

# Whangarei District Council Meeting

## Supplementary Agenda

**Date:** Thursday, 27 June, 2019

**Time:** 10:30 am

**Location:** Council Chamber  
Forum North, Rust Avenue  
Whangarei

**Elected Members:** Her Worship the Mayor Sheryl Mai  
(Chairperson)  
Cr Gavin Benney  
Cr Crichton Christie  
Cr Vince Cocurullo  
Cr Tricia Cutforth  
Cr Shelley Deeming  
Cr Sue Glen  
Cr Phil Halse  
Cr Cherry Hermon  
Cr Greg Innes  
Cr Greg Martin  
Cr Sharon Morgan  
Cr Anna Murphy

For any queries regarding this meeting please contact  
the Whangarei District Council on (09) 430-4200.

**6. Decision Reports**

*6.8 Submission by Whangarei District Council on the Zero  
Carbon Amendment Bill*

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## 6.8 Submission on the Climate Change Response (Zero Carbon) Amendment Bill

**Meeting:** Whangarei District Council  
**Date of meeting:** 26 June 2019  
**Reporting officer:** Tony Horton

### 1 Purpose

To consider a submission to central government on the Climate Change Response (Zero Carbon) Amendment Bill.

### 2 Recommendation

That Council approves the submission to central government on the Climate Change Response (Zero Carbon) Amendment Bill.

### 3 Background

Central government has been developing a climate change programme to transition New Zealand toward a low emissions and climate resilient future. Key to this programme includes the proposed Climate Change Response (Zero Carbon) Amendment Bill. The original proposal was for a separate piece of legislation called the Zero Carbon Bill. The Government has now decided to introduce it as an amendment to the current Climate Change Response Act 2002. This will ensure that all key climate legislation is within one Act.

The amendment bill will do four key things<sup>1</sup>.

- 1) Set a new greenhouse gas emissions reduction target (The targets are in line with the latest Intergovernmental Panel on Climate Change (IPCC) report.) to:
  - reduce all greenhouse gases (GHGs) (except biogenic methane<sup>2</sup>) to net<sup>3</sup> zero by 2050.

<sup>1</sup> <https://www.mfe.govt.nz/climate-change/zero-carbon-amendment-bill>

<sup>2</sup> **biogenic methane** means all methane greenhouse gases produced from the agriculture and waste sectors (as those sectors are defined in the New Zealand Greenhouse Gas Inventory). Methane is a short lived GHG. To stop global warming, they must be significantly reduced to sustainable levels, but do not need to go to zero.

<sup>3</sup> **net emissions:** gross emissions combined with emissions and removals from land use, land use change, and the forestry sector

- reduce gross<sup>4</sup> emissions of biogenic methane within the range of 24–47 per cent below 2017 levels by 2050 including to 10 per cent below 2017 levels by 2030.
- 2) Set a series of 5 year emissions budgets to act as stepping stones towards the long-term target.
  - 3) Require the Government to develop and implement policies for climate change adaptation.
  - 4) Establish a new, independent Climate Change Commission (the Commission) to provide expert advice and monitoring to help keep successive governments on track to meeting long-term goals.

Submissions close on 16 July 2019. The intention is for the amended act to be in force late 2019.

## 4 Discussion

### 4.1 Key points of draft submission:

This submission is structured accordingly:

- Three parts of the Bill (Part 1 (Purpose), Part 1A (Climate Change Commission) and Part 1B (Emission reduction) are addressed in the specific Whangarei District Council submission. This can be found in Attachment 1;
- Part 1C (Adaptation) of the Bill is addressed by the joint submission of the Tai Tokerau Council's Climate Change Adaptation Group (TTCCCAG). The scope of the TTCCCAG is limited to adaptation while the Bill is broader. This can be found in Attachment 2.

