

Notice is given that an ordinary meeting of the Strategy and Policy Committee will be held on:

Date: Tuesday 28 May 2024
Time: 9.30am
Meeting Room: Tasman Council Chamber
Venue: 189 Queen Street, Richmond
Zoom conference link: <https://us02web.zoom.us/j/88176266267?pwd=NjAybHJrS25OTjhmU2VoKzNkaWxodz09>
Meeting ID: 881 7626 6267
Meeting Passcode: 881771

Strategy and Policy Committee

Komiti Rautaki me te Kaupapahere

AGENDA

MEMBERSHIP

Chairperson	Cr K Maling	
Deputy Chairperson	Cr C Butler	
Members	Mayor T King	Cr C Hill
	Deputy Mayor S Bryant	Cr M Kininmonth
	Cr G Daikee	Cr C Mackenzie
	Cr B Dowler	Cr B Maru
	Cr J Ellis	Cr D Shallcrass
	Cr M Greening	Cr T Walker

(Quorum 7 members)

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AGENDA

1 OPENING, WELCOME, KARAKIA

2 APOLOGIES AND LEAVE OF ABSENCE

Recommendation

That the apology be accepted from Councillor B Maru.

3 PUBLIC FORUM

Registration is required to speak at public forum. You can register [here](#)

4 DECLARATIONS OF INTEREST

5 LATE ITEMS

6 CONFIRMATION OF [MINUTES](#)

That the minutes of the Strategy and Policy Committee meeting held on Thursday, 18 April 2024, be confirmed as a true and correct record of the meeting.

7 REPORTS

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8 CONFIDENTIAL SESSION

Nil

9 CLOSING KARAKIA

7 REPORTS

7.1 CHAIR'S REPORT

Information Only - No Decision Required

Report To:	Strategy and Policy Committee
Meeting Date:	28 May 2024
Report Author:	Kit Maling, Chairperson Strategy and Policy Committee
Report Authorisers:	John Ridd, Group Manager - Service and Strategy
Report Number:	RSPC24-05-6

1. Summary / Te Tuhinga Whakarāpoto

1.1 This is the Chair's monthly report to the Strategy and Policy Committee.

2. Recommendation/s / Ngā Tūtohunga

That the Strategy and Policy Committee

1. receives the Chair's Report RSPC24-05-6.

3. Welcome

3.1 Welcome everyone to today's Strategy and Policy Committee meeting.

4. Plan Changes

4.1 If you look forward over the next six months, you will see a significant number of plan changes/statutory provisions that we will be involved in:

4.1.1 Wakefield Plan Change;

4.1.2 Mapua Masterplan;

4.1.3 Richmond on the Rise;

4.1.4 Rezoning for the Future Development Strategy;

4.1.5 Freshwater Plans; and

4.1.6 Coastal Hazard Plans.

4.2 As you can see, this will keep Councillors busy once we have finished the Long Term Plan.

5. Tasman Environmental Trust

5.1 I represented the Council at the opening of a Tasman Environmental Trust training session and hui for volunteers who are involved in protecting our environment from predators.

5.2 At least 150 people attended and to see the work that these people do in our community is just amazing. Volunteering is such an important part of making Tasman a special place and

it wasn't just the grey parade who attended - there were young and middle-aged people as well.

6. Resilience work

- 6.1 The upgrade to the Nelson Regional Sewerage Business Unit pipelines around the coast is nearing completion. I note that there were comments about the lack of capacity in Richmond for wastewater during the Long Term Plan hearings but, in fact, upgrades have been ongoing for the last couple of years, but you cannot just replace local pipes to accommodate intensification - there has to be onsite retention to make it affordable for all.

7. Attachments / Tuhinga tāpiri

Nil

7.2 LAND AND FRESHWATER PLAN CHANGE, INCLUDING WATER CONSERVATION ORDER: PROPOSED WORK PROGRAMME AND SEQUENCING

Decision Required

Report To:	Strategy and Policy Committee
Meeting Date:	28 May 2024
Report Author:	Lisa McGlinchey, Principal Planner – Environmental Policy; Barry Johnson, Environmental Policy Manager
Report Authorisers:	John Ridd, Group Manager - Service and Strategy
Report Number:	RSPC24-05-1

1. Purpose of the Report / Te Take mō te Pūrongo

- 1.1 To provide an update on the development of changes to the Tasman Regional Policy Statement (TRPS) and Tasman Resource Management Plan (TRMP) to address land and freshwater issues in Tasman under the National Policy Statement for Freshwater Management 2020 (NPS-FM), including ‘to assist in achieving the purposes of’ the Waikoropupū Water Conservation Order.
- 1.2 To seek the Council’s endorsement of the recommended process and timing for development and release of a draft Land and Freshwater Plan Change (LFPC) for public feedback.

2. Summary / Te Tuhinga Whakarāpototo

- 2.1 This report follows initial Councillor support to progress development and release of a draft Land and Freshwater Plan Change (LFPC) considering both the messaging from Central Government around freshwater planning and the need to promptly address priority freshwater issues in the Tasman region. This includes support of the Water Conservation Order (WCO) protecting Te Waikoropupū Springs and the Wharepapa Arthur Marble Aquifer.
- 2.2 It outlines the reasons and recommended programme of work required to achieve this, along with risks. It also discusses some of the recent legislative changes and further change that has been signalled by Central Government in relation to freshwater.
- 2.3 Staff have assessed various options for progression of the priority freshwater issues, including the plan requirements to support the WCO. Key considerations have included:
 - 2.3.1 Central Government direction and messaging around intended change to freshwater legislation;
 - 2.3.2 legal aspects of key freshwater issues, including the Council’s ongoing obligations under the NPS-FM 2020 and experiences by other regional/unitary councils;
 - 2.3.3 messaging from both iwi and the community (including rural stakeholders, primary production industries and environmental organisations) on the need to address

- priority freshwater issues, and provide greater certainty as soon as possible for environmental protections and land and water users; and
- 2.3.4 staff resourcing, expert advice and budgets needed to generate both a draft plan change for public engagement and servicing of the legal freshwater planning process required for notified freshwater plans.
- 2.4 Staff recommend continuing progress on the LFPC, including elements needed to support implementation of the WCO, with the aim to release a draft plan change for public feedback in 2024 (Option 1). Council will then have to make a decision on what and when to formally notify a plan change. This decision will be informed by the feedback it receives from our communities on the draft as well as any new and proposed further law changes.
- 2.5 This option allows some time for Central Government direction to be received. It also provides a timely and strategic response to management of priority freshwater issues in Tasman, while allowing for public, iwi and stakeholder input into the plan development process.
- 2.6 While the changes signalled by Central Government to date may influence future plan change responses, there has not been fundamental shifts signalled that staff consider would materially impact the priority freshwater issues needing to be addressed in Tasman. These issues largely predate the NPS-FM and will likely remain, irrespective of the legal framework for freshwater management. Feedback to date from iwi, stakeholders and the community confirm that these are priority issues that need addressing as soon as possible.
- 2.7 Key freshwater workstreams relating to the draft LFPC to be progressed through 2024 include:
- 2.7.1 Draft Land and Freshwater Plan Change (LFPC) development;
- 2.7.2 Te Puna Kōrero ki Te Taihū (TPK) collaborative group (councils and iwi);
- 2.7.3 science advice and supporting information development;
- 2.7.4 review of protections for the Outstanding Values of Te Waikoropupū and aquifer listed in the WCO;
- 2.7.5 Waimea Plains Nitrate Project (in conjunction with Horticulture NZ and growers);
- 2.7.6 iwi and stakeholder engagement on draft plan approach options; and
- 2.7.7 public engagement process on the draft LFPC.

3. Recommendation/s / Ngā Tūtohunga

That the Strategy and Policy Committee

- 1. receives the report Land and Freshwater Plan Change, including Water Conservation Order: proposed work programme and sequencing report RSPC24-05-1; and**
- 2. notes that the Water Conservation order requires the Council to use its “best endeavours to notify any proposed policy statement or proposed plan by no later than 31 December 2024”; and**
- 3. approves staff to progress development of the Draft Land and Freshwater Plan Change for Tasman, incorporating protections for Te Waikoropupū Springs and the Wharepapa Arthur Marble Aquifer, for release for public feedback in 2024; and**

4. notes that, subject to consideration of feedback received and any changes requested to the Draft Land and Freshwater Plan Change for Tasman, the Council will have to make a subsequent decision on notification of any proposed Land and Freshwater Plan Change to the Tasman Regional Policy Statement and Tasman Resource Management Plan; and
5. approves the Mayor, on behalf of the Council, sending a letter to the Minister for the Environment and Office of the Freshwater Commission advising them of the Council's intention to progress a Land and Freshwater Plan Change ahead of the replacement of the National Policy Statement for Freshwater Management 2020 in 2026, including the reasons for this.

4. Background / Horopaki

Drivers and evolution of LFPC programme timeframe

- 4.1 In 2019 the Council resolved to initiate a review of the TRMP and the TRPS as they had passed the 10-year review requirement under the Resource Management Act (RMA). The review was intended to create a new combined plan under the National Planning Standards - the Aorere ki uta, Aorere ki tai - Tasman Environment Plan (TEP). Around the same time changes to the RMA brought forward the deadline for councils to implement the National Policy Statement, through a plan change from 2030 to 2024.
- 4.2 Due to the ongoing uncertainty created by changes to New Zealand's environmental legislation, and direction in the 2023 Natural and Built Environment Act (now repealed) that Tasman and Nelson plans were to be combined, the Council resolved in October 2023 to pause the TEP process.
- 4.3 Instead, the Environmental Policy work programme was reset to focus on progressing five workstreams related to key environmental issues in Tasman. One of the key issues is freshwater.
- 4.4 Further uncertainty was introduced by the new coalition government in late 2023 on proposed changes to freshwater legislation and instruments, and amendment of the RMA deferring the freshwater plan deadline to 2027. This resulted in a review and staff recommendation to delay the LFPC process to allow for Central Government direction to be incorporated into the draft plan change.
- 4.5 Subsequently, concerns were raised by Councillors on the implications of the proposed delay on meeting our remaining legal obligations under the Te Waikoropupū Springs Water Conservation Order (WCO), and addressing other priority freshwater issues in Tasman, particularly for the Waimea Plains and Deep Moutere Aquifer.
- 4.6 This report provides an update on the process and timing of this work, including further consideration of all drivers and risks in defining the most appropriate and efficient way forward, and provides an indication of when and how the community can expect to contribute to the development of the draft LFPC.

5. Analysis and Advice / Tātaritanga me ngā tohutohu

National direction changes and Central Government messaging

- 5.1 Recent changes to the RMA have included a timeframe change from December 2024 to 31 December 2027 for councils to update their plans to incorporate the requirements of the

NPS-FM. The change is due to the Government's intention to review and replace the current NPS-FM by 2026. However, until the current, NPS-FM 2020 is replaced there remains a somewhat conflicting legal requirement as the current the NPS-FM includes an obligation to give effect to it 'as soon as reasonably practicable'.

- 5.2 Further freshwater related changes signalled by Central Government, but not yet in place include:
- 5.2.1 amendment of the RMA (May 2024) so resource consent applicants no longer need to demonstrate their proposed activities follow Te Mana o te Wai hierarchy of obligations under the NPS-FM 2020 (all other parts still apply);
 - 5.2.2 amendment of the national Stock Exclusion Regulations in relation to sloped land;
 - 5.2.3 repeal of the intensive winter grazing regulations in the National Environmental Standards for Freshwater; and
 - 5.2.4 amendment of the national Freshwater Farm Plan Regulations to simplify freshwater farm plan processes (e.g. to align with existing industry processes).
- 5.3 The last three points represent changes that do not specifically affect regional plan content as they relate to separate national regulations and standards, but these may result in consequential amendments being needed in the plan.
- 5.4 While the changes signalled to date may influence future plan change responses, there has not been fundamental shifts signalled that staff consider would materially impact the priority freshwater issues affecting Tasman. These issues largely predate the NPS-FM and remain, irrespective of the legal framework for freshwater management. Feedback to date from iwi, stakeholders and the community confirm that these are priority issues that need addressing as soon as possible.
- 5.5 This is against a backdrop of continual changes by successive governments to both the RMA and NPS-FM and this will likely continue into the future. In this context, the LFPC is seeking to be a significant step in the right direction to address priority freshwater issues for Tasman and improve how freshwater is managed in the TRMP in general. It is likely that further plan change(s) will be needed in the medium term to address the range of changes already signalled by Central Government.
- 5.6 Wherever possible the draft LFPC framework will seek to be agile in adapting to future law changes, in order to minimise future work or plan changes.
- 5.7 The key risks, challenges and benefits to this approach are outlined in the following sections.

Priority freshwater issues in Tasman

- 5.8 Freshwater issues of particular concern to the Tasman community and iwi include:
- 5.8.1 water quality - including elevated nitrate levels in the Waimea aquifers and spring-fed streams, elevated temperature and low dissolved oxygen particularly in smaller streams, excess sedimentation in waterbodies and the coastal receiving environments, and pathogen levels (e.g. E.coli) in some catchments;
 - 5.8.2 water quantity - including a lack of allocation regimes and potential over-allocation in some Water Management Zones (WMZ);
 - 5.8.3 protection of our Water Conservation Order waterbodies, including the new WCO for Te Waikoropupū Springs and aquifer;

- 5.8.4 degradation of waterbody and margins habitat and natural character, biodiversity loss, and impacts on species migration and reproduction, particularly in lowland river and wetland areas;
- 5.8.5 the need to promote and enable resilience to the effects of climate change; and
- 5.8.6 river management and extraction of gravel resources for development.

5.9 Key issues highlighted recently are outlined below:

Waimea Plains nutrient management

- 5.10 There are ongoing issues on the Waimea Plains with elevated nitrate levels in groundwater. In some places, the levels fluctuate above the New Zealand Drinking Water Standards creating potential health risks for those using the water as their drinking water source. Elevated nitrates are a problem for apple growers that irrigate with groundwater as it prevents apples from colouring. In addition, adverse effects including nuisance plant and algal growth are occurring in the spring-fed streams along the Waimea Inlet.
- 5.11 Increased irrigation and associated land intensification from the operational Waimea Community Dam has the potential to lead to further increases in nitrates in the groundwater if not appropriately managed. The intention was that irrigation and nutrient management requirements would be incorporated in the TRMP before the dam was fully operational (refer TRMP Policy 33.1.3.8). Work to develop this framework was initiated with Horticulture NZ and plains growers in 2019 and good progress is being made. However, the plan change to provide the regulatory framework is still required to support achieving the desired nutrient management outcomes over time.

Allocation regimes and addressing potential over-allocation

- 5.12 Allocation regimes have been in the TRMP for the Waimea and Motueka Freshwater Management Units (FMUs) for some time. However, there are no specific WMZ-based regimes in the Tākaka, Aorere-West Coast, and Upper Buller/Kawatiri FMUs. Flows in Upper Buller/Kawatiri, as well as the middle and upper parts of the Motueka River system are also protected by their respective Water Conservation Orders.
- 5.13 The NPS-FM 2020 requires allocation limits and minimum flows for every FMU, and comprehensive allocation regimes are becoming more important as the demand for water increases in Tasman. Providing robust allocation regimes provides greater certainty for water users and permit holders and helps provide a clearer picture of available water, water security and the need for contingency planning. Thus, promoting community and business resilience during droughts.
- 5.14 Alongside the lack of allocation regimes in some FMUs, some areas are also recognised as over-allocated or potentially over-allocated and these need to be addressed to protect the health of the respective waterbodies.
- 5.15 The allocation status of catchments requires regular review, particularly as demand for water changes with land use change, and as the effects of our changing climate on freshwater resources become apparent. As an example, the changing irrigation patterns in the Moutere catchment, coupled with recent irrigation permits, has led to the Deep Moutere Aquifer being drawn down to record low levels this irrigation season. This in turn has led to substantial water rationing and economic losses to some growers. The record drawdown of the aquifer is likely to be placing stress on the aquifer and increase the risks of the intrusion of saltwater landward of the coast. It also risks damage to the aquifer by physical compaction of the

aquifer, so that the aquifer yield could be permanently reduced for subsequent irrigation seasons.

- 5.16 The lack of certainty for water users and the need to protect waterbody health means there is an urgency to ensure the TRMP has rules in place to address water allocation regimes as soon as possible.

Supporting the Waikoropupū Springs Water Conservation Order (WCO)

- 5.17 The WCO is a piece of secondary legislation under the RMA. It contains prescribed water allocation limits, minimum flows and water quality limits. It also places limitations on the Council's ability to grant water and discharge permits in the Wharepapa Arthur Marble Aquifer Recharge Area (WAMARA).
- 5.18 Changes to the TRMP will provide a supporting regulatory framework for achieving the limits and duties in the order and will help to give certainty to permit holders and applicants.
- 5.19 Clause 7 of the WCO states:
- To achieve the purposes and avoid any inconsistency with this Order, the Council must use its best endeavours to notify any proposed policy statement or proposed plan by no later than 31 December 2024.*
- 5.20 The Environment Court's recommendation report indicates that clause 7 was intended to encourage the timely development of the regional plan framework that supported achieving the purpose of the WCO – namely protection of the outstanding values listed in clause 5.
- 5.21 The Environment Court's recommendation report highlighted a number of regional plan components that were outside of the scope of the WCO itself, but which are needed to support implementation of the WCO and protection of the outstanding values. Examples of these supporting plan elements include:
- 5.21.1 review of the nitrate leaching rates and loads for informing nitrate limits – and review of the need for more stringent limits in the regional plan;
 - 5.21.2 creating a stepped programme for nitrate reduction over time in the WAMARA to achieve the 2038 nitrate limit of 0.41 milligrams per litre at the Springs;
 - 5.21.3 allocation regimes in contributing catchments, including drought management regimes (ie rationing, cease take and restart triggers);
 - 5.21.4 formalising the water waiting list in contributing catchments;
 - 5.21.5 providing land use and activity controls for areas outside the WAMARA that may affect the Springs;
 - 5.21.6 controls on all activities contributing nitrates, including existing activities and small contributing sources; and
 - 5.21.7 consideration of sensitivities and risks in different parts of the catchments.
- 5.22 At the time the Environment Court wrote its recommendation report, the RMA contained a requirement for freshwater planning instruments (i.e plan changes) to be notified by 31 December 2024. The Court sought to use this same deadline in clause 7 to provide consistency with the NPS-FM 2020.
- 5.23 This was also based on Council advice during the public inquiry that this was the timeframe staff were working towards for notification of Tasman's freshwater planning instrument.

- 5.24 The Environment Court's final report and recommended WCO was sent to the Minister for the Environment on 28 July 2023. It was then gazetted and had legal effect from 19 October 2023. The RMA was subsequently changed in December 2023 to extend the deadline for notification of plan changes to implement the NPS-FM to 31 December 2027. This followed on from a commitment by the Government to replace the current NPS-FM by 2026.
- 5.25 Correspondence from the Minister for the Environment suggests councils should delay freshwater planning processes until the NPS-FM is replaced. However, holding off on a plan change in line with this direction could be considered contrary to the Council using its best endeavours to notify a plan change by the end of 2024 as required by the WCO.
- 5.26 In addition, the current NPS-FM 2020 still has legal effect until it is replaced. A letter received in January 2024 from the Environmental Defence Society (EDS) to all councils highlighted the continued legal obligation under the NPS-FM 2020 under clause 4.1 to give effect to the NPS-FM 2020 as soon as reasonably practicable.
- 5.27 Staff note that any freshwater plan change will invariably have to go through the process set out in the RMA. That is the special freshwater planning process which utilises a five-member independent hearing panel as directed by the Chief Freshwater Commissioner. The Council is also required to pay for and resource the hearing panel and any requests it may make for further information.

Protection of Te Waikoropupū Springs outstanding values and characteristics

- 5.28 Staff have identified an information gap for the draft LFPC development since the WCO was gazetted in late 2023. Clause 5 of the WCO identifies (legally for the first time) the outstanding values and characteristics of the Springs and Wharepapa Arthur Marble Aquifer to be protected:
- a) *amenity values, intrinsic values, and cultural health values afforded by waters in their natural state as Te Puna Waioira in accordance with tikanga Māori;*
 - b) *significance in accordance with tikanga Māori, including in relation to history, kaitiakitanga, mahinga kai, wāhi tapu, wāhi whakahirahira, waioira, and customary protection of flora and fauna;*
 - c) *habitat for indigenous stygofauna and biofilm;*
 - d) *habitat for other indigenous fauna and flora;*
 - e) *biodiversity values;*
 - f) *wild, scenic, and natural values including water quality, water clarity, contribution to artesian flow, karst geology, and the aquifer system;*
 - g) *scientific and ecological values including water quality, water clarity, artesian flow, ecosystem services, and ecological processes;*
 - h) *spiritual values; and*
 - i) *recreational values (Te Waikoropupū Springs only).*
- 5.29 The gap arises because the scope of the WCO is limited to the Council's regional functions under the RMA related to water quantity/flows and takes (s30e) and control of discharges of contaminants (s30f). While this may be sufficient to protect some of the values listed in clause 5, it is unclear whether all values are sufficiently protected to the full extent available to the Council across all its functions under the RMA. For example, control of potential

activity and noise effects in relation to amenity, spiritual and recreational values of the Springs.

