

Flood & Erosion Damage Repair

WHAT WORK CAN I DO WHEN AN EVENT HAS IMPACTED MY LAND?

Because we live in a high rainfall area, the West Coast Regional Council has a range of permitted activities in the Regional Land and Water Plan that allows for recent flood damage to be repaired without a resource consent if the conditions in the rules are complied with.

We know that this can be a stressful time for landowners who have sustained damage to their flood protection infrastructure and lost land to erosion which is why we have produced this Information Sheet and accompanying Practice Note for guidance.



Flooding events can have a significant impact on properties particularly farm properties across the region. The Council often receives enquiries from property owners regarding what works can be undertaken to repair flood damage to their land without a resource consent.

What permitted activity rules are there?

There are permitted activity rules for:

- The repair of structures such as flood protection walls and groynes. One of the key conditions is that the structure is repaired to the same orientation as before the flood and is not increased in size by more than 10 percent.
- The removal of gravel or debris from around structures, and the removal of logs and trees from waterbodies, that have been deposited by the flood event
- Bank reinstatement where the riverbank has been eroded by flood water. The main condition is that the bank is reinstated to the same dimension as what existed prior to the flood event. Works can only be undertaken on privately owned banks. Where the bank is a Council asset, permission needs to be sought.
- The clearance of drains which may have become blocked from debris or sediment.



River diversions

It should be noted that work undertaken to divert a river requires resource consent unless that diversion is authorised by permitted activity rules. Some diversions of a temporary nature can be undertaken under Rule 47 to allow the repair and maintenance, or removal of any structure.

Permanent diversion of water from existing lawful structures is also permitted under Rule 48 of the Regional Land and Water Plan.

Why do other diversions of the river channel or wet bed require a resource consent?

Diversions of the wet bed channel can sometimes have adverse effects on adjoining or downstream properties. The consent process provides opportunity for an engineering plan of the proposed diversion to be reviewed and provide other parties who may be affected by the diversion to be informed and express any concerns.



Working within the wet bed to undertake flood repair work

Environmentally it is encouraged to limit the work undertaken in the flowing wet bed of the river to reduce the discharges of sediment and impact on the environment.

However, it is understood that under certain circumstances this will not be able to be avoided. An example is a riverbank eroded

during a flood event and the wet bed is flowing against the bank that is to be reinstated.

Where can I find more information?

Practice Note

A Practice Note has been developed to assist landowners with interpreting the Rules 20 and 28 of the Regional Land and Water Plan to undertake work to repair damage incurred by an event. The Practice Note is available from the following link:

<https://www.wcrc.govt.nz/environment/land/flood-damage-rules>

The focus of the guidance is on condition (b) of Rule 20 and condition (a) of Rule 28.

Permitted activity rules

The following permitted activity rules are available to assist with the repairing flood or erosion affected land:

- Rule 20. Use, extension, alteration, maintenance, repair, reconstruction, removal or demolition of structures
- Rule 26. Alteration of the bed associated with structures, or the clearance of debris or gravel
- Rule 27. Debris clearance excluding gravel
- Rule 28. Flood protection works
- Rule 47. Temporary diversion of water
- Rule 48. Permanent diversion of water

These rules can be found in the Regional Land and Water Plan, or are available from the following link:

<https://www.wcrc.govt.nz/environment/land/flood-damage-rules>

Contact us

If you have any questions or concerns, please email wrcrccompliance@wrcrc.govt.nz or call our Consents and Compliance team on 0508 800 118. We are here to help.