### 4.2 Submission expresses support for:

- the purpose of the Bill and its scope addressing climate change mitigation and adaptation
- new Te Tiriti o Waitangi based provisions
- the establishment of the Commission, independent of government with advisory and monitoring functions in relation to mitigation and climate change adaptation.
- the assignment of the responsibility to developing a National Climate Change Risk Assessment to a Climate Change Commission
- the emissions targets to be achieved by 2050, emissions budgets as interim stepping stones to meet the emissions targets and these being permissive considerations
- emissions reduction plans and the content they must include
- the strong emphasis on reducing domestic emissions and prioritising domestic removals over offshore removals
- guidance from central government on how to take the targets and emissions budgets into account
- the development of a National Climate Change Risk Assessment (NCCRA), National Adaptation Plans (NAP), matters to be taken into account (while advocating for more) and reporting requirements

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<sup>4</sup> **gross emissions:** New Zealand's total emissions

- the need for regional and local government authorities to contribute data and information to a National Climate Change Risk Assessment.

#### **4.3 Submission raises the following issues or recommended changes:**

- the National Adaptation Plans should not be enforceable as regional and local government authorities have limited ability or resources to influence implementation.
- actions may not reflect outcomes sought by a community or may be unaffordable for the community.
- emissions budgets and reduction plans should be developed in parallel, alternatively develop the emissions reduction plan first and then use this to inform the emissions budget(s).
- clear direction from central government for funding and resourcing requirements and how costs and responsibilities are intended to be distributed.
- resourcing be provided to regional and territorial authorities to support reporting requirements.
- establishing clear communication channels with the Commission, ensuring the Commission is well resourced.
- strengthening public consultation provisions
- allowing a review of the targets in the circumstances where emission budgets can either be achieved earlier or, the targets are not achievable.
- development of a National Policy Statement (NPS) which addresses climate change mitigation to take advantage of the mitigation opportunities that urban areas present; and climate change adaptation.
- Include alignment with the Local Government Act in a way that support councils and ensures appropriate resources are available;
- Provide support for local government in a consistent way through methodologies and timeframes.
- review existing legislation and identify conflicting priorities and adequacy of existing measures to address effects of climate change (e.g. Building Act and Codes, Environmental Engineering Standards, National Policy Statements, RMA).

## **5 Significance and engagement**

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via the Agenda publication on the website and future communications about Council's climate change adaptation work plan.

## **6 Attachments**

1. Submission by Whangarei District Council on the Climate Change Response (Zero Carbon) Amendment Bill
2. Joint submission of the Tai Tokerau Council's Climate Change Adaptation Group





## Submission

**To:** Committee Secretariat  
Environment Committee  
Parliament Buildings  
Wellington  
[zerocarbon@parliament.govt.nz](mailto:zerocarbon@parliament.govt.nz)

**By:** Whangarei District Council  
Private Bag 9023,  
Whangarei 0148

### Whangarei District Council Submission to the Climate Change Response (Zero Carbon) Amendment Bill

Whangarei District Council (Council) welcomes the opportunity to provide this submission to the Climate Change Response (Zero Carbon) Amendment Bill (the Bill).

Council sees local government as a key partner in delivering the Bill's emissions reduction outcomes and climate change adaptation provisions. Council looks forward to working with the Climate Change Commission and central government.

Whangarei District Council supports:

- the submission prepared by the Tai Tokerau Councils' Climate Change Adaptation Group which addresses the adaptation (Part 1C) provisions of the bill.
- the submissions prepared by LGNZ and SOLGM

This submission by Council is structured accordingly:

- Part 1, Part 1A and Part 1B of the Bill are addressed in this document;
- Part 1C of the Bill is addressed in the joint submission by the Tai Tokerau Council's Climate Change Adaptation Group (attached).

