



Wairoa flood protection works

Proposal to amend the Severe Weather Emergency Recovery (Hawke's Bay Flood Protection Works) Order 2024

Engagement document

May 2025

This proposal is to amend the Severe Weather Emergency Recovery (Hawke's Bay Flood Protection Works) Order 2024. This amendment was requested by the Hawke's Bay Regional Council and only applies to the location where flood mitigation works could be proposed in Wairoa.

Orders in Council

Since the severe weather events of early 2023, the Government has temporarily changed laws for a range of issues to help communities recover and respond faster to issues arising from those events. The Government has made these temporary changes through secondary legislation called an Order in Council.

Orders in Council are made under the Severe Weather Emergency Recovery Legislation Act 2023 (SWERLA). They add flexibility to the Government's response to the severe weather events, allowing quick regulatory changes to respond to issues arising from those events.

Why is this amendment needed?

The Severe Weather Emergency Recovery (Hawke's Bay Flood Protection Works) Order 2024

Cyclone Gabrielle caused significant losses and damage to the Hawke's Bay region in February 2023. Flooding highlighted the need for new stop banks and other works to protect homes and communities from future floods.

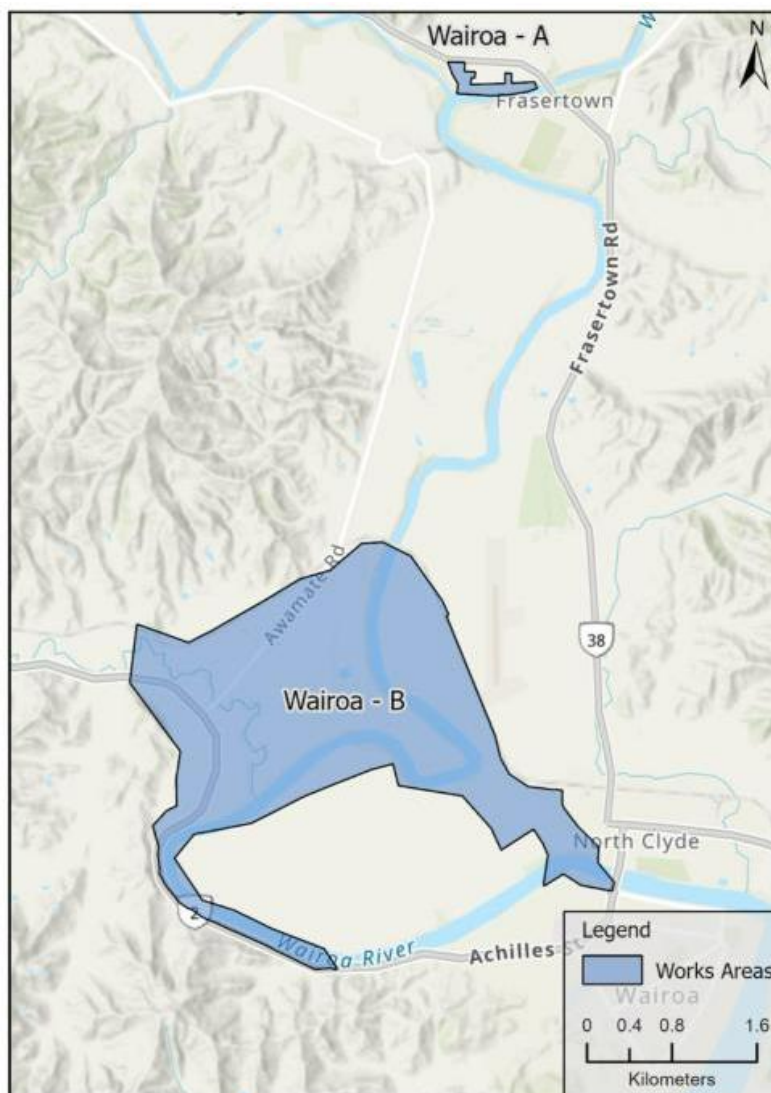
The Severe Weather Emergency Recovery (Hawke's Bay Flood Protection Works) Order 2024 (the 2024 Order) was enacted in June 2024. It provides a streamlined consenting process to speed up the delivery of flood mitigation works that would reduce the flood risk to about 975 properties in Hawke's Bay. These properties were categorised as Category 2A or 2C under the Future of Severely Affected Land Categorisation Framework. For these properties, this means the risk of future flooding is unacceptable without flood mitigation.