- 5.30 As a result, staff have initiated a review of existing Springs protections within the TRMP to identify potential gaps that could be addressed through either the LFPC process or other plan change processes. Once the review is complete, it will be discussed initially with manawhenua iwi and then other parties to the WCO process to inform a final draft report for wider public release and feedback. The final report will then inform any additions in the draft LFPC or other more relevant plan change processes.
- 5.31 Staff will report back to the Council on the draft report at a future committee meeting.

6. Options / Kōwhiringa

- 6.1 Staff have assessed various options for progression of the priority freshwater issues including the plan requirements to support the WCO. Key considerations have included:
- 6.1.1 Central Government direction and messaging around intended change to freshwater legislation;
 - 6.1.2 the Council's ongoing obligations under the NPS-FM 2020 and experiences by other regional/unitary councils;
 - 6.1.3 messaging from both iwi and community, including rural stakeholders, primary production industries and environmental non-governmental organisations, on the need to address priority freshwater issues and provide greater certainty as soon as possible for environmental protections and land and water users; and
 - 6.1.4 staff resourcing and expert advice and budgets needed to generate both a draft plan change for public engagement and servicing of the legal freshwater planning process required for notified freshwater plans.

Progression of a single land and freshwater plan process

- 6.2 Staff have previously recommended a single freshwater planning process for the whole of Tasman rather than a separate plan change for Takaka. This is to enable the integrated and strategic consideration of freshwater issues across the region and within FMUs.
- 6.3 The planning framework needed to support the WCO is similar to how staff anticipate addressing freshwater issues in other FMUs (eg Waimea Plains). A single plan development process provides an efficient way for staff to ensure linkages between the FMU specific parts and wider regional freshwater framework are considered in an integrated manner. This also utilises the limited capacity of expert science and policy staff in an effective manner.
- 6.4 A single freshwater planning process also minimises capacity constraints for staff in servicing the public process. It is also easier and more efficient for iwi, stakeholders, landowners and communities participating in the process to understand and navigate what will be a very complex and technical plan change. This is particularly important for the Takaka community where water and land users may be subject to both elements related to the WCO and wider changes from the regional freshwater management framework. It is preferable that the community only participates in one integrated process, not two.

Reasons supporting the draft LFPC progression this year as a priority:

- 6.5 There are a number of key reasons to progress the LFPC this year:

- 6.5.1 to meet the Council’s obligation to notify a plan change ‘to assist in achieving the purposes of’ Te Puna Waiora o Te Waikoropupū Springs and Wharepapa Arthur Marble Aquifer Water Conservation Order (WCO) for consistency with the NPS-FM 2020 by 31 December 2024;
- 6.5.2 to address the nitrate management for the Waimea Plains and update the planning provisions to accommodate the operative Waimea Community Dam;
- 6.5.3 to reassess the allocation limits within the Deep Moutere Aquifers that during this year’s drought exceeded historic low levels;
- 6.5.4 to address ongoing issues with land disturbance recontouring rules and improve sediment management to protect freshwater and coastal water quality and ecosystem health (including addressing historic issues with Plan Change 3);
- 6.5.5 to progress freshwater management in the Tākaka FMU as per the Council resolution on 21 May 2020, based on recommendations by the Tākaka Freshwater and Land Advisory Group (FLAG); and
- 6.5.6 to update management of freshwater in Tasman to protect freshwater bodies and ecosystems, address over-allocation and incorporate tangata whenua and community values of water, while providing access to water resources for community and business use, and enable and promote water resilience, local food security and drought management.

Reasons against releasing a draft LFPC this year include:

- 6.6 The uncertainty of national direction (outlined further in section 5.1) that could create rework. This includes uncertainty arising from recent case law from other council freshwater planning processes. These issues are still playing out in the courts and may be further influenced by Central Government changes to legislation in the coming 12 months.
- 6.7 The potential for some public concern or adverse feedback about releasing a draft LFPC ahead of changes to the RMA, NPS-FM and associated freshwater standards and regulations.
- 6.8 Iwi direction and science inputs may not be fully available to inform the draft plan. This may mean some ‘placeholders’ will be required in the draft that will need to be filled out for the subsequent proposed version.

Mitigation of issues

- 6.9 Regarding Central Government direction - staff recommend Council send a letter to the Ministers for the Environment (and copied to the Office of the Freshwater Commissioner, OFC) advising them that the Council intends to progress the LFPC ahead of the revised NPS-FM and the reasons why. Advising the OFC may assist with their forward programming for the Freshwater Planning Process.
- 6.10 This recommendation is consistent with the approach the Minister has taken with Otago Regional Council in requesting under RMA s27 that they “*provide an outline of the costs, benefits, and implications of notifying your plan before the NPS-FM is replaced*”.
- 6.11 This letter could be written in conjunction with the separately required annual feedback to the Minister on how Tasman is providing for vegetable production under the NPS-FM, as there are linkages between our draft plan progression and this topic. Reporting requirements on this matter were established last year by the Minister, and our feedback is now due.

- 6.12 Wherever possible the draft LFPC framework will seek to be agile in adapting to clearer Central Government messaging as it is received in order to minimise future work.
- 6.13 Regarding iwi and science inputs - staff will focus on ensuring the draft framework is as complete as possible and that any specific aspects still to come are clearly highlighted. Feedback can still be sought and received on placeholders for informing the amended plan version. This is consistent with the direction under the NPS-FM (cl 1.6) which is to use the best available information at the time and the Council must not delay making decisions solely because of uncertainty about the quality or quantity of information available.
- 6.14 Further, staff recommend ongoing public communications on the LFPC programme, reasons for continued progression of this work and when the will be opportunities for our communities to contribute to the development of the plan change. This can be achieved through regular updates through our various region wide and targeted communication avenues.
- 6.15 The options for progression of the LFPC are outlined in the following table. The options considered have sought to meet the range of the Council’s legal obligations. Consideration was also given to providing a timely and strategic response to management of freshwater in Tasman, while allowing sufficient time for public, iwi and stakeholder input. The options also aim to remain within current budgets and staff capacity and enable expert involvement.

Option	Advantage	Disadvantage
<p>1. Progress draft LFPC for public feedback in 2024.</p> <p>(A subsequent decision on whether to then publicly notify a plan change will be required.)</p>	<p>Maintains momentum to address priority freshwater issues, including progress on plan regulation to support the WCO in a timely manner.</p> <p>Allows for an integrated and strategic response to support protections for Te Waikoropupū Springs.</p> <p>Allows for the most efficient use of staff resources.</p>	<p>May require further plan change work once the revised NPS-FM is gazetted (expected in 2026).</p> <p>Reduced timeframe for iwi and science inputs into draft LFPC.</p>
<p>2. Continue background work, but delay draft LFPC process and subsequent notification decision until 2025.</p>	<p>Maintains momentum to address priority freshwater issues, while allowing for incorporation of government direction received in the next 6-12 months.</p> <p>Allows for an integrated and strategic response to support protections for Te Waikoropupū Springs.</p>	<p>Timing of processes means the plan will not have legal effect for another two summer periods, with potential adverse implications in some FMU.</p> <p>Delays legal effect of plan to support WCO. Exposes Council to legal challenge if it can be proven Council has not used its “best endeavours” to notify a plan change by December 2024.</p> <p>Extending the timeframe may add further changes or extra delay depending on Central Government direction.</p>

Option	Advantage	Disadvantage
3.	Continue background work, but delay draft LFPC process until the revised NPS-FM is gazetted (expected in 2026).	<p>Minimises the need for plan rework with any significant changes to the NPS-FM.</p> <p>Adds significant delay to the plan having legal effect. Will not address priority issues for freshwater in a timely manner – with potential adverse implications in some FMUs for three (or more) summer periods.</p> <p>Significantly delays legal effect of the plan to support WCO, or will require separate plan change processes which requires more resourcing, splits the public process, and does not allow for an integrated and strategic response to support protections for Te Waikoropupū Springs.</p> <p>Exposes Council to legal challenge if it can be proven Council has used its “best endeavours” to notify a plan change by December 2024.</p>
4.	Progress with a draft plan change to support the WCO with the goal of public notification as soon as possible and delay LFPC process while we await for changes to the NPS-FM.	<p>Means that the Council will comply with the terms of the WCO.</p> <p>Minimises the need for plan rework with any significant changes to the NPS-FM.</p> <p>Timing of processes means the LPFC for the rest of Tasman will not have legal effect for another two or more summer periods, with potential adverse implications in some FMUs.</p> <p>Multiple planning changes which may overlap may create challenges for submitters.</p> <p>Increased pressure on staff resources, duplication of processes and costs with multiple hearing processes.</p>

- 6.16 Option 1 is recommended as the efficient way forward to meet the Council’s obligations under both the WCO, NPS-FM and to address the priority freshwater issues for Tasman in a timely manner. Once the Council has received and considered feedback on a draft plan change it will then need to make a decision on formal notification of a plan change and whether that is for the whole of Tasman or a separate Takaka plan change.
- 6.17 Option 2 and 3 are not recommended due to the delay added to the legal effect of the land and freshwater framework. In particular, these options may not be considered to meet the Council’s obligations to progress the supporting plan change for the WCO, or give effect to the NPS-FM as soon as reasonably practicable. The delay will also likely result in at least two summers before priority freshwater issues in the Waimea, Tākaka and Deep Moutere groundwater FMUs are addressed. This has the potential for significant adverse effects on freshwater ecosystems, fails to address uncertainty around water allocation and limits, and may have associated economic impacts for land and water users.
- 6.18 Option 4 is not recommended because focusing on the WCO plan change will delay work on the LFPC which will have adverse impacts on the wider natural environment and land and water users. It does not allow a fully integrated consideration of freshwater issues in the Tākaka catchments. It will also be the most resource intensive for staff and submitters as it

will require two plan change processes and does not bring the legal effect of the WCO significantly forward.

7. Legal / Ngā ture

RMA and NPS-FM requirements

- 7.1 Under the RMA s79, the Council has an obligation to commence review of provisions in plans every 10 years. The majority of the freshwater framework in the TRPS and TRMP are either due or overdue for review. The Council resolved in 2019 to commence a whole of plan review. Due to ongoing changes to legislation, the Council resolved in October 2023 to pause the whole of plan review and instead focus on five priority environmental policy areas. Council will at some stage need to revisit its decision to pause the review.
- 7.2 The current proposed LFPC work is a continuation of the work begun under the TEP and we are a significant way down the plan development process for freshwater.
- 7.3 Recent changes to the RMA have included a timeframe change to December 2027 for councils to update their plans to incorporate the requirements of the NPS-FM. Consequently, there is no longer a legal requirement under the RMA to notify a freshwater plan change by December this year. However, there remains an obligation under the current NPS-FM (cl.4.1) to give effect to the NPS-FM as soon as reasonably practicable.
- 7.4 To both meet the ongoing obligation under the NPS-FM and take account of the messaging from Central Government, staff recommend a 'minimum requirements' approach due to the Government's announcements to replace the NPS-FM in 2026. This will focus on the key elements required by the NPS-FM that are needed for effective and efficient freshwater management in Tasman focusing on our priority issues to be addressed. The LFPC process will also seek to incorporate government direction as it is received to minimise any rework required after the NPS-FM 2020 is replaced.

Council duties under the Water Conservation Order

- 7.5 Clause 7 of the WCO relates to notification of a proposed plan – it states:
- “To assist in achieving the purposes of this order, the Council must use its best endeavours to notify any proposed policy statement and proposed plan that affects land or freshwater in the WAMARA or the Waingaro catchment by no later than 31 December 2024”.*
- 7.6 The Environment Court's recommendations report outlined an explanation of its intention behind clause 7. This highlights that it:
- 7.6.1 sought to encourage timely notification of the regional plan to support achieving the purpose of the order - recognising that a strategic response was needed to address nitrate reduction, including aspects outside the scope of the WCO;
- 7.6.2 intended the WCO to be consistent with the NPS-FM (and the RMA notification deadline at the time); and
- 7.6.3 deliberately framed the duty to avoid undue prescription.
- 7.7 The 'purpose of the order' is 'to preserve as far as possible Te Waikoropupū Springs in their natural state as Te Puna Waioira in accordance with tikanga Māori; and recognise, sustain, and protect the outstanding values and characteristics of the Springs and Wharepapa Arthur Marble Aquifer. The duty for the Council is clearly stated in clause 6 of the WCO.

- 7.8 The term ‘best endeavours’ is normally used in contract law, and means that the Council must demonstrate it has done all it reasonably can in the circumstances to have the proposed plan or policy statement notified. It must do more than prepare a proposal or work programme.
- 7.9 The first step will be developing a draft plan change (incorporating the WCO elements) and then seeking public feedback on the draft LFPC. Council will then have to make a decision on what and when to formally notify a plan change. This decision will be informed by the feedback it receives from our communities on the draft as well as any further and proposed further law changes.
- 7.10 Those subsequent decisions on notification may create risks for the Council. Those legal and reputational risks for the Council include the risk of any decision being challenged, ministerial intervention or reputational damage.

8. Iwi Engagement / Whakawhitiwhiti ā-Hapori Māori

- 8.1 Development of the LFPC includes two key workstreams with ngā iwi of the Tasman region. These are:
- 8.1.1 Te Puna Kōrero ki te Tauihu (TPK), which is a collaboration between the three councils and eight iwi of Te Tauihu, plus Ngāti Waewae whose rohe overlaps in the Upper Buller/Kawatiri FMU. The purpose of this group is to explore how freshwater can be managed across Te Tauihu and identify how each regional plan can support achieving Māori aspirations and values for freshwater management; and
- 8.1.2 Te Puna Waiora o Te Waikoropupū Springs and Wharepapa Arthur Marble Aquifer Water Conservation Order partnership forum.
- 8.2 The NPS-FM (cl.3.4) requires that every local authority actively involve tangata whenua (to the extent they wish to be involved) in freshwater management (including decision-making processes), and in particular plan change processes that relate to freshwater management. This requirement is in part addressed through the TPK process, as well as further requirements under the RMA for iwi review of proposed plans as part of the formal Schedule 1 process.
- 8.3 Under the WCO the Council has a duty to preserve and protect the Springs and aquifer. In doing so, the Council must recognise and assist Manawhenua Iwi to exercise their rangatiratanga and kaitiakitanga. It must also provide Ngāti Tama (and Ngāti Rarua and Te Ātiawa) a partnership opportunity.
- 8.4 Initial discussions with Ngāti Tama have been held to agree on a process for partnership opportunities as the LFPC is developed, and identification of key input points to ensure the WCO is effectively supported and the outstanding values and characteristics protected through the LFPC.
- 8.5 Staff will provide updates on both of these processes through the Environment Policy Manager’s reports at future Strategy and Policy Committee meetings.

9. Significance and Engagement / Hiranga me te Whakawhitiwhiti ā-Hapori Whānui

- 9.1 The current decision being sought is the continued progression of development of a draft LFPC (including WCO components) for public engagement this year. This includes

commitment of staff resources to this work, particularly for the Environmental Policy and Environmental Information departments.

- 9.2 The Council approvals needed to publicly release the draft, confirm the final content of the LFPC, and its formal public notification (ie initiation of the formal process under RMA Schedule 1) will be separate decisions for future committee meetings.
- 9.3 However, given the legislative background and the terms of the WCO staff consider this decision is significant and community interest may be high given the importance of freshwater and land use to our urban and rural communities and iwi, and the importance of Te Waikoropū Springs. This is reflected in the significance table below.

	Issue	Level of Significance	Explanation of Assessment
1.	Is there a high level of public interest, or is decision likely to be controversial?	Moderate/ High	<p>Freshwater is a priority issue for many sectors of the community. In addition, Te Waikoropū is an outstanding waterbody of particular interest to both the Tasman community and national and international communities. There is expected to be continued interest in implementation of the WCO.</p> <p>Some sectors of the community may question continued progress on the LFPC given Central Government messaging to wait until the NPS-FM is replaced.</p>
2.	Are there impacts on the social, economic, environmental or cultural aspects of well-being of the community in the present or future?	Yes	<p>The current decision to progress the draft LFPC will not have significant impacts, however the notified version will influence land and freshwater use in the region, with subsequent influence on the social, cultural, environmental and economic outcomes from the protection and use of water.</p>
3.	Is there a significant impact arising from duration of the effects from the decision?	Yes	<p>The current decision to progress the draft LFPC will not have significant impacts, however the subsequent notified plan will influence land and water use in the region for 10 years at least. This will be a decision for a future committee meeting.</p>

	Issue	Level of Significance	Explanation of Assessment
4.	Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	No	The progression of the draft LFPC will not affect strategic assets, however the subsequent notified plan may influence management of strategic assets over time via resource consents needed for land use, discharges and water use.
5.	Does the decision create a substantial change in the level of service provided by Council?	No	The progression of the draft LFPC will not change council services, however the subsequent notified plan may influence levels of service over time via resource consents needed for land use, discharges and water use.
6.	Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	The progression of the draft LFPC and subsequent notification process is within the current LTP budgets.
7.	Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	The draft LFPC does not affect sale or control of CCO or CCTO.
8.	Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	No	The progression of the draft LFPC does not involve changes to contracts or private sector partnerships.
9.	Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	The progression of the draft LFPC does not involve changes to existing group activities.
10.	Does the proposal require particular consideration of the obligations of Te Mana O Te Wai (TMOTW) relating to freshwater, or particular consideration of current legislation relating to water supply, wastewater and stormwater infrastructure and services?	Yes	The LFPC is one of the key methods by which the Council can give effect to Te Mana o te Wai in the Tasman region. In addition, the notified LFPC will influence the management of water, wastewater and stormwater infrastructure over time via resource consent processes.

10. Communication / Whakawhitiwhiti Kōrero

- 10.1 Staff will be undertaking ongoing public communications as part of the LFPC work programme through our various region wide and targeted communication avenues.
- 10.2 Engagement with Tasman's communities on the LFPC workstream began as part of the TEP in 2020. Specifically, engagement has now been completed on Tasman's FMUs, long-term visions for each FMU, values of water and associated environment outcomes sought. The final draft outputs will be publicly released once the Council's direction on the LFPC progression is made.
- 10.3 The next phase for public engagement will be through the release of the draft LFPC for feedback this year.
- 10.4 Some targeted iwi and stakeholder engagement will occur as part of the draft LFPC development process (including WCO elements) to get initial feedback on plan approaches and any issues that need to be addressed or clarified for inclusion in the draft for public feedback. This targeted engagement will take place in the next three months.
- 10.5 Specifically regarding the WCO, staff are progressing a mail out (in June) to all properties within the recharge area (WAMARA) and those adjacent to the Springs or the surrounding Fish Creek catchment, to ensure all landowners are aware of the WCO and the potential for regulation in the LFPC to affect land use activities, discharges and water use on their properties.

11. Financial or Budgetary Implications / Ngā Ritenga ā-Pūtea

- 11.1 The proposed LFPC programme remains within current budgets. There may be some flow-on effect from prioritisation of staff resources, particularly Environmental Information staff, for provision of the supporting evidentiary basis for the development of the draft plan, subsequent notified version and formal freshwater planning process. Staff resourcing requirements have been minimised by progressing a single freshwater plan development process, rather than progressing the WCO elements separately.

12. Risks / Ngā Tūraru

Meeting the Council's legal obligations

- 12.1 The risks of not meeting the Council's legal obligations under the WCO and NPS-FM 2020 include legal challenge or judicial review of our processes, and potential for ministerial intervention (eg ministerial directions). Each of these processes can be extremely costly and often takes up the same staff resources needed to progress the work required to meet the obligations in the first place. This can have the unfortunate effect of delaying progress further and diverting limited ratepayer funds away from priority work.
- 12.2 It is hoped that regular communication with iwi, stakeholders and the community will avoid uncertainty and concern around the progress of the LFPC and associated WCO elements.
- 12.3 Both Options 2 and 3 have a greater risk of not being considered to meet the Council's obligations to provide a timely and strategic plan response to the WCO and NPS-FM 2020 increasing the risk of legal challenge and associated delays and increased costs.
- 12.4 Options 2 and 3 will also delay legal effect of the LFPC framework and rules. This could have adverse implications in some FMU for two or more summer periods, including adverse

environmental effects, impacts on communities and businesses from ongoing uncertainty, and limitations on land and freshwater resource use.

- 12.5 Option 4 may mean that the Council meets the requirements of the WCO but at the expense of the rest of the FMUs in the District.

Response to Central Government direction and legislative changes

- 12.6 As highlighted previously, progression of the LFPC may be seen by some in the community as contrary to the messaging from Central Government and be considered a waste of ratepayer funding.
- 12.7 While there may be potential for some rework required if there are significant changes to the NPS-FM, staff anticipate the bulk of the information and feedback sought through the draft LFPC workstreams will retain their relevancy over time, as they seek to address priority issues for freshwater in Tasman and are focused on minimum needs and addressing key risks.
- 12.8 Wherever possible the draft LFPC framework will seek to be agile in adapting to clearer Central Government messaging as it is received, in order to minimise future work.
- 12.9 As covered previously, staff recommend that Council send a letter to the Minister for the Environment (and copied to the Office of the Freshwater Commissioner) advising them that the Council intends to progress the LFPC ahead of the NPS-FM 2026 and the reasons why.
- 12.10 Further, staff recommend ongoing public communications on the LFPC programme and reasons for progression of this work, as well as regular updates through our various region wide and targeted communication avenues.