Yours sincerely,

Rob Forlong  
**Chief Executive, Whangarei District Council**

## Whangarei District Council Submission to the Climate Change Response (Zero Carbon) Amendment Bill

Provision	Relief Sought	Reason
<b>Part 1</b>		
Section 3 amended (Purpose)	Support	WDC supports including the establishment of the Climate Change Commission, emission reduction and adaptation provisions within the Bill. The Bill provides a framework by which New Zealand can meet its global commitments to limit the global average temperature increase to 1.5° Celsius above pre-industrial levels.
Section 3A amended (Treaty of Waitangi (Te Tiriti o Waitangi))	Support	<p>WDC supports the new Te Tiriti o Waitangi based provisions which support Maori representation and consultation; ensures the principles of Te Tiriti o Waitangi are considered; requires that the effects of climate change on Maori are taken into account; and recognises the importance of knowledge and skill sets relevant to the Treaty of Waitangi in the role of members of the Climate Change Commission.</p> <p>Globally, indigenous peoples are disproportionately affected by climate change. Tangata whenua are already seeing the visible effects of a changing climate within their rohe such as the erosion of their urupa, flooding within coastal whenua, restricted access to their marae, changing planting times.</p> <p>Given the intergenerational responsibilities Māori have as kaitiaki to the living world and to their own communities questions surrounding how climate change is dealt with are critically important. Planning takes places at a generational level for Māori, thinking seven generations ahead while also honouring their tupuna which is how we need to be thinking about climate change.</p>
<b>Part 1 A Climate Change Commission</b>		
5A - H	Support in part	<p>WDC supports the establishment of a climate change commission independent of government, with an advisory and monitoring role in both climate change mitigation and adaptation.</p> <p>WDC supports the matters listed in 5H relating to the collective skills of the commission members including within the areas of local and central government, the distributional effects of climate change and climate change policy interventions; and Te Tiriti o Waitangi and te ao Maori.</p> <p>WDC advocates for clear communication channels between the Commission, local government, Māori and industry. Acknowledging the provision for Ministerial requests for</p>



		<p>information under Section 5ZV, but there appears to be no avenues for dialogue directly with the commission, noting consultation by the commission is discretionary for the most part under Section 5M.</p> <p>Given the significance of the Commission's role, WDC advocates for the Commission to be extremely well resourced, with access to robust socio-economic advice and climate change science.</p>
5L Matters Commission must consider	Support in part	<p>WDC supports the matters identified that the Commission must consider and in particular:</p> <ul style="list-style-type: none"> <li>the explicit requirement to consider the distribution of benefits, costs and risks between generations;</li> <li>recognition of regional / sector circumstances. Whangarei is a high growth district with a long coastline, within a large region of dispersed communities, high Maori population, pockets of high deprivation and key industries that are high emitters.</li> </ul> <p>WDC supports including a further requirement in Section 5L for the commission to consider the ability of sectors, regions or communities to fund and / or implement climate change mitigation and adaptation measures (such as emissions reduction plans and national adaptation plans).</p>
5N Commission must act independently	Support	<p>WDC supports Section 5N that requires the commission to act independently as this will provide some consistency and limit the potential for dramatic changes in policy settings and / or approaches to emissions budgets as a result of changes in government.</p>
<b>Part 1 B Emission Reduction</b>		
5O - 5R	Support in part	<p>WDC supports the targets (Section 5O) and the approach that there are different targets for biogenic methane recognising it is short lived but a big percentage of the emissions profile in New Zealand.</p> <p>WDC supports the provisions providing the ability to review and amend targets (Section 5P, 5Q and 5R).</p> <p>WDC recommend a review of biogenic methane targets earlier than the first mandatory review required in Clause 5P(1)(a) being 2036 – otherwise the first mandatory review occurs after the interim biogenic methane target date of 2030.</p> <p>WDC suggests a review of both the 2030 and 2050 biogenic methane targets by 2025. There also needs to be caution exercised in the methane targets (and other) to ensure that it does not result in perverse outcomes, whereby food production is driven offshore to jurisdictions where emissions regimes are more lenient, but production is less efficient resulting in higher global GHG emissions.</p>