The 2024 Order was enacted when Hawke's Bay Regional Council was at the stage of evaluating design options for the flood mitigation solution at Wairoa. The 2024 Order currently identifies the possible locations for the works in Wairoa through the map below (which includes two areas, Wairoa – A and Wairoa – B), as well as a description (which includes coordinates).

Land classification system

Under the Future of Severely Affected Land Categorisation Framework:

- Category 1 means that repairing the property to its previous state is all that is required to manage future severe weather risks.
- Category 2A means that significant further assessment, as well as engagement with the owner, is needed to assess a property.
- Category 2C means that community level interventions are needed to manage future severe weather risk events.



Flood mitigation works in Wairoa

Flood mitigation works proposed by the Regional Council will allow 380 homes in Wairoa to be recategorised as Category 1 after works are completed and the flood risk has been reduced.

Since the 2024 Order was enacted, the Regional Council has engaged on flood mitigation options with mana whenua, marae representatives, affected whānau, property owners and people whose homes and properties were impacted by Cyclone Gabrielle.

In February 2025, the Regional Council confirmed the potential suitability of an additional flood mitigation option for the North Clyde area of Wairoa. The option known as 1C+ proposed the construction of a spillway and stop banks that would be partly outside the area specified in the 2024 Order.

Because this alternate solution for Wairoa falls partially outside the area defined in the 2024 Order, an amendment to the Order has been requested to enable full consideration of this option.

Provided resource consents and land access can be secured, the Regional Council plans to start works in the 2025/26 summer construction season. It aims to complete these works by the end of the 2026/27 summer construction season, so that flood mitigation is in place before winter 2027.

What would the proposed amendment to the 2024 Order do?

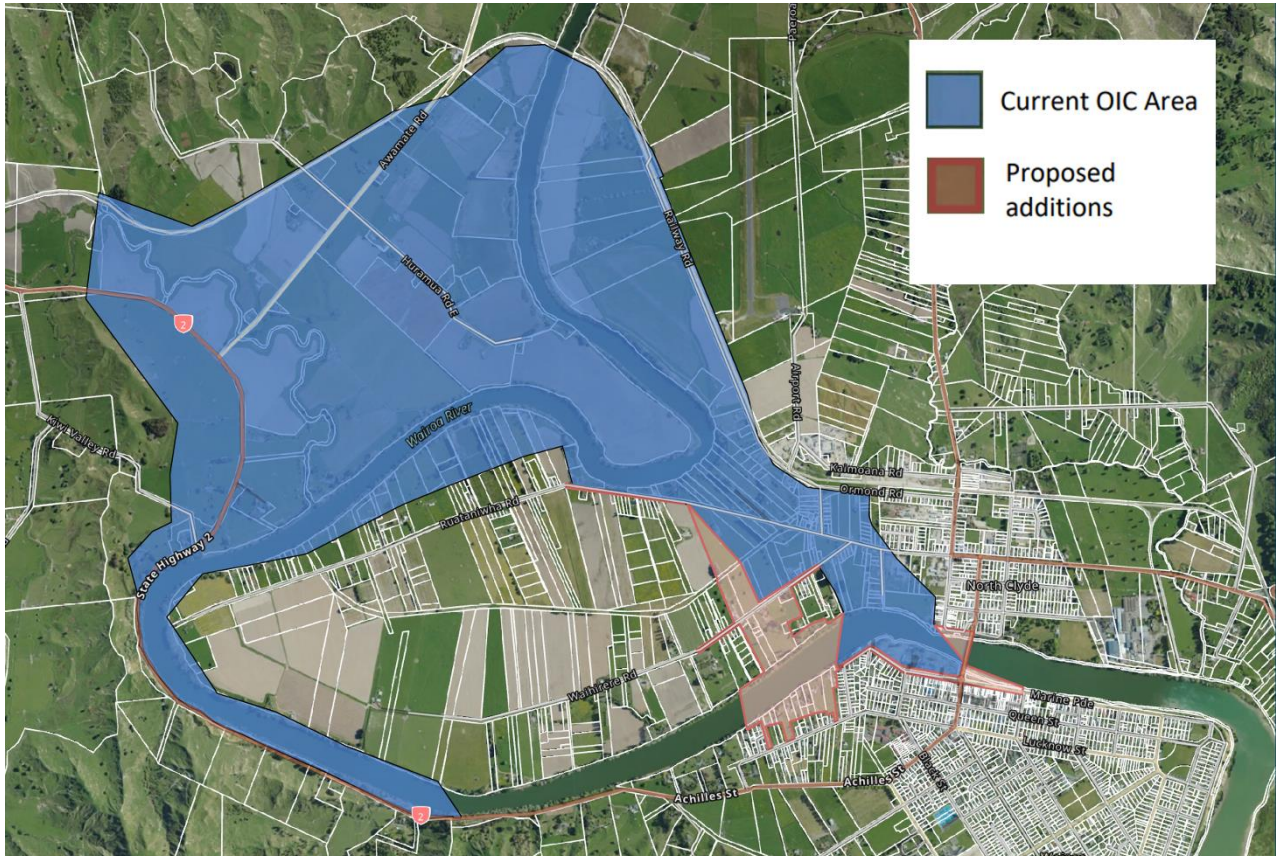
The Regional Council is seeking an amendment to the map and descriptions (which include coordinates) for the location of the Wairoa flood mitigation works in Schedule 1 of the 2024 Order. The Council is not seeking any other changes to the 2024 Order.