Staff, community and iwi capacity for involvement in the LFPC development process

- 12.11 Utilising a draft feedback process enables the community and iwi to see the wider LFPC framework and understand the integrated nature of the controls proposed. This process is not a legal requirement but is considered good practice and allows the identification of any aspects of concern prior to the development of the final notified version. This approach has been used to good effect previously in the Tasman region and is considered best practice. There will be further opportunity for iwi and science staff and other experts to address any concerns prior to notification of the proposed LFPC. The formal RMA Schedule 1 process after notification, provides a further opportunity for community and iwi input via submissions, however capturing this input prior to notification is the preferred approach.
- 12.12 Option 1 provides less time for iwi, stakeholder and science staff advice into the draft LFPC than previously programmed. This may mean some 'placeholders' will be required in the draft that will need to be filled out for the subsequent proposed version for notification. Staff will focus on ensuring the draft framework is as complete as possible and that any specific aspects still to come are clearly highlighted. Feedback can still be sought and received on placeholders for informing the proposed version.
- 12.13 As mentioned previously, there may also be some flow-on effect from prioritisation of staff resources. Staff resourcing requirements have been minimised by progressing a single freshwater plan development process, rather than progressing the WCO elements separately.
- 12.14 Utilising a single freshwater plan development and engagement process will also help minimise consultation fatigue and the potential for confusion amongst the community compared to progressing the LFPC and WCO components separately. A single formal

freshwater planning process will also minimise the capacity demands for participation for everyone in the formal plan development process.

Potential for adverse environmental impacts

12.15 Further delay to the LFPC process may mean an additional two summers (or more) under the current TRMP for those FMU with urgent issues to address. In particular, the potential adverse impacts on the environment that the LFPC seeks to address include:

- 12.15.1 exacerbation of the nitrate issue in groundwater of the Waimea Plains, particularly with further water becoming available from the operational Waimea Community Dam;
- 12.15.2 avoiding potentially irreversible damage to the Deep Moutere Aquifer from excessive abstraction, and addressing any over-allocation in other WMZs; and
- 12.15.3 halting ongoing degradation of waterbody health, particularly where over-allocation and water quality or habitat, natural character and biodiversity loss is occurring.

12.16 In addition to poor environmental outcomes, failure to address significant environmental impacts can also result in a legal challenge and judicial review from concerned sectors of the community and environmentally focused organisations.

13. Climate Change Considerations / Whakaaro Whakaaweawe Āhuarangi

13.1 Climate change considerations are embedded within the LFPC process, both in terms of underpinning science information informing the plan – for example in setting allocation regimes, as well as scope of the plan change itself. This includes building community and freshwater ecosystem resilience to the effects of climate change on freshwater in a range of ways through plan objectives, policies and rules, with a particular focus on drought management.

14. Alignment with Policy and Strategic Plans / Te Hangai ki ngā aupapa Here me ngā Mahere Rautaki Tūraru

14.1 The LFPC process aligns with the Council's functions and duties under the RMA, and links to the community outcomes under the LTP, particularly Outcome 1: Our unique natural environment is healthy, protected and sustainably managed. Freshwater is vital to everyone in the Tasman region, touching all aspects of our daily lives and businesses. The TRPS and TRMP influence other Council functions and duties, particularly river management, and water, wastewater and stormwater related infrastructure through their associated Activity Management Plans and resource consent processes.

15. Conclusion / Kupu Whakatepe

15.1 The continued progress of the LFPC will provide an integrated response to freshwater management in Tasman, including supporting the Water Conservation Order which is consistent with the Council's obligations under clause 7 of the WCO, section 4.1 of the NPS-FM 2020, and the need to address priority freshwater issues for Tasman in a timely manner.

15.2 Some further work is likely to be needed to incorporate any new changes to freshwater related legislation by Central Government over the coming years and the scope of this is anticipated to become clear in 2026.

- 15.3 Staff will undertake ongoing public communications on the LFPC programme, including the reasons for progression of this work, as well as regular updates through our various region wide and targeted communication avenues for how individuals can be involved in the process.

16. Next Steps and Timeline / Ngā Mahi Whai Ake

- 16.1 Staff will continue progress on the key workstreams to create a draft LFPC for public release this year.
- 16.2 Media releases and ongoing updates through various communication channels will be undertaken to help ensure landowners, stakeholders and the wider community are kept informed and are aware of their opportunities to be involved in the development of the LFPC.
- 16.3 Future workshops with Councillors will focus on the approaches recommended within the draft LFPC framework. Approval on the final draft LFPC scope and public release of this for feedback by the community will be sought at a Strategy and Policy Committee later this year.
- 16.4 Staff will assist Council, as needed, to update the Minister for the Environment (and Office of the Freshwater Commissioner) on progression of the LFPC ahead of the NPS-FM replacement, and elements of the LFPC intended to support the ongoing production of vegetables to support national food resilience.

17. Attachments / Tuhinga tāpiri

Nil

7.3 TASMAN RESOURCE MANAGEMENT PLAN NATURAL HAZARDS PLAN CHANGE: PROPOSED WORK PROGRAMME

Decision Required

Report To:	Strategy and Policy Committee
Meeting Date:	28 May 2024
Report Author:	Diana Worthy, Team Leader – Natural Resources Policy
Report Authorisers:	John Ridd, Group Manager - Service and Strategy
Report Number:	RSPC24-05-2

1. Purpose of the Report / Te Take mō te Pūrongo

- 1.1 The Committee is asked to consider the proposed work programme for a Natural Hazards Plan Change to the Tasman Resource Management Plan (TRMP).

2. Summary / Te Tuhinga Whakarāpotō

- 2.1 In October 2023, the Council adopted a short-term work programme focusing on progressing five key plan changes to the existing TRMP. This includes a Natural Hazards Plan Change (NHPC), to ensure our communities are resilient to natural hazards and adapt to the effects of climate change, including sea level rise. This report sets out the proposed work programme. The short-term work programme is in response to ongoing uncertainty with the future of the Resource Management Act (RMA).
- 2.2 The NHPC will include the following natural hazards: coastal hazards and sea level rise, flooding, wildfires, earthquake faults, liquefaction, and slope instability.
- 2.3 A key philosophy of the NHPC will be to retain the existing planning framework within the TRMP unless there is a clear need for change e.g. to have regard to updated statutory requirements or national guidance, incorporate new or updated hazard information, or address gaps, inefficient or ineffective provisions.
- 2.4 Indicative timeframes are as follows:
- 2.4.1 2024 – issues and options report developed plus community engagement;
 - 2.4.2 2025 – Council direction and plan change drafting;
 - 2.4.3 2026 – draft plan change community engagement and finalising the plan change; and
 - 2.4.4 2027 – notify plan change.
- 2.5 The NHPC's indicative timeframes have been developed in recognition of the complexities of the natural hazards planning topic, working with our iwi partners and the wider community, and flexibility for any future national direction or RMA changes that might come our way. It is anticipated that regular updates on the NHPC will be provided to the community using a range of communication tools and the Council's usual media channels.
- 2.6 The NHPC work programme (including communications plan and engagement) will build on technical work completed in recent years including educational engagement on coastal hazards and sea level rise (2019 and 2021) and geological hazards (2022).

3. Recommendation/s / Ngā Tūtohunga

That the Strategy and Policy Committee

1. receives the Tasman Resource Management Plan Natural Hazards Plan Change: Proposed Work Programme report RSPC24-05-2; and
2. agrees to the scope and timing of the Tasman Resource Management Plan Natural Hazards Plan Change: Proposed Work Programme as set out in the agenda report; and
3. requests staff to undertake the Tasman Resource Management Plan Natural Hazards Plan Change's proposed work programme.

4. Background / Horopaki

Resource Management Plan Review Requirements

- 4.1 Under the Resource Management Act 1991 (RMA 1991), the Council has an obligation to review plans every 10 years and the Tasman Resource Management Plan (TRMP) is due for review. The Environmental Policy team started work in 2019 to develop our second-generation plan, known as 'Aorere ki uta, Aorere ki tai – Tasman Environment Plan' (TEP). However, that work was paused last year because of the change in government and uncertainty with the resource management system reform.
- 4.2 Due to the uncertainty, the Strategy & Policy Committee resolved in October 2023 to pause the review of the TRMP. Instead, the Environmental Policy work will focus in the short term on five key workstreams related to key environmental issues in Tasman:
 - 4.2.1 **Urban growth** - implementing the Nelson Tasman Future Development Strategy (FDS);
 - 4.2.2 **Natural Hazards** – responding to hazards and climate change;
 - 4.2.3 **Freshwater** – addressing water quantity and quality issues and implementing the Te Waikoropū Water Conservation Order;
 - 4.2.4 **Outstanding Natural Landscapes and Features** – progressing a plan change to address a longstanding obligation; and
 - 4.2.5 **Coastal – Ports**, marine ecological research, and implementing the New Zealand Coastal Policy Statement within the above workstreams.
- 4.3 The first four items will result in changes to the TRMP in the next one to three years. This report focuses on Natural Hazards.
- 4.4 Over the years there have been several discrete TRMP plan changes that have improved natural hazard management through location-specific or natural hazard topic-specific planning provisions. However, there has not been a full review of the TRMP natural hazards policy framework since the plan was first notified in 1996.

Natural Hazards work completed to date

- 4.5 As part of TEP preparatory work, a number of workstreams have been completed in recent years that will be used to inform the future Natural Hazards Plan Change (NHPC). This includes:

- 4.5.1 Section 35 Efficiency and Effectiveness Evaluation of TRMP Chapter 13 Natural Hazards, and Chapter 23 Natural Hazards and Hazardous Substances;
 - 4.5.2 coastal hazards and sea level rise work under the 'Coastal Management Project'. This included release of a coastal hazards map viewer and community engagement (2019), development of a coastal risk assessment (2020), and educational community engagement on high-level options for coastal management (2021). This work has followed the Ministry for the Environment's Coastal Hazards and Climate Change Guidance 2017, which was updated in February 2024;
 - 4.5.3 technical review of our geological natural hazards. Beca Ltd were contracted to review the boundaries of our TRMP slope instability risk areas, advise on what active earthquake faults should be included in the TRMP, and develop a region-wide liquefaction map. This technical work was completed in 2021 and staff presented a series of webinars in May 2022 to socialise this information with the community.
- 4.6 Environmental Information and Environmental Policy staff with expertise in natural hazards contribute to urban growth planning work to ensure the Council plans for and enables climate-resilient urban development. Decision-making uses the most up to date natural hazards information available. Natural hazards expertise has contributed to and shaped the 2022 Future Development Strategy and the subsequent Urban Growth Plan Changes (in development) to implement the Strategy, and the Mapua Master Plan.

5. Analysis and Advice / Tātāritanga me ngā tohutohu

Scope of Plan Change

- 5.1 Staff are proposing the following natural hazards will form the scope of the plan change:
 - 5.1.1 coastal hazards and sea level rise;
 - 5.1.2 flooding;
 - 5.1.3 wildfires;
 - 5.1.4 earthquake faults;
 - 5.1.5 liquefaction; and
 - 5.1.6 slope instability.
- 5.2 Three natural hazards are recommended to be out of scope of the NHPC. Our response to drought is being included in the development of the Land and Freshwater Plan Change, through water allocation and storage provisions. Both Tasman and Nelson Councils take an information and education approach to tsunamis through our civil defence functions, rather than through a planning response. Wind and earthquake shaking are addressed in relation to buildings under the Building Act 2004 and Code requirements.
- 5.3 A key philosophy of the NHPC will be to retain the existing planning framework within the TRMP unless there is a clear need for change e.g. to have regard to updated statutory requirements or national guidance, incorporate new or updated hazards information, or address gaps, inefficient or ineffective provisions. The need for change (or not) will vary across the different natural hazards.
- 5.4 The following will also be included in the NHPC:

- 5.4.1 avoiding intensification and growth in low-lying coastal and river flood plain areas, to ensure new development is not in harm's way;
 - 5.4.2 reviewing planning zones in relation to updated natural hazards information and 'down-zoning' inappropriate greenfield sites (a legacy issue); and
 - 5.4.3 updating our TRMP planning maps with new natural hazards information and improving public access to District-wide natural hazards information on the Council's website.
- 5.5 Climate-resilient growth opportunities are being delivered in parallel through the development of the Urban Growth Plan Change (Plan Change 81). This work implements the future growth locations identified in the 2022 Future Development Strategy.

Timing of Plan Change

- 5.6 Indicative timeframes for the NHPC work programme are:
- 5.6.1 2024 – issues and options report developed plus community engagement;
 - 5.6.2 2025 – Council direction and plan change drafting;
 - 5.6.3 2026 – draft plan change community engagement and finalising the plan change; and
 - 5.6.4 2027 – notify the plan change.
- 5.7 The NHPC's indicative timeframes have been developed in recognition of the complexities of the natural hazards planning topic, working with our iwi partners and the wider community, and flexibility for any future national direction or RMA changes that might come our way.

Out of scope: 'Community Adaptation Planning'

- 5.8 The Minister for Climate Change announced on 10 May that the Finance and Expenditure Committee will lead an inquiry into climate adaptation (building on the Environment Committee's previous inquiry into climate adaptation in late 2023). The purpose of the inquiry is to develop and recommend guiding objectives and principles for the design of a climate adaptation framework for New Zealand. Any legislation required to support the framework is expected to be introduced in early 2025. Additionally, the Minister has signalled that the granular nature of adaptation favours a decentralised approach, and that councils and communities are generally best placed to understand local risks and decide whether and how to protect each of their assets" (see Cabinet paper: CAB-400 Progressing an adaptation framework - 15 April 2024). More information in the inquiry is noted in the Quarterly Climate Change Update.
- 5.9 Council staff have anticipated the need for a national climate adaptation framework and the likely role that local government will play in its implementation. Staff are seeking funding through the 10 Year Plan 2024-2034 to develop a regional climate adaptation strategy and 'community adaptation plans' for individual communities. This work programme would deliver on any legislative requirements set by the government's proposed adaptation framework. This long-term community adaptation planning work is proposed to be progressed in a parallel and complimentary work programme to the NHPC. The NHPC is focussing on immediate improvements that can be made to our existing resource management framework to ensure we avoid putting more people and new development in harm's way; whereas community adaptation plans would provide a longer-term strategic adaptation framework, including managed retreat options, that would be implemented through a number of Council functions (e.g. planning, infrastructure, reserves, property,

environmental information), including subsequent changes to our resource management plan.

6. Options / Kōwhiringa

6.1 The options are outlined in the following table:

Option		Advantage	Disadvantage
1.	Commence work to develop a NHPC	<ul style="list-style-type: none"> • Incorporate new natural hazards technical information in TRMP • Address known TRMP natural hazards issues/inefficiencies • Give effect in full to the New Zealand Coastal Policy Statement (NZCPS), other national direction and messaging • Respond to community expectations • Flexibility with timeframe, take the community with us and ability to respond to any future national direction or RMA 1991 changes 	<ul style="list-style-type: none"> • Risk of unexpected change in new government’s direction • Government may be pursuing a NPS Natural Hazards Decision-making (NPS-NHD), which may place additional requirements on councils
2.	Do not commence work on a NHPC	<ul style="list-style-type: none"> • Wait and see on NPS-NHD, and wider government direction 	<ul style="list-style-type: none"> • Continue to operate with outdated TRMP provisions (particularly land use) that only gives partial effect to NZCPS, which can result in: <ul style="list-style-type: none"> - onsite-specific decision-making through consenting process - lack of comprehensive area-wide measures/solutions - reliance on Building Act/Code where TRMP provisions fall short • Does not respond to community expectations • May need to rush a plan change in the future

6.2 Option 1 to commence work to develop a NHPC is recommended.

7. Legal / Ngā ture

- 7.1 As noted in Section 4, the Council has adopted a short-term work programme focusing on progressing five key plan changes to the existing TRMP – including the NHPC.
- 7.2 There are existing requirements under the RMA for councils to recognise and provide for the management of significant risk from natural hazards (Section 6(h)), and to have regard to the effects of climate change (Section 7(i)). The New Zealand Coastal Policy Statement 2010 provides clear direction for identifying and reducing risks from coastal hazards and sea level rise, supported by the Ministry for the Environment's Coastal Hazards and Climate Change Guidance 2024 in conjunction with the NZ SeaRise programme. The NHPC provides the opportunity to strengthen the existing TRMP natural hazards policy framework and have regard to more recent statutory requirements.
- 7.3 The new government's resource management system reform is considered under Section 12 Risks/Ngā Tūraru.

8. Iwi Engagement / Whakawhitiwhiti ā-Hapori Māori

- 8.1 As part of the TEP process, the Environmental Policy team established a 'Tasman Environment Plan Partnership Working Group' with our ngā iwi partners. This working group is for Council staff and Pou Taiao representatives to engage and work collaboratively together on the development of resource management policy. The working group is now continuing with a focus on our short-term priority work programme, which will include the NHPC. Staff have previously presented at the working group updates and information regarding our updated natural hazards technical information and community engagement opportunities.
- 8.2 Natural hazards and the effects of climate change is a national (and global) issue. However, the National Climate Change Risk Assessment 2020 identifies climate change risks will disproportionately affect certain whānau, hapū and iwi, including Māori interests, values, practices and wellbeing. This issue will be considered further through the NHPC communications plan, to ensure that opportunities are provided to enable ngā iwi and Māori to participate in the plan change development process.

9. Significance and Engagement / Hiranga me te Whakawhitiwhiti ā-Hapori Whānui

- 9.1 At this stage while there is high public interest in natural hazards, in approving this report no public consultation is required. Natural hazards resilience and adapting to the effects of climate change is of high significance and interest for Councillors, Community Boards, ngā iwi, landowners, residents, businesses and the wider community. The Council, in undertaking its statutory functions as an asset manager, will also have a significant interest in the NHPC. In developing and notifying the NHPC in the coming years, staff will follow our statutory requirements under the RMA 1991 Schedule 1 process.

10. Communication / Whakawhitiwhiti Kōrero

- 10.1 Staff are developing a communication plan as part of the wider NHPC work programme. It is anticipated that regular updates on the NHPC will be provided to the community using a range of communication tools and the Council's usual media channels. This will also include improvements to the natural hazards information presented on our website and development of a public-facing natural hazards map viewer.

- 10.2 Community engagement will be undertaken as part of ‘issues and options’ development (later in 2024), and for the draft NHPC (indicative date early 2026). In leading up to and on notification of the proposed NHPC, staff will be following the formal RMA 1991 Schedule 1 process which includes a statutory engagement process and the opportunity for anyone with an interest in the plan change to make a submission.
- 10.3 The NHPC communication plan and engagement will build on work completed in recent years including educational engagement on coastal hazards and sea level rise (2019 and 2021) and geological hazards (2022).

11. Financial or Budgetary Implications / Ngā Ritenga ā-Pūtea

- 11.1 The NHPC work programme is included within the existing Environmental Policy budget. There are no anticipated extra budget requirements or implications, provided the work programme’s risks are mitigated and minimised. If there are significant budgetary implications to the work programme as a result of future RMA 1991 system reform, staff will discuss this with the Council and seek formal agreement on the best way forward.

12. Risks / Ngā Tūraru

Resource Management Reform

- 12.1 The government has signalled its intention to replace the RMA 1991 with new resource management legislation based on the enjoyment of property rights, while ensuring good environmental outcomes. Their work programme will focus on “making it easier to get things done” (e.g. housing/business growth, infrastructure, primary sector growth) while also “adapting to the effects of climate change and reducing the risks from natural hazards” (amongst other considerations). This work will start shortly with the aim of passing the new legislation by early 2026. Staff recommend that NHPC work commences, rather than taking a ‘wait and see’ approach, given there is no certainty with the government’s work programme. The NHPC timeframe has been developed to ensure that the work programme is flexible and can ‘pivot’ if needed and staff are confident that work on the NHPC will not be wasted effort in light of this.
- 12.2 It is noted that the previous government released a draft National Policy Statement for Natural Hazards Decision-making (NPS-NHD) for community feedback in late 2023. At the time of writing, it is unclear if the new government will continue with this work. However, given the significant damage to communities across New Zealand as a result of the 2023 Auckland Anniversary/Cyclone Gabrielle rainfall events, staff anticipate that future national direction on natural hazards management will be forthcoming. Staff are keeping a watching brief on national discussions and our NHPC work programme remains flexible to mitigate this issue.

Other risks

- 12.3 There are a number of other challenges and risks associated with the NHPC. Natural hazard events are natural phenomena and part of the ever-changing environment we live in. The associated technical information is complex, and this can be challenging to present to the community in an easily understandable manner. The NHPC will update the TRMP’s natural hazards policy framework and it is anticipated this will result in property-specific land use planning implications for a large number of landowners across the District. Whilst outside of

the Council's control, there is likely to be landowner concerns regarding the ability to get insurance and bank mortgages; if there are implications for property values; and social wellbeing. The NHPC work programme has been developed keeping these challenges in mind, and provides for sufficient time, staff resourcing, opportunities for community engagement and education, in preparing the plan change. A risk register will be developed and regularly reviewed to ensure risks are mitigated and minimised where possible.

13. Climate Change Considerations / Whakaaro Whakaaweawe Āhuarangi

- 13.1 The matter requiring a decision in this report was considered by staff in accordance with the process set out in the Council's 'Climate Change Consideration Guide'.
- 13.2 The NHPC is focusing on building resilience to natural hazards and adapting to the effects of climate change, including sea level rise. Climate change considerations are integral to the work programme and the NHPC is a key tool to deliver on the RMA 1991 adaptation actions in the Tasman Climate Response Strategy and Action Plan 2023-2035. The work programme will have regard to the 2022 National Adaptation Plan, 2022 Emissions Reduction Plan and follow best practice set out in the 2024 Coastal Hazards and Climate Change Guidance.