5Q Recommendations to amend 2050 target	Support in part	The matters listed in Clause 5Q (2) setting out the circumstances whereby the 2050 targets may be amended are supported. However, WDC recommends adding a further clause allowing a review of the targets in the circumstances where emission budgets and / or emission reduction plans demonstrate targets can either be achieved earlier or, the targets are not achievable / affordable (either as a whole or in relation to particular greenhouse gases).
5U Duty of Minister to set emissions budgets and ensure they are met	Support	<p>WDC supports setting emissions budgets to act as interim targets or “stepping stones” to meeting the 2050 targets. These help to indicate national progress toward the 2050 target. They will also serve as a valuable tool for tracking progress and determining whether New Zealand is on track to meet the emissions reduction target established under the Bill. In doing so, they will also create accountability across successive governments.</p> <p>WDC also supports the requirement to have 3 consecutive emissions budgets in place for transparency, predictability and to keep governments accountable.</p>
5W How emissions budgets to be met	Support	<p>WDC strongly the intent that emissions budgets be met through domestic reductions and removals. This encourages behavioral change and builds resilience at home. The term “as far as possible” in Clause 5W(1), sufficiently provides some ability to use offshore mitigation on the basis that this may be the only option for some emitters (at least in the short term). Allowing some ability to use offshore mitigation limits the potential for emissions leakage (whereby large emitters with limited ability to offset or reduce emissions relocate to offshore jurisdictions with less onerous regimes) and consequential impacts on New Zealand’s economy.</p> <p>WDC note the government has control over the volume and quantity of international units in the New Zealand market through the ETS and can reduce the ability to use off-shore credits over time to both encourage innovation and investment at a pace that reflects the availability of mitigation technology.</p>
5X and 5Z	Support in part	<p>WDC supports the matters identified as relevant to setting an emissions budget in section 5X(1)(a)-(e).</p> <p>WDC supports the matters set out in section 5Z, in particular:</p> <ul style="list-style-type: none"> <li>• technical and economic feasibility</li> <li>• impacts of actions to achieve the 2050 targets and their distribution across regions, communities and generations</li> </ul>

		<ul style="list-style-type: none"> <li>• economic circumstances and implications for taxation, public spending and borrowing.</li> </ul> <p>Clause 5Z(2)(b)(v) requires regard be had to the results of public consultation on an emissions budget however WDC note there seems to be no requirement for this consultation. WDC recommends including a requirement to consult publicly in preparation of emissions budgets, especially for those sectors particularly exposed and / or constrained in terms of the ability to offset and / or reduce emissions.</p>
5ZC Power to bank or borrow	Support	WDC supports the ability and procedure set out in the Bill to revise emissions budgets.
5ZD Requirement for emissions reduction plan	Support in part	<p>WDC support the requirement for preparation of an emissions reduction plan and the contents of such plans as set out in 5ZD (3). In Northland, there are high industry emitters that will need time / support to adjust.</p> <p>WDC advocate for strategies and policies that support resourcing for local government to reduce emissions and increase removals.</p> <p>WDC advocate for the future development of a National Policy Statement (NPS) through the RMA as a tool of the emissions reduction plan. We advocate for an NPS which addresses:</p> <ul style="list-style-type: none"> <li>• climate change mitigation to take advantage of the mitigation opportunities that urban areas present. Planning mechanisms have a strong influence on the positive or negative influence that towns and cities have on climate change eg urban design, densities and infrastructure that support active transport as viable choices as alternatives to car or busses; and</li> <li>• climate change adaptation.</li> </ul> <p>WDC note the emissions reduction plan is to be developed after the setting of the emissions budget (Clause 5ZD(2)(a) - the budget is set before considering how it is to be achieved. The concern being an emissions reduction budget may be set that the subsequent emissions reduction plan cannot deliver with policy or pricing 'levers' that apply at the time, or has inequitable impacts on particular sectors. WDC recommend that the emissions budgets and reduction plans be prepared in parallel and that the tools of the reduction plans are in place at the start of the emissions budget period – this would better ensure the emissions budget is</p>

