however, the property is at significant risk in a modelled 10% Annual Exceedance Probability (AEP) and 1% AEP event (1 in 10-year flood, 1 in 100-year flood). The property has a high danger rating and the risk to life is intolerable based on the Tonkin Taylor property level landslide and flood risk assessment methodology. Although the Far North was relatively unaffected by NIWE due to the cyclones' trajectories, a direct impact in the future could result in significant consequences.

High-level potential mitigation measures have been suggested by Tonkin Taylor to reduce risk to a tolerable level. Due to the complexities of the site (e.g., building location, topography, flooding of the road, cost), mitigation measures may not prove feasible. It is likely that some flood risk will always remain on the property. Options to reduce flood risk include:

- Raising the dwelling (recontouring of the landform or raising the foundations).
- Relocating the dwelling to a higher part of the property in combination with raising the dwelling.
- Developing a safe egress route.

Council staff and the CRU are investigating how the Crown can assist in providing a risk mitigation solution. This would likely be similar in nature to funding provided to other affected councils, as remediation of the property could have qualified for funding in previous Flood Resilience Fund rounds had an application been made at that time.

Tonkin Taylor is undertaking a geotechnical assessment with a building contractor today (Thursday 7 November) and will provide a feasibility and costing assessment to be received early next week. This assessment will inform Council and the CRUs next steps.

Whenua Māori

Northland Regional Council was awarded funding through the Flood Resilience Fund to address flooding risk to regional marae. Several marae have been identified in the Far North district that would benefit from property level interventions to reduce risk. Council staff facilitated bringing the NRC Flood Resilient Marae project and the FOSAL Programme together which has resulted in the CRU investigating how the crown can further assist in implementing property and community level interventions for iwi and hapū through the cyclone recovery kaupapa.

The Council received a grant from the Cyclone Recovery Capability Fund to engage a Kaupapa Māori Lead to accelerate the FOSAL Programme. With the endorsement of the Crown this position has been refocused to work with NRC on increasing flood resilience of marae, and directly with Far North iwi and hapū within the Councils Adaptation Programme.

E whai ake nei | Next Steps

Staff will continue to work with the CRU and provide elected members with an update on the outcome of the Tonkin Taylor feasibility study.

Ngā tāpiritanga | Attachments

Nil