14. Alignment with Policy and Strategic Plans / Te Hangai ki ngā aupapa Here me ngā Mahere Rautaki Tūraru

- 14.1 The NHPC will strengthen the natural hazards policy framework in the TRMP. It is also a key tool to deliver on the RMA adaptation actions in the Tasman Climate Response Strategy and Action Plan 2023-2035. Land use considerations as a result of the plan change, may also have future implications for the Council's management of assets through Activity Management Plans and 10 Year Plans.

15. Conclusion / Kupu Whakatepe

- 15.1 This report sets out the proposed work programme for the NHPC. The plan change will improve the existing TRMP natural hazards policy framework and give effect to more recent direction under RMA 1991. This will ensure that our communities are resilient to natural hazards and adapt to the effects of climate change, including sea level rise.
- 15.2 Staff recommend that NHPC work commences, rather than taking a 'wait and see' approach, given there is no certainty with the government's resource management system reform work programme. The NHPC timeframe has been developed to ensure that the work programme is flexible and can 'pivot' if needed and staff are confident that work on the NHPC will not be a wasted effort in light of this.
- 15.3 The indicative timeframes also recognise the complexities of the natural hazards planning topic, working with our iwi partners and the wider community. The NHPC work programme is included within the existing Environmental Policy budget.

16. Next Steps and Timeline / Ngā Mahi Whai Ake

- 16.1 The focus for the remainder of this year is the development of an 'issues and options' report and seeking community feedback on these issues and options. Dates for community engagement will need to be coordinated with other Environmental Policy community engagements that the team are proposing for later this year.

16.2 A NHPC communications plan is being developed and will be implemented to ensure that the Councillors, Community Boards, ngā iwi, landowners and the wider community are informed of the NHPC work programme and opportunities to get involved.

17. Attachments / Tuhinga tāpiri

Nil

7.4 PROCESS FOR REVIEWING THE WAIMEA RIVER PARK MANAGEMENT PLAN

Decision Required

Report To:	Strategy and Policy Committee
Meeting Date:	28 May 2024
Report Author:	David Arseneau, Team Leader Rivers & Coastal
Report Authorisers:	John Ridd, Group Manager - Service and Strategy; Rob Smith, Environmental Information Manager
Report Number:	RSPC24-05-3

1. Purpose of the Report / Te Take mō te Pūrongo

- 1.1 The purpose of this report is to:
- 1.1.1 outline the proposed process for reviewing the Waimea River Park Management Plan (the Plan); and
 - 1.1.2 to seek the Committee’s endorsement of the proposed plan review process.

2. Summary / Te Tuhinga Whakarāpototo

- 2.1 The land comprising the Waimea River Park (WRP) is owned and administered by the Tasman District Council with the majority held in freehold title for the purpose of river control and soil conservation. Two smaller areas also included within the existing plan are held under the Reserves Act 1977 as Local Purpose Reserve (Soil Conservation) and Recreation Reserve.¹
- 2.2 The existing management plan for the WRP, developed in 2010, was prepared in response to public enthusiasm for the Council owned river berm land alongside the Waimea River and lower Wairoa and Wai-iti rivers to be managed for a wider range of uses in addition to the primary management objectives of river control and soil conservation.
- 2.3 To facilitate this objective, the lands were grouped together as the Waimea River Park, and a management plan developed to provide for enhancement of other values and uses of the park lands such as nature conservation, historic resource protection, public access and recreation, without compromising the primary purposes.
- 2.4 While most of the land is not subject to the Reserves Act 1977, the plan was adopted as Council policy for a 10 year period and has provided guidance and direction for management of the park in a similar way to other formal Council reserve management plans (RMPs).
- 2.5 Given the changes that have occurred since 2010, the plan has become increasingly less relevant for delegated staff decision making in managing this important area.
- 2.6 The 2010 plan followed the process provided for in Section 41 of Reserves Act 1977 which is also proposed for this review.

¹ Part Appleby Bridge Recreation Reserve located within the stop bank.

- 2.7 Section 16 outlines the proposed plan review process. Key project milestones include:
- 2.7.1 the Strategy and Policy Committee approve the Plan review process (May 2024);
 - 2.7.2 'Seeking ideas for inclusion in draft Plan' initial consultation round, including concurrent consultation with iwi (June - August 2024);
 - 2.7.3 development of a draft Plan (September 2024–January 2025);
 - 2.7.4 Council workshop to consider and provide feedback on the draft plan (February 2025);
 - 2.7.5 plan amended in response to Councillor feedback (March 2025);
 - 2.7.6 Council approval of the draft plan for public release (April 2025);
 - 2.7.7 Draft Plan open for submissions for two months (May/June 2025);
 - 2.7.8 hearings and deliberations held (July 2025);
 - 2.7.9 plan amended as per hearing panel instructions (August 2025); and
 - 2.7.10 Council adopts final Plan (September 2025).

3. Recommendation/s / Ngā Tūtohunga

That the Strategy and Policy Committee

- 1. receives the Process for Reviewing the Waimea River Park Management Plan report RSPC24-05-3; and**
- 2. agrees that the areas of land to be covered by the Waimea River Park Management Plan encompasses all land owned, administered, or under the control of the Tasman District Council on the margins of the Waimea and Wai-iti Rivers between Brightwater and the Waimea Inlet:**
 - a) including reserve land included within the Moutere Waimea Ward Reserve Management Plan that directly or indirectly adjoins the Waimea River margins, and other accreted Waimea River or delta land if Council management control is established; but**
 - b) excluding reserve or other Council land outside of the stop bank, or that has been reserved solely for provision of water, wastewater or stormwater services; and**
- 3. endorses utilising the management plan preparation process provided for in Section 41 of the Reserves Act 1977.**

4. Background / Horopaki

- 4.1 During the Annual Plan round for the 2006/2007 financial year, a nearby landowner and conservation advocate, Martin Conway, approached the Council for support on a proposal to form the river berm land (Waimea River Soil Conservation Reserve) on the Waimea River into a Regional Park.
- 4.2 Planning, science, and parks staff all supported the proposal, seeing significant potential benefits for the area. The Council subsequently approved an allocation of \$30,000 over three years for Martin and Council staff to further develop the concept.

- 4.3 This process commenced with the development of a draft management statement for the land through consultation with iwi, interested parties and the community. It culminated with a management plan being finalised for the area in 2010.
- 4.4 The management plan was intended to provide policy direction for a period of 10 years, after which a subsequent review was signalled.
- 4.5 While much of the policy direction contained within the 2010 plan remains relevant, there have been many changes that will influence the way this area is managed into the future. These changes include:

Legislative

- Te Tau Ihu Treaty Settlements (2014);
- National Policy Statement for Freshwater (2020) and associated catchment management planning; and
- National Policy Statement for Indigenous Biodiversity (2023)

Environmental

- development of the Waimea Community Dam;
- extreme weather events, particularly droughts and floods and these events that are likely to intensify and become more frequent into the future; and
- greater community recognition of natural values and interest in how reserves are managed and participation in restoration activities such as planting and pest trapping

Recreational

- development of the Great Taste Trail;
- extensive nearby residential development, with increased use and importance of this area for recreation;
- further gravel extraction, formation, planting and use of the Challis Island ponds for promoting and developing sport fishing; and
- increased casual use of berm areas and the riverbed by motorised recreational equipment such as four wheel drives and motorbikes

Economic

- increasing intensification of surrounding land use, including expansion of viticulture and horticulture; and
- increasing demand for aggregate for construction.

- 4.6 Given these changes, there is an urgent need to review policy direction to guide management and development decisions for this important area into the future.

5. Analysis and Advice / Tātāritanga me ngā tohutohu

Proposed process for reviewing the management plan

- 5.1 Section 41 of the Reserves Act 1977 (the Act) sets out the legal requirements for the process of preparing and reviewing RMPs.
- 5.2 While most of the land is not subject to the Act, using this process will ensure best practice is followed for iwi and community engagement and is consistent with wider reserve management planning. In addition, there are several smaller areas of reserve land proposed for inclusion in the plan that are subject to the Act, although these are currently also included in the Moutere Waimea Ward RMP.
- 5.3 The first steps that the administering body for the reserves held under the Act must undertake are:
- 5.3.1 make a decision to begin the process of reviewing a RMP;
 - 5.3.2 determine the areas of land to be covered by the RMP;
 - 5.3.3 determine which areas are reserves subject to the Reserves Act 1977;
 - 5.3.4 confirm that the appointment or vesting is held;
 - 5.3.5 determine whether there are any unclassified reserves to be covered by the Plan;
 - 5.3.6 resolve (in terms of s.41(5A)) whether written suggestions on the proposed Plan would materially assist in its preparation; and
 - 5.3.7 decide who to consult.
- 5.4 Each of these steps is discussed in more detail below.
- 5.5 Staff have provided adequate time (three+ months) for the first 'seeking ideas for inclusion in the draft Plan' stage of the process and intend to utilise a range of community engagement tools to encourage participation from a wide cross-section of the community.
- 5.6 The statutory process requires that draft RMPs be made publicly available for comment (i.e. open for formal written submissions) for a period of at least two months and that hearings be held for those who wish to speak to their submission. This formal stage of the public consultation process is planned to start in May 2025 (see Section 16).
- 5.7 The Council also should appoint a Hearing Panel/s to hear submissions on the Draft Plan. This step of the process can take place after the Council approves the release of the Draft Plan for public comment (scheduled for April 2025).
- 5.8 The attached project plan overview outlines the key steps in the process, with an anticipated completion date of September 2025.

Steps in RMP review process

Step 1: Make a decision to begin the RMP review process

- 5.9 The existing Waimea River Park Management Plan from 2010 has not been reviewed. RMPs should be 'living documents' that are continually reviewed in response to issues that arise. Additionally, the current plan indicates a life of 10 years which is now well overdue. Work has now commenced on this review.

Step 2: Determine the areas of land to be covered by the Plan

- 5.10 The areas of land to be covered by the Plan include all land owned, administered or otherwise under the control of the Council on the margins of the Waimea and Wai-iti Rivers between Brightwater and the Waimea Inlet. This includes all land subject to the current plan plus reserve land in Pearl Creek, other land in the area acquired by the Council since 2010 and any other land where management control has been confirmed (such as ex Harbour Board accreted land).
- 5.11 Where reserve land such as at Pearl Creek and part of Appleby Bridge proposed to be included in the Plan, despite being already subject to the Moutere Waimea Ward RMP, care will be taken to ensure consistency of policies between both documents.



Step 3: Determine which areas are reserves subject to the Reserves Act 1977

5.12 Most of the land is held in freehold title for the purpose of river control and soil conservation. However, two smaller areas also included within the existing plan are held under the Reserves Act 1977 as Local Purpose Reserve (Soil Conservation)² and Recreation

² Note: Local Purpose Reserves do not require a management plan under the Reserves Act 1977.

Reserve.³ For most of the land area not subject to the Act, the policies within the Plan will have the same status as other Council policies.

Step 4: Confirm that the appointment or vesting is held

5.13 Both of the two areas of land subject to the Reserves Act 1977 are administered by the Council. The Local Purpose Reserve (1.7 ha), has been classified for the purpose of soil conservation and other, part of the Appleby Bridge Recreation Reserve (1.1 ha), classified for recreation purposes.

Step 5: Determine whether there are any unclassified reserves to be covered by the Plan

5.14 Both existing reserves are classified for a specific and appropriate purpose.

Step 6: Resolve, in terms of s41(5A), whether written suggestions on the proposed Plan would materially assist in its preparation

5.15 No formal Council resolution is required under the Act, however, staff intend to seek written suggestions prior to the development of the Plan. This will enable engagement with Te Tau Ihu iwi, other Government departments, conservation and recreation groups, lessees and adjoining landowners with a direct interest, along with a wide cross-section of the community. This feedback will materially assist in the plan development.

5.16 Once the Council approves the release of the draft Plan, the next stage will provide for further community input through written submissions and hearings.

Step 7: Decide who to consult with

5.17 Staff recommend that consultation with Te Tau Ihu iwi is undertaken concurrently but separately to community engagement, given the Council’s responsibilities under the Local Government Act, Reserves Act and Treaty settlements. Each of the eight Te Tau Ihu iwi have a significant interest in the management of this important river and its margins, reflected in the eight Statutory Acknowledgements in place for the Waimea River.

5.18 In addition to the general public, staff also recommend consulting with a wide range of organisations and people from the local community, including Government departments, conservation and recreation groups, lessees and adjoining landowners with a direct interest.

6. Options / Kōwhiringa

6.1 The options are outlined in the following table:

Option	Advantage	Disadvantage
1.	<p>Agrees land extents and endorses staff's proposed approach to review the Waimea River Park Management Plan.</p> <p>Provides staff with a clear mandate to proceed.</p> <p>Will remain consistent with the approach adopted for the original 2010 Plan.</p>	<p>Reviewing the current plan will require staff and consultant resources.</p>

³ Part of Appleby Bridge Recreation Reserve is located within the stop bank, but also subject to the Moutere Waimea Ward Reserve Management Plan.

Option		Advantage	Disadvantage
2.	Accepts only one part of the proposed recommendations: i.e. agrees with the land extents or endorses staff's approach, but requires further clarification on the non-accepted part prior to proceeding.	Allows for the review of the 2010 Plan.	Extends the timeline of the plan review, requiring additional staff time and potential consultant resources. Reviewing the current plan will require staff and consultant resources.
3.	Reject staff's recommendations.	No staff or consultant time or expense required to review the 2010 Plan.	The current plan is nearing obsolescence due to legislative and community changes since 2010, leaving staff without clear guidance on management of the Waimea River Park.

6.2 Option 1 is recommended.

7. Legal / Ngā ture

- 7.1 The Plan review process will be undertaken in accordance with the process provided for within the Reserves Act 1977, despite most of the land not being subject to the Act or legally requiring a management plan.
- 7.2 Once finalised and adopted by the Council, the Plan will replace the current 2010 Plan.

8. Iwi Engagement / Whakawhitiwhiti ā-Hapori Māori

- 8.1 Staff recommend that consultation with Te Tau Ihu iwi is undertaken concurrently but separately to community engagement, given the Council's responsibilities under the Local Government Act, Reserves Act and Treaty settlements. Each of the eight Te Tau Ihu iwi has a significant interest in the management of this important river and its margins, reflected in the eight Statutory Acknowledgments in place for the Waimea River.

9. Significance and Engagement / Hiranga me te Whakawhitiwhiti ā-Hapori Whānui

- 9.1 As outlined in the following table, overall staff consider that this work programme will be of low to medium significance. As outlined in Section 5 of this report, a two-stage consultation process is proposed for Plan development, to ensure adequate opportunity is provided for iwi and public engagement.

	Issue	Level of Significance	Explanation of Assessment
1.	Is there a high level of public interest, or is decision likely to be controversial?	Medium	The review of the Plan will be of interest to iwi, nearby residents, community groups, lessees and users of the area.

	Issue	Level of Significance	Explanation of Assessment
			<p>There is likely to be some policy tension between environmental protection and enhancement objectives and the commercial and recreational use of the area that arise through the process.</p> <p>The opportunity to participate in a two-stage engagement process during the Plan review is likely to be welcomed by those with an interest in the area.</p>
2.	Are there impacts on the social, economic, environmental or cultural aspects of well-being of the community in the present or future?	Medium	A local impact is likely, however providing for participation in a two-step engagement process will assist in the policy development process.
3.	Is there a significant impact arising from duration of the effects from the decision?	Low	<p>This report encourages public notification of the Council's intention to seek suggestions and ideas for inclusion in two RMPs.</p> <p>The subsequent policy direction proposed may have significance, but not the decision to commence this process.</p>
4.	Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	Low	The river margins are not a strategic asset
5.	Does the decision create a substantial change in the level of service provided by Council?	Low	Levels of service are unlikely to dramatically change.
6.	Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	Low	No significant financial effects are expected
7.	Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	Low	N/A
8.	Does the proposal or decision involve entry into a private sector partnership	Low	N/A

	Issue	Level of Significance	Explanation of Assessment
	or contract to carry out the deliver on any Council group of activities?		
9.	Does the proposal or decision involve Council exiting from or entering into a group of activities?	Low	N/A
10.	Does the proposal require particular consideration of the obligations of Te Mana O Te Wai (TMOTW) relating to freshwater?	Medium	Plan policies will need to align with and support TMOTW freshwater management objectives and any subsequent Government changes to this.

10. Communication / Whakawhitiwhiti Kōrero

10.1 Public notification of the opportunity to provide feedback and ideas for inclusion in the draft Plan will be included in a June 2024 edition of Newsline. Staff will create a Shape Tasman webpage for consultation purposes and encourage participation via the Council’s social media channels. Hard copies of consultation material will be available for viewing at the Council’s offices and library in Richmond.

11. Financial or Budgetary Implications / Ngā Ritenga ā-Pūtea

11.1 The budget for this project has been provided for in ‘Challies Island – Consultants’ (revenue from gravel royalties).

12. Risks / Ngā Tūraru

12.1 The risks associated with the proposed process for reviewing the Plan is minimal, given that there will be the opportunity for public feedback to be incorporated into the draft Plan.

12.2 The public will have two opportunities to participate in Plan development: firstly, by suggesting ideas for inclusion and secondly, by making submissions on the draft Plan (and speaking to their submission at a hearing, if they wish) once publicly notified.

13. Climate Change Considerations / Whakaaro Whakaaweawe Āhuarangi

13.1 The matter requiring a decision in this report was considered by staff in accordance with the process set out in the Council’s ‘Climate Change Consideration Guide 2022’.

13.2 The proposal will have no significant implications for greenhouse gas emissions over its lifetime and therefore does not require an approach to reduce them.

13.3 Climate change impacts will not have any direct effect upon the proposal over its lifetime.

13.4 The Plan is likely to improve Council management of this area, considering more extreme events likely to arise from Climate Change in the future.

14. Alignment with Policy and Strategic Plans / Te Hangai ki ngā aupapa Here me ngā Mahere Rautaki Tūraru

- 14.1 It is intended that the Plan develops policies and actions that the Council, as landowner, can take in this area to support the TMOTW environmental outcomes and vision identified for the wider Waimea/Waimea catchment.
- 14.2 The Plan will also ensure alignment with policies within the Waimea Inlet Strategy, Moutere Waimea Ward RMP and Resource Consent conditions for consented activities in this area.

15. Conclusion / Kupu Whakatepe

- 15.1 This plan is well overdue for a full review. The proposed process and timeline anticipate adoption of a new Plan by September or October 2025.

16. Next Steps and Timeline / Ngā Mahi Whai Ake

- 16.1 The timeline and process for the Plan review is presented in the following table:

May 2024	Strategy and Policy Committee approve the plan review and proposed process
June - August 2024	'Seeking ideas for inclusion in draft Plan' initial consultation round, including concurrent consultation with iwi
September 2024 – January 2025	Development of a draft plan
February 2025	Council workshop to consider and provide feedback on the draft plan
March 2025	Plan amended in response to Councillor feedback
April 2025	Council approval of the draft plan for public release
May/June 2025	Draft Plan open for submissions for two months
July 2025	Hearings and deliberations held
August 2025	Plan amended as per hearing panel instructions
September 2025	Council adopts final plan

17. Attachments / Tuhinga tāpiri

Nil

7.5 APPROVAL OF SUBMISSION ON NEW ZEALAND TRANSPORT AGENCY'S EMERGENCY WORKS POLICY

Report To:	Strategy and Policy Committee
Meeting Date:	28 May 2024
Report Author:	Bill Rice, Senior Infrastructure Planning Advisor - Transportation
Report Authorisers:	Dwayne Fletcher, Strategic Policy Manager; John Ridd, Group Manager - Service and Strategy
Report Number:	RSPC24-05-7

1. Purpose of the Report / Te Take mō te Pūrongo

- 1.1 To approve a submission on proposed changes to the New Zealand Transport Agency's (NZTA) Emergency Works Policy.

2. Summary / Te Tuhinga Whakarāpoto

- 2.1 The New Zealand Transport Agency (NZTA) is seeking feedback on proposed changes to emergency works policies and Funding Assistance Rates (FARs). Consultation closes on 19 June 2024.
- 2.2 The proposed changes to FARs include:
- 2.2.1 changing the trigger to qualify for an enhanced FAR for an emergency event from a one in 10 year event to a one in 20 year event;
 - 2.2.2 reducing enhanced FAR from normal FAR + 20% (for Tasman District Council currently this would give a total of 71% (51% + 20%)) to normal FAR + 10% (a total of 61%); and
 - 2.2.3 restricting a bespoke FAR (i.e. greater than an enhanced FAR) to extreme events which attract Crown funding.
- 2.3 The FAR changes will take effect from 1 July 2025.
- 2.4 The proposed changes to definitions include:
- 2.4.1 adding fire to qualifying events and removing drought; and
 - 2.4.2 encouraging councils to include the provision for emergency response and recovery in Regional Land Transport Plans.
- 2.5 Changes to the Uneconomic Transport Infrastructure Policy are also proposed. NZTA may decide to not fund infrastructure that is determined to be uneconomic under this policy. The proposed matters to be considered include:
- 2.5.1 better consider value for money;
 - 2.5.2 require alternative funding sources to be explored (eg Regional or Tourism Infrastructure Funds, insurance etc);
 - 2.5.3 consider different levels of service;

- 2.5.4 consider community led retreat; and
- 2.5.5 consider iwi/Māori access to ancestral lands. Marae, pakakāinga and other sites of significance.