		actually achievable within constraints. An alternative would be to develop the emissions reduction plan first (with reference to the matters in Section 5Z(2)) and then use this to inform the emissions budget(s).
5ZE Commission to advise on emissions reduction plans	Support	WDC support the requirement for the commission to consult publicly before advising the Minister on the content of the emissions reduction plan (Clause 5ZE(3)(a)) and the requirement to consider the matters in 5Z(2) – this will be vital as the emissions reduction plan is likely to be where impacts are ‘realised’ for industry, communities and New Zealanders generally.
5ZF Minister to prepare and publish emissions reduction plan	Support	WDC support the requirement in Clause 5ZF(1)(b) that the Minister must ensure the consultation undertaken by the commission is adequate and if not, must undertake further consultation.
5ZG-5ZI	Support in part	WDC note there is no specific requirement to implement the emissions reduction plan, although this may be addressed by the commission’s role in monitoring progress (Sections 5ZG – 5ZI). In relation to monitoring, we recommend that the scope of Sections 5ZH - 5ZI not be limited to reporting on progress towards meeting emissions budget but also require the commission to identify any perverse outcomes and / or significant unforeseen impacts on communities, sectors, industries or other similar concerns resulting from implementation of the budgets and / or emissions reduction plan.
5ZI Commission to report at end of emissions budget period	Support in part	2 years is possibly too long after the end of an emissions budget period to receive the evaluation report, particularly if it affects the ability to meet the next emissions budget. However, the requirement of the Commission to report annually will likely mean that there will be advanced knowledge if any major change is required.
5ZJ Effect of failure to meet 2050 target and emissions budgets	Support	The Bill effectively indemnifies the government (and other parties) from a failure to meet the 2050 targets or an emissions budget and that these are not enforceable in the courts (5ZJ). Given the uncertainty at this stage, WDC understand the rationale for this and for similar reasons support the exemptions in 5ZK for persons / bodies – our interpretation is that Clause 5ZK(2) would apply to also indemnify local government.
5ZK 2050 target and emissions budget are permissive considerations	Support	In November 2018, WDC adopted a corporate sustainability strategy which set a path to carbon neutrality. The 2050 target and emissions budget support and clarify this path.

5ZL Guidance for departments	Support	<p>WDC welcomes guidance from the Minister of Local Government and the Minister for the Environment on how to take the 2050 target and emissions budgets into account in the delivery of the functions of local authorities.</p> <p>In undertaking the development of the WDC corporate sustainability strategy and more recently the actions, guidance from the Minister of Local Government would be useful for WDC and in general will be helpful for the smaller Councils.</p> <p>WDC seeks guidance in the following areas:</p> <ul style="list-style-type: none"> <li>• Guidance on how to reduce GHGs across business areas eg waste water treatment plants and landfills</li> <li>• Funding or support to encourage low emission technologies</li> <li>• Guidance on how to reduce GHGs for our respective districts / regions eg public transport and urban densities and using any statutory tools that might assist eg District Plans</li> <li>• Reporting (external) templates that use the same assumptions, metrics etc;</li> <li>• Resourcing / budget to build capacity within local government.</li> </ul>
<b>Part 1C Adaptation – please refer to the joint submission by the Tai Tokerau Councils Climate Change Adaptation Group</b>		



# Submission

## Climate Change Response (Zero Carbon) Amendment Bill

### Tai Tokerau Councils Climate Change Adaptation Group

This submission is provided by the Tai Tokerau Councils Climate Change Adaptation Group. Membership of the Group includes staff from Far North District Council, Whangarei District Council, Kaipara District Council, Northland Regional Council, Northland Transport Alliance and the Four Waters Advisory Group. The purpose of the Tai Tokerau Councils Climate Change Adaptation Group is to develop a regional collaborative adaptation approach to the effects of climate change. Actions completed to date include: -

