



West Coast Councils – NZTA Emergency Works Policies Review Submission

Our details

Name	Simon Pickford Paul Pretorius Scott Baxendale Darryl Lew
Email address	c/o: cbowie@rationale.co.nz
Submitting on behalf of	Westland District Council Grey District Council Buller District Council West Coast Regional Council

1. Buller, Grey, Westland District Councils and West Coast Regional Council (West Coast Councils) jointly provide the following feedback to the NZTA Emergency Works Policies – review and consultation.

Summary Comments:

2. The Councils acknowledge the shared challenge that both NZTA and local Road Controlling Authorities (RCA) are experiencing to sustainably fund our response to the increasing scale and intensity of weather-related events.
3. While helping NZTA to address NLTF funding pressure, the proposed changes to the eligibility criteria and funding assistance rates will transfer considerable costs and risk to (local) Road Controlling Authorities (RCA) who are themselves under extreme pressure on their local share to fund core maintenance, operation, and renewal activities.
4. More frequent and intense storm events resulting in flooding of roads and instability of adjoining land have highlighted the vulnerabilities of the West Coast network, and how this creates disruptions and at times, displacement for our communities. Examples of the impact of such network disruptions include stranded tourists, no ability to move fast moving consumer goods and freight, impact on primary industries such as extraction industry, mining and farming, impact on Westland Milk Products and milk tankers, loss of access to Department of Conservation activities, pest control, estate management and the various Great Walks.
5. The likely consequence of the proposed Policy changes, in conjunction with forecast intensity and frequency of future weather events, is a reduction in level of service to our communities and businesses, potential for longer term or permanent road closures, loss of access, and unintended negative social and economic consequences.

Feedback on Proposed Changes:

6. **Note with concern** the change in qualifying return period for an emergency event to a minimum frequency 1-in-20-year event. This is a significant event size increase, and as event return periods are changed as climate models are updated it is likely that a qualifying 1-in-20-year event today could soon be a non-qualifying 1-in-15-year event. Further, NIWA forecasts for weather-related events through to 2040, under the RCP 4.5 projection, predict increased intensity of (ex)tropical cyclones, short duration (1 hour) extreme rainfalls +13.6% per 1°C increase, and long duration (1-in-2-year, 120-hour duration) rainfall events +4.8% for every 1°C increase. A further note is that some routes can be impacted and closed by any event with any return period and a more robust trigger on road reinstatement support from Central Government may in fact be based on the road's importance level in the ONF.
7. **Note with concern** the change in enhanced FAR from +20% to +10% for events exceeding 10% of annual maintenance spend. This change is compounded by the significant increases in maintenance costs the RCAs are experiencing so the dollar trigger is much higher than it is for the 2021-24 approved NLTP programme. The impact of this is the % increase in cost to RCAs increases at a higher rate than the % savings to the NLTF.
8. **Note with concern** the change to bespoke FAR provisions proposing removal of NZTA's role as funder of local share when an Approved Organisation (AO) cannot afford its local share, and that this would only apply if matched by Crown top-up to NLTF. This is a significant change to the status quo and removes NZTA Board's ability to consider the impact of extreme events on local communities' ability to recover and restore appropriate levels of service. Buller District Council is now completing emergency works from devastating 2021 and 2022 storm events with capital works in the order of \$16.5m. This was delivered with a 95% bespoke FAR, for which Council is very grateful to NZTA, and without this support the community of Buller (low density population and high deprivation) would not have been able to deliver this return to service for our communities. Without such funding, it is likely Council would have had to reallocate expenditure from its core maintenance and renewals programme resulting in poor road maintenance outcomes.
9. **Recommend** NZTA consider cumulative non-qualifying event impacts and how these are funded in the Emergency Works Policy Review. The West Coast regularly experiences highly localised and relatively short duration rainfall events which fall below the current 1-in-10-year and 10% annual maintenance spend triggers per event. However, given the regular frequency of these which have a 1-in-2-year return period the cumulative effect of these events and annual cost to respond is significant. It is a bit like the straw that breaks the camel's back, lots of small events can lead to a significant failure and low of service.
10. **Recommend** NZTA collaborate with RCAs in the Network Outcome Contract regions to take a cohesive approach to planning and investment that will mitigate / minimise the impact of future events, and to engage with local communities, iwi, businesses, and other stakeholders that consider which parts of the network are prioritised to restore levels of service, and to consider which parts may require consideration of a different level of service / alternative to recovery. Given the inter-dependency between local roads and the state highway network, particularly on the West Coast, we believe a multi-agency approach is vital.
11. **Recommend** our Civil Defence / Emergency Management colleagues to be included in discussions about appropriate response to emergency events, including engagement with the community on reduced levels of service or alternate approached to recovery as proposed.
12. **Note with concern** the potential to deal with multiple Crown agencies where a bespoke FAR is agreed. Our experience with this process is that it often requires government Ministers sign-offs, it is particularly inflexible, inefficient, and does not always lead to the best outcomes from a recovery or asset management perspective, including inability to make change as recovery unfolds.

13. **Request** use of NZTA's well established systems and processes, and experienced Investment Advisors to work with RCAs on the response to major events as the primary point of collaboration between RCAs and external Crown agencies and Minister's offices.
14. **Note with concern** the timeline for implementation which may require increased funding during the upcoming NLTP period. The Council's are well progressed in their Enhanced Annual Plan process and the West Coast Regional Land Transport Plan has already been consulted on. Development of these documents has required substantial prioritisation of budgets within a constrained funding envelope, the potential for increased local share for emergency works will likely be at the expense of our maintenance, operation, and renewal programmes.
15. **Recommend** funding for WC140: Minor Events is increased to accommodate the increased demand for funding likely to result from more events qualifying under this funding category due to the proposed 1-in-20-year event change.
16. **Recommend** increased funding for WC357: Resilience Improvements to build resilience in advance of an event and reduce the need for emergency works.
17. **Support** the updated definitions of like for like to ensure it is modern enough to officially include some level of resilience improvement.
18. **Recommend** the updated definition of 'current design standards' provide clarity on what 'improvements of a minor nature to restore level of service' and 'meeting engineering requirements to manage the risk and consequence of hazards' means in practice given that 'improvement in resilience' is excluded. What is the threshold where meeting engineering requirements becomes an improvement?

As an example, if a drainage facility or retaining wall is currently not sufficient to manage the risk and consequence of hazards and subsequently fails, presumably an improvement in resilience is needed to restore levels of service and manage this known risk. Does this meet the definition of current design standards or is this considered a resilience improvement and does not qualify under WC140 or WC141. There would need to be clear direction and clarity on such matters.
19. **Support** the proposal to make it easier to apply for resilience improvements after an event.
20. **Recommend** NZTA prioritise funding for improvement works to be carried out at the same time as emergency works, this may be in the form of an unallocated fund for resilience improvements to be approved after an event.
21. **Recommend** NZTA provide support via WC003: Investment Management for the AMP improvements needed to identify potentially uneconomic roads and to carry out the proposed condition of an enhanced FAR where the "AMP has considered, in advance, which parts of the network are prioritised to restore LOS, and which parts may require consideration of a different LOS / alternative to recovery".

Undersigned:

Simon Pickford
CEO, Buller District Council



Paul Pretorius
CEO (acting), Grey District Council



Scott Baxendale
CEO (acting), Westland District Council

Darryl Lew
CEO, West Coast Regional Council