2.6 Staff have prepared a draft submission on these proposals (**Attachment 1**).

3. Recommendation/s / Ngā Tūhunga

That the Strategy and Policy Committee

- 1. receives the Approval of Submission on New Zealand Transport Agency's Emergency Works Policy report RSPC24-05-7; and**
- 2. approves the Tasman District Council submission to New Zealand Transport Agency, Waka Kotahi, on New Zealand Transport Agency's Emergency Works Policy (Attachment 1 to the agenda report); and**
- 3. approves delegating changes of a minor nature to the submission to New Zealand Transport Agency, Waka Kotahi, on New Zealand Transport Agency's Emergency Works Policy to the Chair of the Strategy and Policy Committee.**

4. Attachments / Tuhinga tāpiri

1.	↓	Submission on NZTA Emergency Works Policy	47
2.	↓	NZTA Emergency Works Policy Consultation Document	51

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 Phone 543 8400

17 May 2024

NZ Transport Agency Waka Kotahi
emergencyworksreview@nzta.govt.nz

Tēnā Koe

Tasman District Council submission on the draft Emergency Works Policies

Thank you for the opportunity to submit on the draft Emergency Works Policies. We have largely structured our submission around the specific questions in your consultation document.

Given the rising number and cost of emergency events, New Zealand needs leadership and collaboration from across central and local government to ensure our communities have a safe and accessible road network. Roads are a critical lifeline and require prioritisation of funding and attention from central and local government.

Regarding proposed FAR and qualifying event changes

1. How would the proposed changes impact your organisation? For example, your ability to provide local share, the likely impacts for your organisation.

Our response - The proposed changes effectively reduce the amount of NLTF funding Councils (including Tasman District Council) may receive. This means more of the cost of responding to, and reinstating after, emergency events will fall on local ratepayers. Our community consistently tells us that rates increases are increasingly difficult for them, particularly the relatively high number of pensioners and people on fixed incomes in our district. Further, Tasman is a relatively low-income area so affordability is a major issue for our ratepayers.

We need more guidance in understanding to what level of detail AMPs would be required to consider, in advance of an emergency event, “*which parts of the network are prioritised to restore levels of service and which parts of the network may require consideration of a different level of service or alternatives to recovery*” for Councils to qualify for enhanced FAR. In our experience, emergency events are highly variable in their scale and area of impact. The way the policy is written could disadvantage some Councils if the guidance on what is exactly required is not made clear. It appears as if it could be used as a means to withhold or decline necessary funding at a time when the Council needs it most.

The current method of having discussions about differing levels of service for reinstatement/recovery works ass bespoke conversation after a particular event will continue to be

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appropriate in most or all circumstances. Neither Councils nor NZTA intend to deliver (or pay for) a higher-than-required level of service. We could understand if NZTA were to introduce guidelines on what level of service they are prepared to invest in, and roll this out consistently through an updated policy. For example, types of roads where the function and use warrants two lanes and a sealed surface suitable with geometry suitable for HCVs, or only a single-lane unsealed surface with geometry suitable for light vehicles. We do not see how this could be efficiently done proactively by relying on each Council's AMP as this introduces massive time burden on the sector and creates potentially un-level playing field across different Councils.

Further, most regions have restoration priorities described in their Lifelines planning documents. In Tasman, the Lifelines planning acknowledges that beyond a relatively small number of regional-level priorities (ie inter-regional connectors, and other critical links to provide access to lifeline utilities), operational decisions on restoration of access will be made on an event-by-event basis.

2. Please tell us if you support the proposed changes or recommend different ways to ensure that NZTA has sufficient NLTF available to cover emergency works.

Our response - We do **not** support the proposed changes and particularly changing the trigger for enhanced FAR from 1 in 10-year to 1 in 20-year events. We consider *additional* emergency works funding is required within the NLTF (not less) in order to expand the number of events that are considered Qualifying Events, and ensure the security of access for users of our existing road networks. This should be considered as essential as maintenance and be given priority within the NLTF above new or improved roads. When the need for minor and major emergency works is high and increasing, it seems perverse to reduce funding. We are interested to understand how NZTA would justify reducing funding for emergency events when NZ needs it most.

If necessary, we recommend that revenue settings for the NLTF be adjusted to ensure that sufficient funding is available to cover the activities the NLTF is intended to fund, particularly maintenance.

3. What will the proposed FAR changes mean for your organisation's planning for and/or investment in maintenance and resilience? For example, would your organisation invest more in resilience and if not, what incentives would you need to improve the resilience of your transport infrastructure?

Our response - The proposed changes mean more of our maintenance budget will be required to address reactive, largely uncontrollable emergency costs. In an environment of fixed and constrained funding, this would potentially mean less proactive maintenance such as resealing and culvert cleaning/drainage maintenance which tend reduce the whole-of-life asset costs. That is, the proposed changes will force many Councils to spend more on emergency works and by consequence, less on maintenance, a vicious cycle which we understood all participants in the system (Government, NZTA, and other RCAs) were acting to avoid rather than perpetuate. Resilience is a subset of maintenance. Any policy which takes away funding from proactive maintenance will reduce our ability to improve resilience. The proposed changes will have a negative effect on our maintenance and resilience.

4. Are there any transitional issues that NZTA needs to consider in relation to emergency works that occur prior to 1 July 2025?

Our response - No specific comments.

Regarding proposed changes to definitions, processes, and operational policies

5. Are there any issues in applying these proposed changes? For example, what further guidance is required? What other changes are required?

Our response - We are finding reactive maintenance costs for responding to discrete storm/weather events below the 1:10 year trigger are increasing, and effectively cannibalising maintenance budgets. This is why we believe WC141 and 140 need more funding and wider scope for qualifying events.

We agree with adding fire to the list of qualifying events.

6. Are there any proposed changes that your organisation does not support? Please tell us why?

Our response - Covered elsewhere in this submission, including question 1.

7. Are there other policy, planning or process changes that you think are needed? Please tell us what and why?

Our response - As stated previously, we consider additional emergency works funding is required within the NLTF in order to expand the number of events that are considered Qualifying Events. This should be considered as essential as maintenance, and be given priority within the NLTF over new or improved roads. The NLTF revenue settings also appear to need adjusting to ensure sufficient funding is available for activities funded through the NLTF.

Uneconomic Transport Infrastructure Policy

8. Are there any other issues with this policy that you think need to be addressed?

Our response - No specific comments about this policy.

9. Are there any other forms of access you think the NLTF should fund that are currently ineligible? For example, cable pulley systems to transport goods across rivers where bridges have been washed out.

Our response - Quick, cost effective, and innovative solutions using locally available materials and resources are often required in emergency response situations. One of the lessons from the Cyclone Gabrielle response was that locally led responses often have better outcomes than top down responses. Bespoke access solutions that work in a specific location and situation shouldn't be ineligible for funding just because experts hadn't thought of it before. The funding criteria for emergency response solutions should lean towards permissive rather than restrictive, and be little more than:

- Is there a genuine need?
- Does this solution work?
- Is it safe? (or at least safer than the alternatives)?
- Is it cost effective?
- Can it be put in place quickly?

Thank you again for the opportunity to submit.

Yours sincerely
Tasman District Council

Tim King
Mayor, Tasman District
[https://tasmandc.sharepoint.com/sites/Transport/Funding/Draft letter to NZTA - 20240517.docx](https://tasmandc.sharepoint.com/sites/Transport/Funding/Draft%20letter%20to%20NZTA%20-%2020240517.docx)



Emergency works investment policies consultation

Consultation document on proposed changes to emergency works investment policies

1 May 2024

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More information

NZ Transport Agency Waka Kotahi
Published 1 May 2024

ISBN 978-1-99-106886-6

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Introduction

The National Land Transport Fund (NLTF) is applied at different funding assistance rates (FAR) to assist approved organisations (AOs) to undertake emergency works in relation to sudden events that damage transport infrastructure.

NZTA's current emergency works investment policies are set out on our website:

- work categories: [WC 141: Emergency works](#), [WC 140: Minor works](#) which set out eligibility criteria for emergency works funding, FAR and processes
- [general FAR policy](#) which provides for enhanced FARs for emergency works
- [uneconomic transport infrastructure policy](#).

In recent years, the scale and intensity of weather-related events have increased significantly, and this trend is expected to continue. The NLTF allocation to respond to these events is not sufficient to fund all response and recovery work for those events that qualify for funding. Substantial additional Crown funding has been required to fund the more severe nationally significant weather events, such as the 2023 North Island Weather Events (NIWE).

We undertook a review of our existing emergency works investment policies because of uncertainty about the availability of the NLTF to cover all emergency events and a lack of clarity about the FAR that applies to recovery vs rebuild.

The aim of the review was to ensure the policies are fit for purpose, within the context of the likelihood of a continued increase in frequency and intensity of emergency events, and to support sustainability of funding assistance via the NLTF, local share and Crown funding sources for response, recovery and rebuild phases.

Feedback on the proposed changes is sought from AOs, iwi and Māori and stakeholders in the transport sector.

This feedback will help finalise proposals relating to the FAR for the NZTA Board approval and managerial endorsement of any other policy changes for implementation as follows:

- **1 July 2024** – changes to definitions, processes and operational policies take effect
- **1 July 2025** – Any confirmed changes to FAR in relation to emergency works take effect.

Further information about the review is available on the NZTA [website](#) including:

- scope of the review
- summary of existing state
- summary of desired future state
- review process and case for change
- analysis of options relating to the FAR (including historic and projected impacts of different FAR)
- detail of proposed changes to definitions, processes, and operational policies.

Proposed changes to emergency works investment policies

A summary of the proposed changes for feedback is below.

Changes to enhanced FAR

- Change the qualifying trigger for an emergency event attracting an enhanced FAR to a minimum frequency 1 in 20-year event from the current 1 in 10-year event.
- Reduce the enhanced FAR from normal FAR +20% to normal FAR +10%.
- Retain the current trigger for enhanced FAR as costs exceeding 10% of annual maintenance spend.
- Restrict provision of a bespoke FAR (i.e., greater than an enhanced FAR) to only those extreme events for which Crown funding is made available.
- Clarify that the enhanced FAR applies to response and recovery costs and is conditional upon the following:
 - The AO’s activity management plan has considered, in advance of an emergency event, which parts of the network are prioritised to restore levels of service and which parts of the network may require consideration of a different level of service or alternatives to recovery; and
 - After an emergency event, genuine discussions with funders and affected communities occur for those parts of the network where consideration of a different level of service or alternatives to recovery is appropriate.

When planning to return a road to a previous level of service after an emergency event, consideration must be given to how it functions from a movement perspective, as well as how it supports land use and, community outcomes. It is expected that updated activity management plans articulate the value and levels of service expected for all roads in the AO’s network and identify which parts of the network would require consideration of a different level of service or alternatives to recovery if the road is damaged from an emergency event. This is particularly relevant for roads that are vulnerable to repeated damage and/or serve a small number of landowners or users. NZTA’s uneconomic transport infrastructure policy is relevant to this consideration.

Table 1 – Options and proposed changes to emergency works FAR

This table shows options considered in the review. The recommended option is highlighted, with the reason for change and impact of the recommended change.

Lever	Options considered	Approx. annual \$m impacts (NLTF share average 10-year forecast)	Reason for change	Impact of change
Qualifying event threshold Limit enhanced FAR to larger events (current threshold is 1 in 10-year event)	Retain threshold at 1 in 10-year event	Nil	<ul style="list-style-type: none"> • 1 in 10-year events are now more frequent. • Smaller events should be managed by AOs at normal FAR. • Better aligns to original principle that enhanced 	<ul style="list-style-type: none"> • Normal FAR applies to more routine events. • Increased financial burden on AOs to provide local share. • Reduced burden on the NLTF. • Could incentivise more proactive maintenance and resilience focus from AOs.
	Change threshold to 1 in 20-year event ¹	\$20-25m saving		

Lever	Options considered	Approx. annual \$m impacts (NLTF share average 10-year forecast)	Reason for change	Impact of change
	Change threshold to 1 in 50-year event	\$35-45m saving	FAR is available to support 'severe' events. <ul style="list-style-type: none"> Helps manage sustainability of the NLTF. 	<ul style="list-style-type: none"> More guidance is required to verify event magnitude.
Maintenance threshold Increase cost threshold to qualify for enhanced FAR (current threshold is costs exceed 10% of annual maintenance budget)	Increase qualifying cost threshold to 20% of annual maintenance budget	\$2-4m saving	<ul style="list-style-type: none"> Retaining the threshold because savings are achieved with the other changes Retaining the threshold avoids rushing delivery to maximise FAR. 	<ul style="list-style-type: none"> No change proposed.
	Retain current threshold	Nil		
Enhanced FAR Reduce level of FAR enhancement (currently Normal FAR +20% as a default)	Enhanced FAR retained at normal FAR + 20%	Nil	<ul style="list-style-type: none"> Constrains cost escalation with greater local share. Helps manage sustainability of the NLTF in providing the enhanced FAR. 	<ul style="list-style-type: none"> Greater local share contribution by AOs to response and recovery works. Could incentivise shift to more proactive asset maintenance and resilience focus from AOs. Reduced financial burden on NLTF.
	Enhanced FAR reduced to normal FAR + 10%	\$15-20m saving		
	No enhanced FAR	\$30-45m saving		
Bespoke FAR Restrict policy provision for bespoke FAR (i.e., above enhanced FAR) ¹	Only applies if matched by Crown top-up to NLTF	\$35-50 million saving for a severe event over a 3-year recovery	<ul style="list-style-type: none"> Removes NZTA's role as a funder of local share when an AO cannot afford its local share Limits expectations and applications to consider for bespoke FAR (except if Crown funding enables a higher FAR) 	<ul style="list-style-type: none"> Removes/limits expectation of very high FAR for EW if an AO cannot afford its local share. Does not preclude the Government from funding a higher level of support if it determines. AOs may choose to engage directly with the Government to seek Crown funding for extremely large events. Reduced financial burden on NLTF.
	Remove provision for bespoke FAR entirely	As above		
	Specify a financial hardship trigger to clarify eligibility			

¹ Currently the Board may consider a bespoke FAR where there is evidence that an extreme event results in EW expenditure beyond an AOs ability to raise local share and continue to provide appropriate levels of service over the next three years.

Changes to definitions, processes, and operational policies

A summary of other changes to definitions, processes and operational policies is listed below.

- Updates to work categories 140 and 141 to apply in the 2024-27 period. This includes adding fire to the list of qualifying events and removing drought.
- Use of updated definitions of response, recovery, rebuild, resilience, readiness.
- Link to definition of 'like for like' to clarify the distinction between costs of recovery and costs of improvement.
- Clarification of processes and planning including making it easier to apply for resilience improvements after an emergency event.
- Encouraging councils to include provision for emergency response and recovery in Regional Land Transport Plans to ensure they are ready if events occur.
- Update of the Uneconomic Transport Infrastructure Policy (see below).

Uneconomic Transport Infrastructure Policy

The Uneconomic Transport Infrastructure Policy is applied to transport infrastructure that is determined to be uneconomic under the policy. NZTA may decide not to co-invest, in part or at all.

Updates to this policy are proposed so that a wider range of levels of service and solutions can be considered including community led retreat, while ensuring that information requirements do not add disproportionate time and resourcing burden to AOs. We are proposing changes to the policy that:

- better consider value for money alongside wider outcomes, including considering non-monetised benefits (for example social and cultural impacts) alongside a benefit cost ratio or Net Present Value in a funding decision
- include a requirement that alternative funding sources are explored (for example Regional Infrastructure Fund, insurance, Tourism Infrastructure Fund, etc.)
- consider a different level of service (lower level of service or improving resilience) or different options for access
- consider community led retreat proposals, where relevant, in line with wider government policy
- consider iwi/Māori access to ancestral lands, marae, pakakāinga and other sites of significance.

Feedback sought

We are seeking feedback on the proposed changes and in particular the questions set out below:

Regarding proposed FAR and qualifying event changes

1. How would the proposed changes impact your organisation? For example, your ability to provide local share, the likely impacts for your organisation.
2. Please tell us if you support the proposed changes or recommend different ways to ensure that NZTA has sufficient NLTF available to cover emergency works.
3. What will the proposed FAR changes mean for your organisation's planning for and/or investment in maintenance and resilience? For example, would your organisation invest more in resilience and if not, what incentives would you need to improve the resilience of your transport infrastructure?

- Are there any transitional issues that NZTA needs to consider in relation to emergency works that occur prior to 1 July 2025?

Regarding proposed changes to definitions, processes, and operational policies

- Are there any issues in applying these proposed changes? For example, what further guidance is required? What other changes are required?
- Are there any proposed changes that your organisation does not support? Please tell us why?
- Are there other policy, planning or process changes that you think are needed? Please tell us what and why?

Uneconomic Transport Infrastructure Policy

- Are there any other issues with this policy that you think need to be addressed?
- Are there any other forms of access you think the NLTF should fund that are currently ineligible? For example, cable pulley systems to transport goods across rivers where bridges have been washed out.

Consultation timeline

Timeline	
Consultation opens	1 May 2024
Webinar to outline proposed changes	9 May 2024
Consultation closes	5pm 19 June 2024
Consultation feedback summary available	28 June 2024
Policy and process changes take effect - updated on NZTA's website in the Planning and Investment Knowledge Base	1 July 2024
NZTA Board decision on changes to emergency works FAR	During 2024/25 (tbc)
Any confirmed changes to emergency works FAR take effect	1 July 2025

How to provide feedback

As part of the consultation process, NZTA will:

- advise chief executives of AOs of the proposed changes and seek their organisation's feedback.
- Provide a webinar to give an overview of the proposed changes and the opportunity for participants to ask questions. Please register [here](#)
- make the webinar available for viewing [here](#)

Please send your feedback to EmergencyWorksReview@NZTA.govt.nz by 5pm Wednesday 19 June.

Our next steps

- Once consultation closes, we'll review your feedback and consider the changes we need to make.

- We'll publish a summary of the feedback we've received from the consultation.
- Proposed changes to definitions, processes and operational policies will be published and become operative from 1 July 2024.
- Our Board will consider any changes to FARs to come into effect from 1 July 2025.
- We'll provide a webinar and other information to assist the sector in applying emergency works investment policies and processes.
- We'll continue discussions with Treasury about Crown funding and NZTA borrowing facilities.

Acknowledgement

NZTA would like to thank you for your feedback on the proposed policy changes.

For more information

- Please visit: www.nzta.govt.nz/planning-and-investment/emergency-works-policies-review-and-consultation
- Please email: EmergencyWorksReview@NZTA.govt.nz

9.6 STRATEGIC POLICY AND ENVIRONMENTAL POLICY ACTIVITY REPORT

Information Only - No Decision Required

Report To:	Strategy and Policy Committee
Meeting Date:	28 May 2024
Report Author:	Alan Bywater, Team Leader - Community Policy; Dwayne Fletcher, Strategic Policy Manager; Diana Worthy, Team Leader – Natural Resources Policy
Report Authorisers:	John Ridd, Group Manager - Service and Strategy
Report Number:	RSPC24-05-4

1. Summary / Te Tuhinga Whakarāpoto

1.1 This report provides the Committee with an update on some of the key highlights of the Service and Strategy Group’s Strategic Policy and Environmental Policy work.

2. Recommendation/s / Ngā Tūhunga

That the Strategy and Policy Committee

1. receives the Strategic Policy and Environmental Policy Activity Report RSPC24-05-4.

3. Strategic Policy Update – Dwayne Fletcher and Alan Bywater

3.1 The main focus for the Community Policy team since the last update has been the Long Term Plan. The team will provide an update on the other projects at the next Strategy and Policy Committee meeting.

3.2

Project	Description	Status	Comments
Corporate Planning			
Annual Report 2023/2024	Preparation of the Council’s Annual Report for the 2023/2024 year.	On track	Target date: 31 October 2024 The interim audit commenced on 13 May with a focus on financial information and processes.
Residents Survey 2024	Annual survey of a representative sample of residents to get feedback on Council performance	On track	Target completion date: 2 July 2024 The survey is underway during May, conducted by Research First. It includes mobile phone numbers as well as landlines. The completed reports will be available by July 2024.