- A stocktake on the climate change related projects each Council is working on;
- Identifying the biggest gaps and challenges each Council is facing at this point in time; and
- An agreed set of outcomes for the collaborative approach, for example:
  - Defining the short term and longterm strategic planning horizon and drafting a regional wide Adaptation Strategy and Communications Plan.
  - Developing a consistent / agreed set of data to meet our needs from a regional and local perspective.
  - Committing to ongoing monitoring and review of the data.
  - Developing an agreed approach to modelling.
  - Defining and applying the same assumptions.
  - Agreeing on the methodology to develop key trigger points which determine when we take certain actions.
  - Developing an agreed set of terminology.
  - Developing a programme for and undertake best practice engagement.
  - Developing key messages for the Elected Members and the community.
  - Aligning timeframes and deliverables across the Councils.
  - Identifying areas of implementation where we can be consistent with each other.
  - Identifying our available approaches to adaptation: protect, retreat, resilience.
  - Identify resourcing and funding for deliverables.
  - Creating a shared information space.

We would like to congratulate the Central Government on their commitment to climate change mitigation and adaptation. Regional and local government authorities are needing support and guidance from Central Government to enable us to provide strong and robust responses to the many cultural, social, economic and environmental issues our vulnerable communities in Tai Tokerau face.

This submission offers the following comments on the Bill.

#### 1.0 General Comments

The Adaptation Working Group:

- 1.1 Supports the development of a National Risk Assessment and National Adaptation Plan with the understanding they will provide a strategic and coordinated approach to climate change on a national level which will support regional and local level responses. It is recognised they will provide regional and

- local government authorities and our communities a more considered approach to climate change than the current provisions of the Resource Management Act.
- 1.2 Supports the assignment of the responsibility to developing a National Climate Change Risk Assessment to a Climate Change Commission.
  - 1.3 Supports the need for regional and local government authorities to contribute data and information to a National Climate Change Risk Assessment.
  - 1.4 Supports a requirement to report on progress against achieving the objectives on the National Adaptation Plan and actioning the adaptation risks that are contained within a National Climate Change Risk Assessment.

#### 1.5 Recommendations

**That the Bill considers and writes into its provisions the Long Term Plan (LTP) process as prescribed in the Local Government Act so that Councils can implement the National Adaptation Plan as part of the LTP planning process through long term infrastructure and financial strategies.**

### 2.0 Specific comments on the Adaptation clauses of the Bill, specifically Part 1C Adaptation.

#### 2.1 Section 5ZM– National climate change risk assessment (NCCRA)

2.1.1 As stated above we support this assessment. It is not however clear on the level of detail or how finely grained the national risk assessment aims to be. Additionally, six years maybe too long between assessments.

##### 2.1.2 Recommendations

- i. **Define the methodology to be used in the risk assessment to avoid changing methodology between risk assessments e.g. add wording 'according to agreed methodology'.**
- ii. **1(b) Replace 'Identify the most significant risks...' with 'Prioritise risks due to climate change effects...'.**
- iii. **Add a monitoring and evaluation step in the process and allow a stock-take, 3 years after the completion of the NCCRA to assess any significant changes in risk profiles / new risks.**
- iv. **Alternatively include the above step in National Adaptation Plan section 5ZS as part of a progress reporting step.**

#### 2.2 Section 5ZN Preparation of national climate change risk assessment

2.2.1 This is supported. We support the timeframe, alongside the need to refer to MFE guidance notes about aligning the preparation with LTP cycles. We support the matters to be taken into account. Within the Adaptation Working Group we have talked about the importance of an equitable approach in developing a regional approach to adaptation which aligns with (2)(b) the distribution of the effects of climate change across society, taking into particular account vulnerable groups or sectors.

2.2.2 We are concerned that 5ZN Clause 2(a) uses very broad terms, and Clause 2(e) does not include climate change projections. Clause (2) needs to ensure similar values are used to determine consequences. The NCCRA should identify the measures and methods used to monitor risks and any changes in risks. The NCCRA has the potential to be led by the values held by interest groups, so assessment of values



through community consultation is a necessary step in this process. We see the need to specify in this section a recognition of our Treaty partners and Māori communities.