This would enable the option known as 1C+ to be considered through the consenting pathway offered by the 2024 Order. It is important to note that the proposed amendment would not commit Wairoa to a particular solution.

The amendment would take effect from the day after enactment and expire when the 2024 Order expires on 31 March 2028.

Where is the new area we are proposing to include in the 2024 Order?

The map below sets out the area already covered by the 2024 Order for Wairoa – Area B (in blue), as well as the additional area to be included (in red). The appendix (see separate document) and maps of the proposed additional area (see separate document) set out the proposed description for Wairoa – Area B location. Please note, the maps are indicative only. If there is any inconsistency between the maps and the descriptions in the appendix, the descriptions should be followed.



As engagement is ongoing and further changes could potentially be required to the solution during the consenting process, the amendment adds an additional area of land to the 2024 Order but does not remove any of the land currently covered. This will ensure that the 2024 Order provides the community with the flexibility needed to continue working through the preferred flood mitigation proposal.

Why can't we just use the 2024 Order?

The 2024 Order cannot be used to progress this solution without this amendment. While alternative consenting processes exist, they are unlikely to deliver this project in a timely manner and are likely to increase costs. The main consequence of delay arising from consenting processes will be that the Wairoa community remains at significant risk from flooding events for a longer period of time.

The proposed amendment is necessary to achieve the purpose of the SWERLA, because it will enable communities and councils to focus on planning, rebuilding, and recovery, including:

- the rebuilding of land, infrastructure, and other property of affected communities or of any affected persons

- safety enhancements to, and improvements to the resilience of, that land and infrastructure
- facilitating co-ordinated efforts and processes for short-term, medium-term, and long-term recovery
- facilitating the restoration and improvement of the economic, social, and cultural well-being, and enhancing the resilience, of affected communities or of any affected persons
- facilitating the restoration and resilience of the environment
- providing for economic recovery of the affected districts and regions.

Find out more

Read the [appendix to this engagement document](#) and view the [maps of the proposed additional area](#) on the Ministry for the Environment's website.

Read about the 2024 Order and other Orders in Council the Government has approved to help communities to recover from, and protect against, future severe weather: [Hawke's Bay flood protection works](#) (Ministry for the Environment website).

Read the [Severe Weather Emergency Recovery Legislation Act 2023](#) (New Zealand Legislation website)

Read the 2024 Order: [Severe Weather Emergency Recovery \(Hawke's Bay Flood Protection Works\) Order 2024](#) (New Zealand Legislation website).

Read about Option 1C+: [Wairoa Flood Mitigation Project fact sheet](#) (Wairoa Flood Mitigation Project website).

Read about the proposed amendment on the Ministry for the Environment's [website](#).

You can also contact us at severeweather@mfe.govt.nz if you have questions about the proposal to amend the 2024 Order.

This document satisfies the requirements in Section 9 of the SWERLA.

Whakahoki kōrero - How to provide feedback

We welcome your feedback on this proposal.

We will provide a summary of feedback to the Minister for the Environment, the Regulations Review Committee and the review panel considering this Order in Council amendment under the SWERLA.

Please email your feedback to severeweather@mfe.govt.nz before 5pm, Friday 30 May 2025.