Infrastructure Planning and Policy

Project	Description	Status	Comments
General			
<p>Kāinga Ora Housing and Communities Infrastructure Acceleration Fund (IAF)</p>	<p>New 3-Waters and roading infrastructure which will support the first phase of the housing development by Wakatū Incorporation in Motueka West</p>	<p>On track</p>	<p>Target Completion Date: October 2024</p> <p>The installation of watermains and trunk wastewater mains are complete and although the site is to be confirmed the wastewater pumpstation is designed and ready to tender. The Manoy Street roundabout is designed and ready to tender but estimated to be above budget. An alternative option design has undergone a safety assessment, which is being reviewed.</p> <p>The construction of the stormwater project is well underway. Wakatū has submitted a resource consent application and further information has been requested. The plan change process is also progressing in parallel and submissions have been received. Staff are working through options with Wakatū to fund the gap in normal NZTA maintenance funding if roads are not vested in the Council.</p>
<p>Long Term Plan (LTP) support work</p>	<p>Overseeing AMP development for LTP and directly providing planning support for three waters, solid waste, transport, rivers and coastal infrastructure</p>	<p>On track</p>	<p>The infrastructure planning team has been heavily involved in LTP preparation, including the application of the newly-developed prioritisation and risk framework to capex and opex activities/GLs, in collaboration with asset managers; drafting of AMPs; and project growth driver analysis to support the Development Contributions Policy update.</p> <p>AMPs were audited, finalised and issued for consultation, accompanying the LTP. The next steps will include responding to any AMP-related submissions received during the consultation period and updates to AMPs as a result of consequential changes approved by the Council.</p>
Transport			
<p>Joint Speed Management Plan</p>	<p>Undertake a review of speeds across Nelson and Tasman, culminating in a Joint Speed Management</p>	<p>Delayed</p>	<p>Target completion date: June 2024</p> <p>Tasman District Council workshop on 6 May, Nelson City Council workshop</p>

	Plan to submit to Waka Kotahi. The new speed limits can be introduced over time once approved.		on 23 May. Revising options. Confirming options with Councillors.
Regional Land Transport Plan and Regional Public Transport Plan (RLTP & RPTP)	Review of Joint Regional Land Transport and Public Plans together with Nelson City Council.	On track	<p>Target completion date: June 2024</p> <p>RLTP and the RPTP will be approved by the Tasman District Council (20 June) and Nelson City Council (4 July). Will be submitted by 1 August.</p> <p>The final form of the RLTP will be influenced by the Government Policy Statement on Land Transport (GPS), and the State Highway Investment Programme (SHIP). The SHIP has been released.</p>
Discount rates for Motueka to Takaka bus	A trial subsidy for Tasman/Nelson residents on Golden Bay Coachlines	On track	<p>Target completion date: 30 June 2024</p> <p>Pending the outcome of the LTP, this will continue if funding permits.</p>
Planning input	Providing transport advice to various planning processes	Ongoing	<p>Ongoing</p> <p>Currently involved with Richmond Intensification, Mapua Masterplan, Motueka West Plan Change, Wakefield Plan Change, Plan Change 79, and Plan Change 81. Wakefield Hearing is on 12 June.</p>
Stormwater & Rivers			
Richmond South Stormwater Programme	<p>Development of a stormwater management programme for existing and future development areas in Richmond South, including cross-section designs for planned drain upgrades.</p> <p>Stormwater Management Plan will feed into a future structure plan for the area.</p>	On track	<p>Target completion date: Ongoing programme of work</p> <p>The initial phase of a robust business case is underway, to inform the options report which will be brought to the Strategy & Policy Committee in May 2024 (planned). Adoption of the options report will enable exercise of PWA authority for compulsory acquisition if needed in the future.</p> <p>Several property purchases are in progress.</p>
Māpua, Ruby Bay, and Coastal Tasman Catchment Management Plan Now the Māpua Master Plan	A stormwater model for Māpua, Ruby Bay, and Coastal Tasman to identify locations that are at risk of stormwater flooding in 1% and 10% AEP events was prepared in 2022, with the intention of completing the Catchment Management Plan (CMP) as required	On track	<p>Target completion date: June 2024 for Draft Masterplan</p> <p>Staff are processing feedback from the first round of engagement, with a Council workshop planned for the end of November.</p> <p>Consultation for the second round of engagement occurred in February 2024. Staff are now reviewing and</p>

	<p>under the Council's stormwater discharge consent.</p> <p>The CMP has now been incorporated into the Māpua Master Plan process, which was approved/adopted by Council in February 2023.</p>		<p>responding to public feedback and proceeding with the development of the draft Master Plan.</p>
Brightwater and Wakefield Catchment Management Plan	<p>Development of a stormwater CMP for the Brightwater and Wakefield Urban Drainage Areas, as required by the Council's stormwater discharge consent.</p>	On track	<p>Target completion date: Q3 2024</p> <p>Updates to the existing Brightwater-Wakefield stormwater model are complete and establish baseline conditions. The consultant has issued an update report. Further review of cost-effective opportunities is ongoing as few clear "winners" have been identified. Next steps will be to consult with iwi and the community. The Draft CMP is now being prepared.</p> <p>Previous presentations to both Community Associations took place in June 2023 and Nov/Dec 2023.</p>
Richmond stormwater monitoring programme	<p>Under the conditions of consent, the Council is required to develop a stormwater monitoring plan for Richmond.</p> <p>Future planning for other UDAs is also underway, with Motueka next in line.</p>	On track	<p>Target completion date: Ongoing</p> <p>Staff have initiated the monitoring programme in April 2023, starting with biological and water quality monitoring at three locations along Jimmy Lee Creek. Monitoring is intended to expand to Motueka in the 2023/2024 financial year, following completion of the Motueka CMP in 2022.</p>
Richmond Central Stormwater Business Case	<p>Business case to assess the management of stormwater in the Richmond CBD catchment</p>	Delayed	<p>Target completion date: Q2 2024 (for second stage) Q4 2024 (for final stage).</p> <p>The first stage of technical work has been completed, which included the re-assessment of the proposed options to gauge effectiveness in removing flood risk. The second stage is currently ongoing, which will involve assessment of potential new options to create a more robust business case. The final stage will involve costing and compilation of the business case for review by the Council.</p> <p>Work has been delayed by prioritisation of other more time-sensitive work.</p>

<p>District-wide Stormwater Flood Modelling</p>	<p>Stormwater modelling covering the entire District at a high level to inform future CMPs for smaller Urban Drainage Area, and to assist with rural stormwater management.</p>	<p>Delayed</p>	<p>Target completion date: Q3 2023 (To be reassessed)</p> <p>Project priority is being reassessed to adjust to Annual Plan 2023/24 budgets and overall Strategic Policy Team resources.</p> <p>The updated proposal is that the next model will be limited to Golden Bay to permit those CMPs to be completed first.</p> <p>Staff are still assessing timing of this work.</p>
<p>River Management Plan(s)</p>	<p>Development of the Council's first River Management Plan, as required under the Rivers Activity Management Plan, to help us meet strategic long-term goals for multiple issues and values on the Council's X and Y rated rivers.</p>	<p>On track</p>	<p>Target completion date: Q4 2024</p> <p>Staff are working to scope an appropriate brief for this work, considering infrastructure needs and coordination with iwi. Work is commencing with an internal review of current best practice policies and consent compliance measures (see item below).</p>
<p>Review of River consent Environmental Management Plan and Best Practices Guide</p>	<p>The Rivers team is initiating a review of the Environmental Management Plan (EMP) that governs our various river works, as required by the consent. We are using this opportunity to overhaul and update the EMP to incorporate the NPS-FW and Te Mana o te Wai more explicitly. The project will also include an overhaul and update of our Best Practices Guide which provides direction on how we do our work.</p>	<p>On track</p>	<p>Target completion date: Q2 2024</p> <p>Work is underway with expected completion as per target completion date.</p>
<p>Water and Wastewater</p>			
<p>Wastewater modelling</p>	<p>Modelling of Waimea Wastewater network</p> <p>Network monitoring, data analysis and model outputs will inform the timing of specific capital works projects that are planned as part of the Waimea Wastewater Network Strategy</p>	<p>On track</p>	<p>Target completion date: Q3 2024</p> <p>Staff have engaged consultants to undertake a four-staged modelling project for the Waimea wastewater trunk main. Consultants have recommended the collection of additional flow data before building and calibrating the model. The planned installation of flow monitoring devices is underway. The target completion date has been previously extended</p>

			due to a lack of storm events and associated flows to help staff test any model against.
Te Tai o Aorere Regional Wastewater Philosophy	<p>An initiative between the Council, NRSBU and potentially iwi to develop a 50 to 100 year vision for iwi and community aspirations for future wastewater networks. The plan will identify values, objectives, and outcomes.</p> <p>This work is being considered for a format in the absence of three waters to form the basis of understanding for a partnership agreement between iwi and Council, firstly for TDC and longer term across Te Taihū.</p>	On track	<p>Target completion date: September 2024</p> <p>Early engagement with iwi commenced in July 2022 and a pōwhiri and hui were held at Te Awhina Marae.</p> <p>A small working group of four members (two iwi, one Council and one NRSBU) are drafting the philosophy and ensuring progress is supported at regular full hui. This work will be completed in draft by end of October/December 2023.</p> <p>A decision from Council being sought on 20 June 2024 to confirm the repositioning of the RWWP into a partnership agreement. This work will be completed ASAP to help assist the formation of the project planning for the Motueka Wastewater Treatment Plant relocation project.</p> <p>Iwi have indicated that this project is a key priority for them, and the partnership will be discussed with iwi on 10 July.</p>
Motueka Wastewater Treatment Plant Relocation	Restarting the Motueka Wastewater Working Group to start the project planning and investigation phase for the Motueka WWTP project (alternative solution for the current site of the WWTP) prior to the current consent expiry in 2035.	On track	<p>Target completion date: fore restart July 2024</p> <p>Reactivation of the Motueka Wastewater working group is scheduled for 10 July 2024, tasking with working group will follow this hui. It is noted that this group is a long-standing group and to avoid confusion going into the Motueka WWTP project and community engagement it will be suggested to the Council to replace working with the reference group.</p>
Inflow and Infiltration	Drafting I/I strategy	On track	
Waimea Trunk water and wastewater	Working with projects to draft up working brief in conjunction with modelling work	On track	Joint water and wastewater mains work
Waste Management and Minimisation			
Joint Waste Minimisation and	Review the Joint Waste Minimisation and Management Plan (Waste	On track	Target completion date: July 2025

Management Plan (Waste Plan)	Plan), as required under the Waste Minimisation Act 2008.		A new project timeline has been agreed to with NCC, first working group meeting in February 2024, with a view to public consultation beginning November 2024 and the final plan adopted July 2025.
Coastal			
Update of Coastal Protection Policy	Update of Overarching Coastal Protection Policy with linkages to Proposed Reserves and Roads (other land) policies	On track	<p>(proposed) Target completion date: Q4 2024</p> <p>From the Council reports on 28 March 2024 a follow-up workshop was held to discuss bonding of private coastal work on 18 April, with another follow up workshop booked for 28 May.</p> <p>Further work will also consider reserve land outside of the Reserves Management Act, roads and other Council owned land in the coastal zone.</p>

4. Environmental Policy Update – Diana Worthy

- 4.1 In October 2023, the Strategy & Policy Committee resolved to pause the whole of plan review and development of its replacement of the Aorere ki uta, Aorere ki tai - Tasman Environment Plan (TEP) to focus in the short term on five key Environmental Policy workstreams. The aim of the reset is to maintain progress on key topics while we await pending and potential changes to New Zealand’s environmental legislation.
- 4.2 The short-term focus environmental workstreams are:
- **Urban Growth** - implementing the Nelson Tasman Future Development Strategy (FDS);
 - **Natural Hazards** – responding to hazards and climate change;
 - **Land and Freshwater** – addressing priority freshwater issues, implementing the National Policy Statement for Freshwater Management, and supporting Te Waikoropupū Water Conservation Order;
 - **Outstanding Natural Landscapes and Features** – progressing a plan change to address a longstanding obligation; and
 - **Coastal** – Port Tarkohe, marine ecological research, and implementing the New Zealand Coastal Policy Statement within the above workstreams.
- 4.3 Alongside these workstreams there are a number of other areas of work that are also covered off in the sections below.

Urban Growth

- 4.4 Work is progressing on Plan Change 81 Urban Growth to re-zone future development strategy sites for housing and business purposes. Alongside rezoning land, the plan change will also include changes to rules to enable and encourage redevelopment and higher densities in some of the District’s existing urban areas. The next steps will involve discussions with affected landowners and further development of intensification rules.
- 4.5 A hearing for Plan Change 76 (Wakefield) is scheduled for 12 June 2024.
- 4.6 Plan Change 80 Motueka West was notified in December and four submissions were received. No further submissions were received. Staff will assess whether any further analysis is required ahead of scheduling a hearing, if one is required.

Richmond Spatial and Intensification Plan (RSIP)

- 4.7 At the April Strategy and Policy Committee meeting, Councillors adopted the RSIP (known as “Richmond on the Rise”). The Plan includes a number of actions that look to guide and shape the future growth of Richmond. Some of the actions will be implemented through the upcoming Plan Change 81 Urban Growth.
- 4.8 The Committee resolution enabled Council staff to complete some minor wording amendments to the document, with delegated authority given to the Chair and Group Manager – Service and Strategy to approve. At the time of writing, this is near completion and once done the final RSIP will be made public along with supporting communications.

Deferred Zones

- 4.9 Consultation with landowners, affected neighbours and statutory stakeholders on the draft proposals is underway with feedback closing on 17 June. Notification of a proposed plan change is anticipated later in 2024.

Natural Hazards

- 4.10 There is a separate paper on today's agenda detailing the proposed plan change work programme.

Coastal Policy update

- 4.11 The coastal planning team are developing a Structure Plan for Port Tarkohe. There is no current strategic plan covering Port Tarkohe and its surrounds so this project will provide a strategic framework to help guide the growth and development of the port. An issues and options report incorporating and updating previous planning work, iwi and community feedback was released for public feedback until 1 March. The report outlined eight key issues and a set of possible responses to the identified issues. The project is now proceeding to the drafting stage and once completed the draft structure plan will be presented to the Council for consideration, prior to community engagement.
- 4.12 The Council recently approved funding to enable the Port Motueka Structure Plan to proceed to the second stage of the project (see report RCN24-05-6). Iwi and community consultation has previously been undertaken and the next stage will be to draft the structure plan for the Council's consideration, prior to community engagement.
- 4.13 As part of the Stage Two Aquaculture Review, which considers the effects of aquaculture in Tasman, a noise study was undertaken by Marshall Day Acoustics. Marshall Day Acoustics spent four days in Tasman during February measuring the noise levels from marine farming boats operating in Golden Bay. The report found that the noise levels from marine farming operations were reasonable (well under 40 dBL_{A10}) based on the survey results, and the boats were not making any unnecessary noise (e.g. radios). Marshall Day Acoustics recommended that the controls in the Marine Farming Association Code of Practice, which is currently used by the industry, would be adequate to address any residual noise effects. A second report under Stage Two, is currently underway with Rob Greenaway Associates in the process of surveying marine recreational users regarding the impact that aquaculture has on marine recreation. This second report is expected in the next few weeks.

Land and Freshwater Plan Change and Te Waikoropupū Water Conservation Order

- 4.14 There is a separate paper on today's agenda detailing the proposed Land and Freshwater Plan Change work programme.

Air Quality

- 4.15 There remains uncertainty with the air quality regulations and if there will be future requirements to monitor and manage PM2.5. In the interim, staff have signalled that our focus is on non-regulatory programmes such as education and best practice advice to support the community to reduce smoke pollution.
- 4.16 Jessie Cross (Community Partnerships team) is working with Dave Pullen from the NZ Home Heating Association to host a series of public events providing free home heating advice. The key focus of these events is getting the most out of your wood burner, to ensure it burns hot and clean with minimal air pollution; in addition to the importance of good insulation and promoting available grants from EECA and Warmer Healthier Homes (which the Council contributes funding to). The first event was held at the Motueka Library on 13 May with a small but very engaged audience and feedback described it as being an

“excellent” event. At the time of writing, other events are scheduled for Richmond Library (20 May), Motueka Sunday Market (26 May), and the Mapua Community Association Meeting in early June. Staff are also looking at options for hosting Dave in Mohua/Golden Bay if there is interest from any community groups over there.

Outstanding Natural Landscapes and Features

4.17 A plan change to identify Tasman’s Outstanding Natural Landscapes and Features, alongside a second plan change that will redefine Tasman’s Coastal Environment line and identify areas of coastal natural character, are progressing. The plan changes are at the point where the plan provisions are being drafted, with a second round of feedback from relevant Council staff on the draft provisions recently completed. Two Council workshops are programmed for 11 and 26 June to go through the proposed provisions. Once completed, the draft plan changes will be released so affected landowners, and any interested people can provide informal feedback. This will be followed by public notification, beginning the start of the formal legal plan change process.

4.18 The following table gives a brief update on the major environmental policy work streams.

Project	Description	Status	Comments
Whole of Plan review	Review of the Tasman Regional Policy Statement and Tasman Resource Management Plan	On hold	Paused until there is more clarity on the government’s intentions. Work programme has been reset to focus on key priorities.
E-Plan	Procurement and implementation of an electronic plan to replace paper-based planning documents	In progress	Work is underway and the project is planned to be completed by October.
Future Development Strategy Implementation	A programme of work to implement the Nelson Tasman Future Development Strategy	In Progress  FDS & IMPLEMENTATION PLAN COMPLETED	FDS implementation plan was adopted by Joint Nelson Tasman Committee on 14 November. The Housing and Business Assessment is now complete. Implementation is through Urban Growth Plan Changes and working with Central Government.
Growth – Richmond Central	Development of a spatial & intensification plan for the existing Richmond urban area.	Complete 	‘Richmond on the Rise’ spatial plan adopted at the April Strategy and Policy Committee meeting, subject to minor amendments. Implementation through Urban Growth plan change.
Growth – Richmond South	Development of a potential structure plan for Richmond South FDS growth area and consideration of possible re-zoning for growth	On-hold	Two rounds of community engagement completed; further progress paused until after the Richmond on the Rise completed.

Project	Description	Status	Comments
Growth plan changes	Plan changes to enable higher density housing on residential zoned land and some re-zoning of rural land to residential in Murchison, Wakefield, Brightwater and Motueka.	On track  Murchison & Brightwater	Murchison and Brightwater operative. Māpua is on hold pending Mapua Master Plan project outcomes. Wakefield hearing June 2024. Motueka submissions received, next step hearing.
Land & Freshwater plan change Including Takaka & Waimea	Plan change to address freshwater management in Tasman, including Te Waikoropupū WCO	On track	Staff are working with iwi, Nelson, and Marlborough councils and stakeholders to develop plan change content. WCO plan provisions in development. See separate agenda item.
Natural Hazards	Project to update TRMP to manage effects of natural hazards in Tasman.	In progress	Issues and Options report due 3 rd quarter 2024. Community engagement late 2024. Draft plan change 2026. See separate agenda item.

5. Attachments / Tuhinga tāpiri

Nil

7.7 QUARTERLY CLIMATE CHANGE UPDATE

Information Only - No Decision Required

Report To:	Strategy and Policy Committee
Meeting Date:	28 May 2024
Report Author:	Barbara Lewando, Senior Climate Change Advisor; Anna Gerraty, Senior Community & Reserves Policy Advisor; Cat Budai, Community Policy Advisor
Report Authorisers:	Dwayne Fletcher, Strategic Policy Manager; John Ridd, Group Manager - Service and Strategy
Report Number:	RSPC24-05-5

1. Summary / Te Tuhinga Whakarāpoto

- 1.1 This report provides updates on progress with the implementation of the Tasman Climate Response Strategy and Action Plan (2024-2034). It also provides climate change updates in brief at the regional, national and international levels. Our response to an information request received from the Minister of Climate Change on adaptation preparedness is included in section 4 of this report.

2. Recommendation/s / Ngā Tūtohunga

That the Strategy and Policy Committee

- receives the Quarterly Climate Change Update report RSPC24-05-5.

3. Tasman Climate Response Strategy and Action Plan – progress update

- 3.1 An internal working group comprising 20 staff from across Council meets bi-monthly to ensure the Tasman Climate Response Strategy and Action Plan 2024-2034 progresses. Highlights from the last quarter (February to May 2024) are presented in this section.

GHG emissions inventory for 2022/23

- 3.2 The Council's greenhouse gas emissions inventory for 2022/23 was recently completed and verified by an external auditor. The report was presented to the 18 April 2024 meeting of the Strategy and Policy Committee and has now been [published on the Council's website](#).
- 3.3 Net greenhouse gas emissions from the Council's operations during the 2022/2023 financial year were 14,713 tonnes of carbon dioxide equivalents (tCO₂e). This represents a 71% reduction in emissions (i.e. 35,893 tCO₂e in total) when compared to our baseline 2020/2021 year.

Warmer Healthier Homes Initiative: Retrofit Success and Outreach

- 3.4 Council funding to Warmer Healthier Homes (WHH) contributed to approximately 40 homes being retrofitted with insulation between July 2023 and February 2024. Targeted communication to eligible households in late February led to 300 households receiving letters. The remaining funding has been used to support further retrofits.

Connecting Climate Risks and Strategic Priorities

- 3.5 Council is updating its strategic risk register to include current climate risk information. During the review, staff determines if any new risks have surfaced, if current risks have changed in likelihood or severity, and if any risks have been addressed or avoided.

Exploring Low-Emissions Refrigerant: Richmond Aquatic Centre Update

- 3.6 The investigation into switching to refrigerants with a lower emissions impact at Richmond Aquatic Centre and other Council-owned facilities has not yet started. This initiative's feasibility depends on whether "drop-in" replacements are available for existing refrigerants, which typically aligns with equipment replacement cycles.

Landfill Gas Management Update: York Valley Success, Eves Valley Delay

- 3.7 The York Valley Landfill continues to operate effectively, with gas capture and destruction levels exceeding those of the previous year. However, scoping the gas reuse system at Eves Valley Landfill has been delayed due to uncertainties in connection requirements. This work is now expected to be completed in the next financial year.

Richmond Resource Recovery Centre: Construction Waste Diversion Update

- 3.8 With our facility already in operation for over a year, the trial diversion of construction waste at the new facility at the Richmond Resource Recovery Centre is underway, with the first 3-month phase completed in November 2023. Planning for the second 3-month phase, starting in July 2024, is based on initial results from the first phase.

Mohua Golden Bay Waste Reduction Trial: Pioneering Food Waste Drop-off Service

- 3.9 To meet the goal of reducing total waste to landfill by 10% per capita by 2030, the Council is scoping a trial food waste drop-off service in Golden Bay, Mohua, as a model for centralized composting in smaller centres.