### 2.2.3 Recommendations

- i. Add some more specific factors to Clause 2(a) – E.g. effects on nationally significant infrastructure and / or lifeline utilities. This clause to include “both present day and as projected by best available scientific knowledge”.
- ii. Clause 2(b) to read: taking into particular account vulnerable groups or sectors “including effects on Iwi, Hapu and Māori communities”.
- i. Clause 2(e) to include climate change projections (E.g. IPCC reports), not just ‘trends’.
- ii. To include a new Clause 2(f): measures and indicators used to assess change in risk ‘profile’, new risks, or significant change in vulnerability of communities, sectors, organisations.
- iii. Alternatively, include new clause in 5ZQ, to capture the above.
- iv. Require an assessment of values through community consultation as a necessary step in this process.
- v. Alternatively, an assessment of values may be done through the reporting framework in 5ZV.

## 2.3 Section 5ZQ – National adaptation plan (NAP)

2.3.1 We have identified that better drafting of this section is needed, including clarification regarding its enforceability and any funding support afforded to regional and local government authorities and their local communities. We suggest the NAP should not be enforceable as regional and local government authorities have limited ability to influence content and / or fund implementation, additionally actions may not reflect outcomes sought by a community.

We are concerned that Clause 4(f) as it currently reads potentially enables the NAP to ‘railroad’ communities into unaffordable or unwanted action despite submission process under Clause 6. It must be noted that there are high levels of deprivation in parts of Tai Tokerau affecting the ability of our communities to adapt, fund adaptation and build resilience. Tai Tokerau has a small population across a widely dispersed area. Some communities are already vulnerable and isolated in adverse weather events that are increasing in regularity. We therefore strongly support use of the term ‘may be funded’, we would not want to see this change to ‘will be funded’.

We are also assuming there is an ability for a ‘submitter’ to challenge the content of the final NAP / Ministerial decisions e.g. by judicial review however, this is not specified.

### 2.3.2 Recommendations

- i. Add nationally significant infrastructure / lifeline utilities into Clause 4(a) or 4(b).
- ii. Clause 4(f) to be strengthened, giving particular regard to the ability of communities or organisations to undertake adaptation action, including how any action may be funded. Wording to be included to address the impacts of adaptation actions on communities, organisations, sectors; the costs / benefits of such actions and how they may be funded.

- iii. Clarify whether implementation of strategies, policies of a national adaptation plans and adaptation actions are enforceable against any organisation, including local government.
- iv. Clarify whether there is an ability for a 'submitter' to challenge the content of the final NAP / Ministerial decisions e.g. by judicial review.
- v. When preparing NAPs clarify what will be the consultation process to properly take into account (4)(a),(b) and(f).
- vi. Align the NAP with the LTP process and local government work programmes to avoid duplicating work and to ensure resources are available.
- vii. Recommend clear directions on funding and resourcing requirements and how costs and responsibilities are intended to be distributed.
- viii. Review existing legislation and identify: conflicting priorities and adequacy of existing measures to address effects of climate change e.g. Building Act and Codes, Environmental Engineering Standards, National Policy Statements, RMA.

## **2.4 Section 5ZS – Progress reports on national adaptation plan**

2.4.1 The Adaptation Working Group supports the reporting mechanisms. We also support the requirement to identify known barriers to the implementation and effectiveness of the NAP including recommendations for how those barriers might be addressed or overcome in future.

### **2.4.2 Recommendations**

- i. Clause 2 – add new Clause under b): Any change in the magnitude, extent or severity of identified risks, any new risks identified since the latest NCCRA and any significant change in vulnerability of communities, organisations or sectors to risk (If not added elsewhere).
- ii. When requiring reporting every 2 years, ensure the progress reports identify that if there are any changes in approach needed in subsequent NAPs then there is time for the Commission to make those changes to the NAP early in the process or in early preparation for the next NAP.