Council Staff Workshops: Eat Green for Food Waste Reduction

- 3.10 Two workshops for Council staff, centred on the "Eat Green" theme, were held in March and April. These workshops focused on preserving and fermenting as strategies to reduce food waste and maximize locally grown produce. Both were well-attended, with about 15 staff members at each session.

Advancing NTFDS: Housing Intensification and Climate Resilience

- 3.11 Implementation of the Nelson Tasman Future Development Strategy (NTFDS) continues, with a particular focus on housing intensification in locations that reduce the need for car travel and are resilient to climate risks.

Active Transport Integration in Mapua Masterplan

- 3.12 The Mapua Masterplan now includes considerations for active transport connections throughout the development. Additionally, Chesterfield Drive in the Richmond West development area has been replaced with an active transport corridor.

Streets for People projects progressing

- 3.13 The Streets for People projects in Richmond, covering Champion Road, Salisbury Road, and part of Hill Street, are in progress.

Natural Hazards Plan Change Initiative

- 3.14 Work starts to inform a future Natural Hazards plan change covering coastal hazards and sea level rise, flooding, wildfires, earthquake faults, liquefaction, and slope instability, to ensure that our communities are resilient to natural hazards and adapt to the effects of climate change. See the separate committee report for further information.

Pest Database Review and Wasp Biocontrol Engagement

- 3.15 The biodiversity and biosecurity teams are reviewing the pest database for improved usability. Additionally, they are engaging with landowners on wasp biocontrol in Wainui Bay.

Enhancing Biodiversity and Climate Resilience: Tasman Strategies Alignment

- 3.16 Integration between the Tasman Biodiversity Strategy plan and the Tasman District Council's Climate Response Strategy continues to ensure biodiversity projects are climate-resilient and provide co-benefits like carbon sequestration, nature-based solutions against climate impacts and community resilience. Collaboration fosters a diverse, cross-sector community network focused on local biodiversity protection and restoration, thus enhancing community resilience to climate change.

Climate Resilience Tasman

- 3.17 Work on the Climate Resilience Tasman Hub is progressing. This hub is meant to connect and inspire people across the organisation, to communicate our progress, insights, and action in the climate and resilience space, as well as to stimulate knowledge exchange among staff. We are developing a strategy to collect varied experiences, case studies, and information from Council staff.

Rural Resilience Expo

- 3.18 On Saturday, April 21, the first Wakefield Rural Resilience Expo started. A community gathering to better inform and educate the Wakefield and Tasman communities about natural disaster preparedness and self-sufficiency.
- 3.19 Several organisations offered information and 20-minute seminars throughout the day. Interactive displays for both adults and children marked the beginning of resilience discussions.

Climate Education Programme in Local Schools

- 3.20 Dr. Will Stovall has been engaged to deliver a climate change education program in Mahana, Lower Moutere, and Wakefield Schools during Term 2, 2024. This comprehensive program is a pilot initiative, with plans to expand to more schools from Term 3, 2024, onwards.

Take the Jump Campaign

- 3.21 The Take the Jump campaign is being rolled out internally with staff, with recent workshops focusing on low-emission opportunities. As part of this initiative, Take the Jump ambassadors were invited to participate in the Tasman Mission sustainability race for Tasman school students, where the "Dress retro" theme sparked interesting conversations about reducing environmental impact.

4. Call for data on adaptation preparedness

- 4.1 On 26 February 2024, the Minister of Climate Change requested data on adaptation preparedness from across selected organisations, including councils, under section 5ZW of the Climate Change Response Act 2002 (see letter in Attachment 1).
- 4.2 This is the second request received by council, to strengthen New Zealand's ability to adapt to the effects of climate change and to track progress in adaptation preparedness (the previous request was received in 2020).
- 4.3 The Minister of Climate Change may call for adaptation preparedness data under section 5ZW of the Climate Change Response Act 2002. This is the second request that Council has received, as a selected organisation subject to section 5ZW with critical policy and service delivery functions.
- 4.4 The survey sought information on governance processes, awareness of climate change impacts, strategies or plans in place, and any support needed.
- 4.5 The council responded to the survey, which was reviewed by the Executive Leadership Team and submitted information online on 9 April 2024. A copy of the completed survey is included in Attachment 2 to this report.

5. Regional update

Te Uru Kahika regional climate change hui

- 5.1 The Climate Change Special Interest Group of Te Uru Kahika met in Hamilton on April 29 and 30 to develop a strategy for the regional sector's role in responding to climate change, collaborate with Government, and improve the visibility of resilience-focused initiatives across the sector.
- 5.2 Te Uru Kahika, comprising New Zealand's 16 regional and unitary councils, collaborates to leverage their expertise and local insights for environmental and community welfare. Their collective responsibilities include integrated land, air, and water resource management, biodiversity, regional transport, and enhancing community resilience against climate change and natural hazards. Senior Climate Change Policy Advisor, Barbara Lewando, attended the hui.

Moananui Ocean Cluster

- 5.3 Staff is exploring partnership opportunities with Nelson-based [Moananui](#), a new technological cluster organisation that facilitates collaboration of organisations and businesses within the ocean economy sector.
- 5.4 In 2023, Moananui secured \$500,000 through the Ministry for Primary Industries' Sustainable Food and Fibre Futures fund to help the cluster get up and running. A further \$400,000 will be invested by Moananui's nine founding partners.
- 5.5 With start-up funding now secured, Moananui can actively drive innovation projects with the purpose of attracting capability, capacity, and capital to the region. With nearly 400-maritime related businesses in Tasman and Nelson, we have the largest fishing port in Australasia, and play host to a range of scientific organisations and emerging blue technology companies.

Nelson-Tasman Joint Waste Management Minimisation Working Party

- 5.6 A Joint Waste Management Minimisation Review Working Party has been formed for Nelson Tasman to review the Joint Waste Assessment Plan and make recommendations for future actions. Led by Karen Lee from NCC, the groups include representatives from both councils. The working party has started to draft the plan, while concurrently finalising the Joint Waste Assessment.

Nelson-Tasman Regional Climate Change Risk Assessment project

- 5.7 As outlined in previous 'Climate Change Update' reports, we are working together with NCC and iwi partners to undertake a [Regional Climate Change Risk Assessment](#) (RCCRA) for both the Tasman and Nelson regions.
- 5.8 This work is being led by consultant [Urban Intelligence](#). The project aims to evaluate and communicate climate change risks, as well as cascading risks and impacts⁴. The outcome is a 'living' platform called the 'Risk Explorer' that can be used by councils, iwi, businesses, organisations, and communities for climate adaptation planning, asset and spatial planning, and emergency planning.
- 5.9 The initial assessment is complete, and feedback from domain and place-based workshops has been gathered, with a focus on identifying hazards and screening elements at risk for each domain. Tasman and Nelson staff provided input on datasets and methodology. The consultant is preparing the regional climate change risk report. The work has now been extended to mid-May 2024.

Nelson City Council (NCC) update

- 5.1 A Climate Advisory Group's has been appointed and is working on developing a Climate Change Strategy. The Climate Change Taskforce has been established since the Advisory Group began its work and a process is now underway to involve the Taskforce in the Strategy development.
- 5.2 The Climate Action Plan, approved in 2021, is being updated as part of the work on the Climate Change Strategy. It will aim to include projects approved under the Long Term Plan (LTP) 2024-2034.
- 5.3 The climate-resilient stormwater upgrade on St Vincent Street has been successfully completed. This upgrade aims to enhance resilience against heavy rain events and mitigate flood risks.
- 5.4 NCC have and continues to provide free monthly composting workshops to the community, run from Tim's Garden, and distributed recycling and waste minimisation information in collaboration with our Council.
- 5.5 NCC is investigating implementing Workride's [Ride-to-Work Benefit Scheme](#) for Council staff. The scheme works on a salary sacrifice model and helps staff offset up to 63% of the cost of a new commuter bicycle. The scheme intends to encourage staff to commute by bike to support the reduction of staff commuting emissions, which were added as a source of GHG emissions in our latest Council Operational Footprint. The data showed that commuter emissions represent the highest travel-related GHG emissions produced by staff, ahead of air travel, council vehicles and taxis.

⁴ Cascading impacts from extreme weather/climate events occur when an extreme hazard generates a sequence of secondary events in natural and human systems that result in physical, natural, social or economic disruption, whereby the resulting impact is significantly larger than the initial impact (IPCC).

Nelson Tasman Climate Forum update

- 5.6 Staff and Councillor representatives continue to attend monthly Leadership Group hui of the [Nelson Tasman Climate Forum](#).
- 5.7 Forum members are planning for Climate Action Week 2024, which will be held from 24 May to 2 June. With twenty-plus events, the festival aims to gather climate-related initiatives happening in the Tasman-Nelson region. This year, “Grounded Community” is the theme for climate action. For an overview of the week click [here](#).
- 5.8 Work on the Motueka Repair Café continues as it proves to be a successful project attracting the community, particularly the elderly. The most recent event was held on May 18 at the Motueka Library (Te Noninga Kumu). The Café recruits volunteers at the grass-root level, supported by our Council.

6. National update

Climate Change Minister now in Cabinet after reshuffle

- 6.1 In a [statement](#) to the media, Prime Minister Christopher Luxon announced a Cabinet reshuffle where Climate Change and Revenue Minister Simon Watts moved into Cabinet.

Resource management reform update

- 6.2 Soon after taking office, the Government indicated it would take a phased approach to resource management reform. During the first phase of changes, in December 2023, it repealed the Natural and Built Environment Act (NBA) and the Spatial Planning Act. Some parts of the NBA were retained, including its fast-track consenting regime, as an interim step while new legislation was developed.
- 6.3 In the second phase the Government introduced legislation for a fast-track approvals regime (to make it easier to consent new infrastructure including renewable energy and other developments). It also intends to make amendments to the RMA and will provide national direction on the Going for Housing Growth package.
- 6.4 In the third phase of reform, the Government intends to replace the existing Resource Management Act 1991 with new legislation. During April, more details were released about two Resource Management Act Amendment Bills to be introduced this year.
- 6.5 The [first Resource Management Amendment Bill](#) is expected to be introduced to Parliament in May and passed into law later this year. The Bill will contain targeted changes while new legislation is being developed, including changes to provisions in the National Environmental Standards for Freshwater (NES-F) and the National Policy Statements for Freshwater Management (NPS-FM) and Indigenous Biodiversity (NPS-IB).
- 6.6 Port coastal permits are proposed to be extended for a further 20 years, providing port operators with certainty to continue their operations. The existing permits are set to expire in September 2026. The proposed extension is intended to be included in the [second Resource Management Act Amendment Bill](#) that Government plans to introduce later this year. The Government will be consulting with key stakeholders and iwi on the proposal in the coming months.
- 6.7 A Cabinet paper released late March provides some information about the Government’s planned three phase [Work Programme for Reforming the Resource Management System](#) including indicative timeframes over the next three years for delivery of the work programmes.

- 6.8 Last year’s severe weather has focused attention on the importance of both reducing our greenhouse gas emissions and preparing for the impacts. The Ministry for the Environment’s work on the proposed National Policy Statement for Natural Hazard Decision-Making continues, and work is underway to create the second Emission Reduction Plan (ERP2).

Government launches inquiry to investigate climate adaptation

- 6.1 On 10 May 2024, Parliament agreed to a [cross-party investigation](#) into needed adaptation for climate change. A notice of motion enacted in Parliament gave the Finance and Expenditure Committee the authority to conduct the enquiry, which would create objectives and principles for a national adaptation framework. An all-hazards approach is to be used. Any relevant legislation is likely to be introduced in early 2025.
- 6.2 The Committee may make recommendations on:
- Minimising the long-term costs to New Zealand of adapting to the impacts of natural events.
 - Providing certainty for property owners and ensure any support is predictable, principled, and fair. This includes clarity about the Government’s response and the roles of insurers, local government and other groups.
 - Improving the sharing of information so that everyone – individuals, communities, councils and industries - can make informed decisions.
 - Contributing to maintaining efficient housing and insurance markets.
 - Ensuring people have the ability and incentive to make decisions to reduce their risk where they can.
- 6.3 The Minister has indicated local government and communities are generally best placed to understand local risks and decide whether and how to protect each of their assets see [Cabinet paper: CAB-400 Progressing an adaptation framework](#).
- 6.4 Submissions to the Environment Committee will be considered as part of the Finance and Expenditure Committee Inquiry and the MfE website notes that the “*Finance and Expenditure Committee is likely to call for new and additional public submissions. Details will be made available on Parliament’s website.*”
- 6.5 Decisions have not been taken on whether new legislation is required. “*Developing guiding principles is the first priority of the adaptation framework. After this, Ministers will consider if legislation is needed.*” (MfE website). The [press release](#) noted – “*Any legislation required to support the framework is expected to be introduced in early 2025.*”
- 6.6 Council staff have anticipated the need for a national climate adaptation framework and the potential involvement of local government in its implementation. Development of a regional climate adaptation strategy and 'community adaptation plans' for local areas are key actions included within the draft Tasman Climate Response Strategy and Action Plan. This work programme will need to align with any legislative criteria established by the government's proposed adaptation framework.

Emergency Management Bill not proceeding

- 6.7 The Government has decided not to proceed with the existing Emergency Management Bill. The Minister intends to introduce a new Bill this term, alongside considering system improvements using existing mechanisms in the Civil Defence Emergency Management Act

2002 and non-legislative levers. Information relating to the Government's decision to not proceed with the Emergency Management Bill is provided in [proactively released material](#).

Government works towards modernising insurance law

- 6.8 A bill intending to modernise insurance law has passed its first reading in Parliament. The Contracts of Insurance legislation would shift the onus of disclosure duties to insurers.
- 6.9 These reforms are long overdue. New Zealand's insurance law is complicated and dated, some of which is more than 100 years old. The recent extreme weather events have highlighted the ad-hoc nature of disaster recovery funding between government and private insurance companies and the need for risk-based decisions to help prepare and adapt for climate change events.

Sustainable Finance Taxonomy for New Zealand

- 6.10 The Climate Change Minister, Hon Simon Watts, has invited recommendation non-binding advice on the design for a [green \(sustainable finance\) taxonomy](#) for Aotearoa New Zealand.
- 6.11 The Ministry for the Environment is collaborating with Toitū Tahua to develop a taxonomy for environmentally sustainable activities, aiding investors in making confident decisions to support a transition to a low emissions economy. Toitū Tahua has established an independent technical advisory group (ITAG) to provide recommendations to the Government on the taxonomy's design, expected to be finalised by mid-2024.

Independent review of biogenic methane science and targets

- 6.12 The Government is to appoint an [independent Ministerial advisory panel](#) to review New Zealand's biogenic methane science and targets. The panel will be tasked with [reviewing](#) the latest science about biogenic methane to provide an up-to-date evidence base about methane's warming impact. They will also provide advice on what a biogenic methane target consistent with the principle of no additional warming would look like for New Zealand. The Government is expected to confirm terms of reference for the review and panel members in mid-2024.

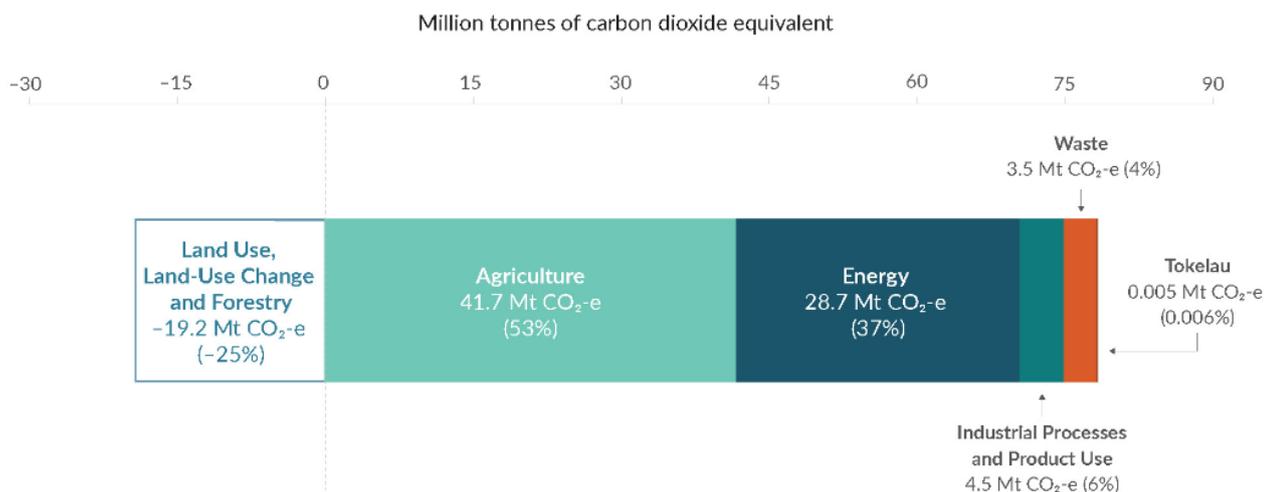
Climate Change Commission advice on the Emissions Trading Scheme

- 6.13 On 12 March 2024, the Minister of Climate Change released [He Pou a Rangī the Climate Change Commission's latest advice](#) on the New Zealand Emissions Trading Scheme (NZ ETS).
- 6.14 Under the Climate Change Response Act 2002, He Pou a Rangī Climate Change Commission provides independent evidence-based advice to the Government on the ETS unit and price control settings every year. The purpose of the advice is to help ensure the NZ ETS operates effectively and in line with Aotearoa New Zealand's emissions reduction goals.
- 6.15 This [latest report](#), covering 2025–2029, is the third time the Commission has delivered advice on NZ ETS unit limits and price control settings.
- 6.16 New evidence shows there are too many units in the NZ ETS for the Government to make best use of it to reduce emissions. This excess number of units presents a high risk that emissions budgets won't be achieved. To address this risk, the Commission advises the Government to reduce NZ ETS auction volumes as soon as possible.

- 6.17 Alongside having too many units already in the NZ ETS, the advice states that uncertainty about the Government’s priorities is affecting market and investor confidence in the scheme. This is also increasing the risk that the Government will not achieve its emissions reduction goals.
- 6.18 The Commission reiterates previous advice that the Government make clear statements about its goals for reducing greenhouse gases at their source, its goals for using forestry to absorb some emissions, and the role of the NZ ETS in achieving the emissions reductions committed to in its first Nationally Determined Contribution (NDC) under the Paris Agreement.
- 6.19 “We advise the Government to not delay action that will make the NZ ETS more capable of delivering the outcomes. The status quo will not create the stability needed by the market. Changes to the ETS now are essential to reduce uncertainty,” Dr Carr said.
- 6.20 The Government will now [consider this advice](#) and make decisions on it later this year. Following public consultation, set to occur before mid-2024, proposed changes to the ETS will be finalised by the end of September 2024.

New Zealand’s Greenhouse Gas Inventory 2022

- 6.21 New Zealand’s gross greenhouse gas emissions decreased by 3.4 million tonnes of carbon dioxide equivalent (Mt CO₂-e) in 2022, a 4% reduction compared to 2021. This amount is roughly triple the emissions produced by all domestic flights in New Zealand in 2022. This is the third successive slight decrease year-on-year.
- 6.22 New Zealand’s Greenhouse Gas Inventory (compiled by MfE) is the official annual report of all human-induced emissions and removals produced within New Zealand. [The latest inventory](#), published in April 2024, contains data from 1990 to 2022 inclusively.
- 6.23 The following graph shows New Zealand’s emissions (in Mt CO₂-e) by sector in 2022.



- 6.24 The biggest reason for the decrease in gross emissions between 2021 and 2022 was an 8% (2.5 Mt CO₂-e) decrease in emissions from energy. This was largely because there was more renewable electricity – mainly hydroelectricity – on the grid, meaning less use of coal and gas, decreasing emissions by 1.7 Mt CO₂-e.
- 6.25 Emissions from road transport decreased by 0.2 Mt CO₂-e due to decreased petrol consumption, even though the estimated kilometres travelled by petrol vehicles remained largely stable.

- 6.26 Agricultural emissions decreased by 1.4% (0.6 Mt CO₂-e) compared to 2021, because less synthetic nitrogen fertiliser was used, and the number of sheep and beef cattle fell.

Resource use and waste generation Aotearoa New Zealand

- 6.27 The Parliamentary Commissioner for the Environment has initiated an investigation into the environmental impacts of economic production and consumption in New Zealand. The investigation aims to determine the current levels of resource extraction and waste generation associated with economic activities and project future trends based on population, economic, and other factors.
- 6.28 As an initial step, a [literature review](#) has been released to assess existing research on resource use and waste generation, highlighting data gaps and proposing potential approaches to address them. The review will inform future research commissioned by the Commissioner.

Supreme Court greenlights climate case against corporate emitters

- 6.29 The Supreme Court of New Zealand has made a significant [ruling](#) in a case brought by Māori elder Mike Smith against major corporate greenhouse gas emitters. Smith's claim, seeking civil liability for these emitters' climate change contributions impacting his family's and tribe's land and cultural values, was initially dismissed by lower courts.
- 6.30 However, the Supreme Court overturned these rulings, granting Smith the opportunity to present his full case before the High Court. This decision has garnered attention locally and internationally, potentially marking a new direction in climate law. While it marks the beginning of a potentially lengthy legal process, the ruling is seen as opening a significant avenue for addressing climate-related grievances.

Report finds gas remains energy of choice for nearly half of homes

- 6.31 A new [report](#) from the Energy Efficiency Conservation Authority (EECA) has found most residential gas consumers would only replace their existing gas appliances such as water heaters, cooktops or space heaters if they break down.