## **2.5 Section 5ZV – Minister may request certain organisations to provide information on climate change adaptation**

2.5.1 Regional and local government authorities are increasingly being required to address the impacts of climate change such as increased coastal inundation and flooding on communities across the country. These risks are likely to influence a wide cross-section of Councils' business, from infrastructure investment to regional and district planning rules.

In order to make decisions that are consistent across individual Tai Tokerau districts and the wider region, and which are beneficial in the long-term, our Councils need a good understanding of their key risks. We also need adequate information, cultural, economic, environmental, technical, and scientific to support planning. Adapting to a changing climate and building the resilience of each district in Tai Tokerau, and the region as a whole, will be a communities-wide journey. Tai Tokerau communities are increasingly approaching each of our Councils in a proactive way to understand what our Councils are doing in this space.

The provisions of the Bill suggest to the Adaptation Working Group we need to question whether it makes sense for local government authorities to use the same assumptions and methodology proposed by the Bill for our own local and regional risk assessments. This could ensure the strategic alignment of limited resources of small territorial authorities to national actions when undertaking assessments. It will also support the building of capacity for our Councils to incorporate climate change adaptation into its operations, strategic planning and decision making, monitoring and reporting. However, the question remains whether Central Government will resource regional and local government authorities to support reporting requirements? We are therefore seeking better guidance from Central Government on this and those climate change adaptation mechanisms, which as an outcome of the Bill, will inform regional and local government authorities' regulatory planning processes. Clauses (1)(a) and (b) being mandatory, are for example, drivers for local government authorities to be considering climate change in its operations, strategic planning and decision making, monitoring and reporting. We also recognize the value of a National Policy Statement on climate change adaptation.

### 2.5.2 Recommendations

- i. Clause 1(b) – this should be specific to adaptation proposals / policies and not refer to 'addressing the effects of climate change' which is extremely broad. Replace all references to 'effects of climate change' with term adaptation.
- ii. Clause 2 – add new Clause under b): Any change in the magnitude, extent or severity
- iii. Clause 2 – add words to such as 'within a reasonably practical timeframe'
- iv. Clause 3 – strongly support requirement to consult reporting organisations in developing regulations – these could be quite onerous information requests.
- v. Provide certainty around reporting timeframes.
- vi. Develop a National Policy Statement on climate change adaptation.
- vii. Central government to set requirements or guidelines (?) for local government authorities as reporting organisations to consistently use the same:
  - a. assumptions;
  - b. methodologies;
  - c. data sources if available; and
  - d. templates.

## 2.6 Section 5ZW Regulations relating to requiring provision of information

2.6.1 The Adaptation Working Group seek certainty in terms of reporting timeframes and frequency required. Certainty of reporting expectations will enable us to build the deliverables into our individual work plans for each Council's adaptation strategy, as well as our collaborative Tai Tokerau work plan and strategy.

### 2.6.2 Recommendations

- i. Clause (1) to provide certainty in terms of reporting timeframes and frequency required.
- ii. Clause (2) (a) to require local government authorities to consistently apply the same methodologies, assumptions, and use the same reporting templates etc to undertake these assessments.
- iii. Resourcing be provided to regional and local government authorities to support reporting requirements.



**RESOLUTION TO EXCLUDE THE PUBLIC****Move/Second**

That the public be excluded from the following parts of proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for passing this resolution
1.1	Confidential Minutes Whangarei District Council 30 May 2019	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
1.2	Civic Honours Selection Committee – Approval of Minutes and Recommendations		

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public, are as follows:

Item	Grounds	Section
1.1	For the reasons as stated in the minutes	
1.2	To protect the privacy of natural persons	Section 7(2)(a)

**Resolution to allow members of the public to remain**

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

**Move/Second**

“That \_\_\_\_\_ be permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of Item\_\_\_\_\_.

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because\_\_\_\_\_.

*Note: Every resolution to exclude the public shall be put at a time when the meeting is open to the public.*