\$20m flood protection plan for Westport

- 6.32 In April the government announced \$20 million in funding will be made available to Westport to fund much-needed flood protection around the town.
- 6.33 \$2 million of the allocated funding will also go towards property-level adaptation measures for those outside the stop banks. Organs Island, upstream from the town, will be transferred to West Coast Regional Council management to slow flood waters as part of the funding.
- 6.34 Construction of the stop banks is expected to begin this year and be completed by 2027. The West Coast Regional Council will also co-invest in this work with its contribution being confirmed in its draft Long Term Plan.

Submission opportunities

- 6.35 The Council lodged a submission on the draft [Government Policy Statement on Land Transport](#) prior to the submission deadline of 2 April 2024. Retrospective approval of this submission was sought at the Strategy and Policy Committee meeting held on 18 April.
- 6.36 The Council lodged a submission on the [Fast-track Approvals Bill](#) before the submission deadline of 19 April 2024. Retrospective approval of this submission was sought at the Environment and Regulatory Committee meeting held on 24 April. The Select Committee report is due on 7 September 2024.

- 6.37 An [expert advisory group](#) will provide independent recommendations to Ministers on projects to be included in the Fast Track Approvals Bill was announced on 10 April. Project applications can be made to the Ministry of Environment until 3 May. The Advisory Group will be engaged between April and July 2024, and will be supported by the Ministry for the Environment and the Ministry of Business, Innovation and Employment.
- 6.38 On 19 April, the Minister released a list of organisations that received letters about the Fast-track applications process, following several OIA requests. It should not be assumed that a stakeholder who received this letter will choose to submit projects to the Independent Advisory Group process. The list and letters are provided in this [press release](#) (Tasman District Council was not on this list).
- 6.39 He Pou a Rangī/the Climate Change Commission is consulting on how New Zealand can best tackle greenhouse gases with submissions on three aspects closing on 31 May 2024:
- 6.39.1 The first piece of work looks at [what the emissions budget should be for the period 2036–2040](#). Emissions budgets are stepping stones towards the country’s long-term emissions reduction target. They set a cap on the maximum amount of climate pollution that Aotearoa New Zealand can emit in a five-year period.
- 6.39.2 The second piece of work looks at [the country’s 2050 climate target](#). When the Commission develops advice on the next emissions budget, it also does a sense check of that long-term target.
- 6.39.3 The third piece of work also relates to the 2050 target – but is focused on [whether emissions from international shipping and aviation should also be included in it](#), like emissions from domestic shipping and aviation already are.

Due to the submission period coinciding with LTP submissions, staff have not had time to prepare submissions from the Council on any of these matters. However, we met with the Commissioner and some of her staff on 7 May to discuss the submission opportunities and provide verbal feedback.

7. International update

OECD releases economic report for New Zealand

- 7.1 The Organisation for Economic Co-operation and Development (OECD) released its [annual survey](#). The country is being told it needs to get inflation under control, balance the books, raise educational achievement, and lift productivity.
- 7.2 The OECD also said that the country needed a more systematic approach to cutting greenhouse gas emissions and coping with climate change.
- 7.1 It also said the Emissions Trading Scheme (ETS) needed to be reviewed in how forestry resources are accounted for, while the pricing of agricultural emissions needed to be settled.
- 7.2 It also stated that the recent cyclones had exposed the ad hoc nature of disaster recovery funding between the government and commercial insurance firms, as well as the necessity for risk-based decisions to help prepare for and adapt to climate change. Here's a [video](#) overview.

NZ-European Union Free Trade Agreement enters into force

- 7.3 [New Zealand's free trade agreement \(NZ-EU FTA\)](#) with the European Union, one of the world's largest trading entities, entered into force on 1 May 2024. The NZ-EU FTA is one of

the highest quality and most comprehensive free trade agreements that New Zealand has ever concluded. The agreement opens new opportunities for NZ to deepen business connections and offers significant benefits to our economy.

- 7.4 The NZ-EU FTA also establishes a sanctionable commitment for both parties to “effectively implement” their 2030 climate targets under the Paris Agreement.

UK Carbon Border Adjustment Mechanism

- 7.5 The UK Government has announced a plan to introduce its [carbon border adjustment mechanism \(CBAM\)](#) by 2027. The UK CBAM will impose a tariff on a range of high-carbon goods imported from countries with weaker emissions regulations to prevent carbon leakage and protect UK firms from being undercut by less-regulated foreign competitors.
- 7.6 The UK mechanism builds from the European Union’s carbon border adjustment mechanism started in Europe in 2023. CBAM is the first regime of its kind in any emission trading system, a WTO-compliant measure that boosts global sustainability.

European court rules climate inaction by States breaches human rights

- 7.7 The European Court of Human Rights [ruled in favour](#) of Swiss women, deeming the government’s climate efforts inadequate and a violation of human rights due to the vulnerability of older women to heatwaves.
- 7.8 This landmark decision affects 46 European countries and emphasises the legal obligations to combat climate change. It sets a precedent for future litigation on climate change’s impact on human rights and highlights the importance of national agreements like the Paris Agreement.
- 7.9 Although the Swiss case was decided under a particular legal, constitutional, and institutional setting, in many respects different to New Zealand, there is much in the decision that could inform New Zealand judicial responses to common issues which, like greenhouse emissions themselves, know no national borders.

Latest IPCC climate change report released

- 7.10 The [synthesis report](#) provides an overview of progress made in formulating and implementing national adaptation plans (NAPs).
- 7.11 It covers experiences, best practices, lessons learned, gaps, and needs in the NAP process. Additionally, it assesses the support provided and received by countries in their efforts to adapt to climate change.

Compendium of Good Practices on Quality Infrastructure 2024: Building Resilience to Natural Disasters

- 7.12 OECD has published a [compendium report](#) that outlines seven global practices for infrastructure resilience: life-cycle approach, collaboration, risk assessment, impact measurement, capacity building, preventive maintenance, and technology deployment.

AI energy use

- 7.13 A [recent article](#) notes that AI already uses as much energy as a small country, and the energy needed to support data storage is expected to double by 2026. A single ChatGPT request uses roughly 900 times more energy than a Google search.

Tackling climate change with artificial intelligence and machine learning

- 7.14 Addressing climate change involves mitigation (reducing emissions) and adaptation (preparing for unavoidable consequences). Both are multifaceted issues. Mitigation of greenhouse gas emissions requires changes to electricity systems, transportation, buildings, industry, and land use. Adaptation requires planning for resilience and disaster management, given an understanding of climate and extreme events. Such a diversity of problems can be seen as an opportunity: there are many ways to have an impact.
- 7.15 In recent years, machine learning and artificial intelligence have been recognized as a broadly powerful tool for technological progress. Despite the growth of artificial intelligence to problems of societal and global good, there remains the need for a concerted effort to identify how these tools may best be applied to tackle climate change.
- 7.16 The recent [launch](#) of the UN-led [AI Advisory Body](#) advanced a growing global trend to harness machine learning and artificial intelligence to find solutions to common challenges. AI is upping the data crunching game and a growing number of governments, businesses and civil society partners are working together to reap its many benefits.

8. Attachments / Tuhinga tāpiri

- | | | |
|----------------------|--------------------------------------------------------------------|----|
| 1. ↓ | Call for data on Council's adaptation preparedness | 84 |
| 2. ↓ | Council's response to the call for data on adaptation preparedness | 86 |

Hon Simon Watts

Minister of Climate Change
Minister of Revenue



26/02/2024

To: selected organisations subject to section 5ZW of the of the Climate Change Response Act 2002

I am calling for data on your adaptation preparedness

A priority for this government is to strengthen New Zealand's ability to adapt to the effects of climate change. I am now calling for adaptation preparedness data under section 5ZW of the Climate Change Response Act 2002. This request is being made to selected organisations subject to section 5ZW with critical policy and service delivery functions.

I am asking you to provide high-level information about how your organisation is preparing for the impacts of climate change. It has been over three years since the last call for data, and 18 months since our first National Adaptation Plan was published, so it is timely to track progress in adaptation preparedness.

With this call for data, I am requesting information about:

- your organisation's governance processes relating to risks of, and opportunities arising from, climate change
- your organisation's general awareness and understanding of the actual and potential effects of the risks and opportunities on the organisation's ability to carry out its functions and deliver services
- strategies or plans your organisation may have in place to address these risks, improve resilience and/or adapt to the impacts of climate change
- any support or resources your organisation might need to better prepare for the impacts of climate change.

Please provide adaptation preparedness data via online survey by 12 April 2024

Please access and respond to all questions via the online survey at this link ([Monitoring adaptation preparedness – call for data](#)) by 12 April 2024. Please use information you already have available.

Information your organisation provides will be handled securely, as laid out in the Privacy Act 2020

I am required to share the information received in response to this request with the Climate Change Commission.

I do not intend to publicly disclose organisation-specific information gathered through this survey. Neither the Climate Change Commission or I can publicly disclose any information received in response to this request unless its disclosure is necessary to perform a function or duty imposed by part 1C of the Climate Change Response Act 2002.

Information gathered through this survey may be subject to requests under the Official Information Act 1982. However, there is provision for the protection of commercial or trade sensitive information.

Providing personal information is not mandatory. Any personal information supplied will only be used in relation to information requests including section 5ZW. You have the right to request access to or correct any personal information you supply.

Thank you for your participation in this call for data. If you have any questions, please contact adaptation@mfe.govt.nz.

Yours sincerely,

A handwritten signature in blue ink that reads "Simon". The signature is stylized with a large, looped 'S' and a long, sweeping underline.

Hon Simon Watts
Minister of Climate Change

Private Bag 18041, Parliament Buildings, Wellington 6160
s.watts@ministers.govt.nz

From: Climate Change Adaptation <adaptation@mfe.govt.nz>

Sent: Thursday, March 7, 2024 2:40 PM

To: Anna Gerraty <Anna.Gerraty@tasman.govt.nz>; Paula Dempsey <paula.dempsey@tasman.govt.nz>; Barbara Lewando <barbara.lewando@tasman.govt.nz>; Diana Worthy <Diana.Worthy@tasman.govt.nz>; Leonie Rae <leonie.rae@tasman.govt.nz>

Cc: Climate Change Adaptation <adaptation@mfe.govt.nz>

Subject: Minister of Climate Change's call for adaptation preparedness survey

Kia ora koutou

Please see the call for data request below, with the link to the survey included in the button below.

Ngā mihi

Climate Adaptation

Tēnā koe,

We are contacting you on behalf of the Minister of Climate Change to request high-level information about how your organisation is preparing for the impacts of climate change.

The information will be used to track progress on adaptation preparedness since the last call for data three years ago, and the release of the first National Adaptation Plan in 2022.

The Minister is making the call under section 5ZW of the Climate Change Response Act 2002, to selected organisations subject to section 5ZW with critical policy and service delivery functions.

Please submit your response via the online survey by Friday 12 April 2024. Only one person should fill out the survey on behalf of your organisation. The Ministry for the Environment will hold drop-in sessions in March to support with completing the survey. If you have any questions, you can contact us via adaptation@mfe.govt.nz.

Please click the button below to read the Minister's request and access the survey.

Personal Information

Providing personal information is not mandatory. Any personal information supplied will only be used in relation to information requests including section 5ZW. You have the right to request access to or to correct any personal information you supply. If you have any questions, please contact adaptation@mfe.govt.nz.

1. What is your name?

Barbara Lewando

2. What organisation do you work for?

Tasman District Council

3. What is your role?

Senior Climate Change Policy Advisor

4. Please provide contact email.

barbara.lewando@tasman.govt.nz

5. Please indicate if you are happy for the Ministry for the Environment to use the contact details provided above for broader climate change-related communications.

Yes, please also email these to anna.gerraty@tasman.govt.nz as together we co-lead TDC's climate response work programme.

6. If this response includes information related to subsidiary organisations, please name these organisations below.

Risks and Impacts

These questions are intended to test general awareness and understanding of impacts and risks from climate change.

1. Is your organisation aware of the impacts that climate change may have on its ability to carry out functions and deliver services? For example, impacts from increased flooding, sea-level rise, more heat waves, more intense storms, more droughts and wildfires.
 - a. Climate change impacts are well understood and documented
 - b. Climate change impacts are acknowledged but only partially understood or documented**
 - c. Climate change impacts are poorly understood and not documented or considered
 - d. We have not considered climate change impacts to date
 - e. Unsure

2. Please provide further details on why you selected the option you did. For example, links to reports.

Weaving Council's climate response into our Long Term Plan

Work is continuing on adapting Tasman District to the impacts of climate change and growing our resilience. In particular, we are taking an adaptive planning approach, as recommended by the Ministry for the Environment. A comprehensive regional climate change risk assessment is being completed in collaboration with Nelson City Council. This will enable a better understanding of climate change risks, and the consequential impacts on people, economy, governance, and the built and natural environments. The risk assessment will inform our identification and evaluation of a range of adaptation options. Community engagement will be a critical part of the identification and assessment of options.

We also have a significant programme of work aimed at reducing our own operational emissions and supporting the Tasman community to reduce its emissions. Work on further reductions in Council and community emissions is included across the ten years of the Plan.

We have developed a comprehensive draft Tasman Climate Response Strategy and Action Plan. It provides detailed actions we plan to take across a wide range of Council's activities. Priority actions include: emission reduction measures in the transport, energy and waste sectors; empowering communities to act; initiatives to strengthen the resilience of our communities and ecosystems.

Budgets addressing climate change and resilience are embedded across many parts of what we do. Often these actions are not planned solely to address climate change and have other substantial benefits. Our Action Plan shows what we plan to spend and where we intend to spend it over the next 10 years.

For more information on our climate response see Tasman Climate Response Strategy and Action Plan | Shape Tasman.

Nelson-Tasman Risk and Resilience Explorer

Since mid-2022 we have been working together with Nelson City Council to undertake a regional climate change risk assessment for both Nelson and Tasman regions. We have engaged Urban Intelligence to undertake the assessment and develop a geospatial tool: the Nelson Tasman Resilience Explorer. These outputs are nearing completion but have not yet been finalised or released to the public. A demo of the resilience explorer tool is available on Urban Intelligence's website: <https://resilience-explorer.org/> - ours will look similar to this. This explorer tool will need to go through significant internal testing prior to any possible future public release.

NIWA reports on climate-related risks

Two NIWA reports specific to the Tasman region, available online here <https://www.tasman.govt.nz/my-region/climate-change/how-is-climate-change-affecting-tasman-district/>, cover:

- changes which may occur over the coming century in the climate of the Tasman region, and outlines some of the possible impacts of these changes (2015 report)
- climate change projections for Tasman and impacts on agricultural systems (2019 report).

Regulatory:

River flooding and stormwater modelling: key areas of the district have been modelled which include future scenarios incorporating the effects of climate change (e.g. increased rainfall, sea level rise).

Coastal storm inundation and sea level rise scenarios: [Coastal Management Project – Responding to Climate Change](#)

Wildfire risk: Staff have previously worked in partnership with Nelson City Council, Marlborough District Council and FENZ, to compile background information and increase staff knowledge to inform our resource management plan reviews. Work has been on hold the last couple of years due to staff resourcing, however both Tasman and Nelson staff have renewed interest in reestablishing this work.

In determining resource and building consent processes, natural hazards including the effects of climate change are considered. Examples include consideration of inundation (freshwater and seawater) and sea level rise. In 2019 the Council started review of our Tasman Resource Management Plan, however the review has significantly been affected by the resource management reform. More recently, a targeted work programme of plan changes has been agreed which focuses on growth, land and freshwater, and natural hazards. It is recognized that there is a need to strengthen the plan provisions to address climate change effects including sea level rise, and the increased frequency and severity of weather-related natural hazards events e.g. river flooding, coastal inundation, slope failure, drought, wildfire, and wind.

Service delivery:

Council has an ongoing programme of work in place to undertake river flooding and stormwater modelling for key areas of the district. Model runs include scenarios showing the effects of climate change (e.g. increased rainfall, sea level rise).

Natural hazards and climate change effects are also considered through our Long Term Plans (LTP) and Annual Plans (AP), Activity Management Plans (AMPs) and service delivery.

3. Does your organisation have access to data related to the impacts from climate change?
 - a. Yes – at a regional, local and asset level
 - b. Yes – at a regional and local level**
 - c. Yes – at a regional level
 - d. No
 - e. Unsure

The GIS system allows us to view climate-related risks at a regional, local and some asset levels.

4. Please provide details on any data gaps you are aware of for specific climate change impacts.
 - Climatic impacts at an asset level
 - Specific information regarding ocean acidification and saltwater intrusion
 - Understanding the impact of wildfire at a local level,
 - broader impacts such as community wellbeing and social cohesion.

Service Delivery

We have focused on mapping our three waters assets and their criticality against a range of natural hazards, many of which will be impacted by climate change. Where the nature of those changes are known the scenarios have been included in our mapping tool, but we are aware that many gaps remain.

5. Specifically, has your organisation assessed its exposure to climate change impacts, in terms of its ability to continue to carry out functions and deliver services? Note: this includes the exposure of the communities to which these services are provided.

a. Yes, accurate (quantitative) exposure data is held for all relevant climate change impacts

b. Accurate exposure data is held for some climate change impacts

c. No accurate exposure data, but climate change impacts relevant to our organisation are documented

d. Limited or no understanding and assessment of exposure to relevant climate change impacts

e. Unsure

6. Please provide further details on why you selected the option you did. For example, links to reports.

Service Delivery

Natural hazards and climate change effects are considered through our [Long Term Plans](#) (LTP) and Annual Plans (AP), [Activity Management Plans](#) (AMPs) and service delivery.

Climate change scenarios: We have developed a resource for use in LTP and activity/infrastructure planning, called 'Impacts and Implications of Climate Change on Tasman District'. It sets out the predicted climate change scenarios for our District from the latest [NIWA reports](#) and lists the corresponding potential impacts on service delivery. Each AMP author tailors the impacts and implications of these scenarios to their specific activity.

Three Waters: A risk and resilience work programme is being undertaken to better understand the impacts of climate change on three waters infrastructure (water supply, stormwater, wastewater). A key feature of this work includes asset criticality. By including asset criticality staff can get an immediate indication of impact on communities.

Lifeline Infrastructure: Council has, in partnership with Nelson City Council, Nelson Tasman Civil Defence Emergency Management Group and other utility providers, prepared the [Nelson Tasman Lifelines Report](#). Within the report (last updated in 2018) a number of actions were identified to improve Council-owned infrastructure resilience.

Reserves and Facilities: Council has a number of coastal esplanade reserves which can be subject to erosion and accretion. In areas where we have erosion occurring, we are working with communities to re-establish coastal dunes and are undertaking coast care plantings of spinifex and pingao. In some situations residents are seeking hard structures (e.g. rock walls) on the reserves in front of their properties to help protect their properties from erosion. Council has sought extensive legal advice on the issues relating to liabilities for structures on its reserves and who is liable if these structures fail or cause end effects on neighbouring properties. In March 2024 the Council deliberated on submissions received on a draft 'Coastal Erosion Protection Structures on Council Reserve Land Policy', to deal with

landowner requests for such structures (which is separate to resource and building consent processes). We anticipate that the Council will adopt a final version of this policy within the next few months.

Regulatory

Elements at risk: Through Council's '[Coastal Management Project – Responding to Climate Change](#)', staff prepared a coastal risk assessment (2020) to understand the assets, property and facilities that are vulnerable to coastal storm inundation and up to 2m sea level rise. This includes Council infrastructure, such as parks and reserves, roads, three water infrastructure, closed landfills, etc.

This work is mentioned in the Ministry for the Environment's 2024 Coastal Hazards and Climate Change Guidance as an example of a risk assessment. The risk assessment considers the vulnerability of elements at risk at a local level, within Tasman and Golden Bays. This work will be used to inform a Natural Hazards Plan Change which is currently being scoped.

7. Specifically, has your organisation assessed its vulnerability to climate change impacts, in terms of its ability to continue to carry out functions and deliver services? Note: this includes the vulnerability of the communities to which these services are provided.
 - a. Yes, vulnerability to climate change impacts is well understood and integrated into decision making processes
 - b. **Some assessment of vulnerability to climate change impacts has been done, but this is not well embedded in organisational processes**
 - c. Limited or no assessment or understanding of vulnerability to climate change impacts
 - d. Unsure

8. Please provide further details on why you selected the option you did? For example, links to reports.

Regulatory

Community vulnerability: In 2019, as part of our Coastal Management Project – Responding to Climate Change, we sought feedback from the community on what is valued (e.g. objects, areas or experiences) that may be affected by sea level rise and coastal hazards (e.g. effects of climate change). [The community feedback report can be accessed on our website](#). This work can be used to inform Council's adaptation planning work programme.

Service Delivery

Asset vulnerability: Engineering's risk and resilience work programme is aimed at understanding asset vulnerability to natural hazards including the impacts of climate change. Through understanding this risk/vulnerability Council will be able to better plan initiatives that reduce the risk. It is likely climate change adaption will form part of that response. This work is currently on hold while staff resources are focused on development of the 2021 LTP.

National Climate Change Risk Assessment

The recently published National Climate Change Risk Assessment identified the 10 most significant risks that New Zealand faces from climate change. The risks are grouped according to five value domains: natural environment domain, human domain, economy domain, built environment domain and governance domain. For each of the risks listed below, indicate to what extent they are expected to impact the quality or consistency of services delivered by your organisation, or impact infrastructure or capital investments owned or used by your organisation. Note: this question also refers to risks affecting the communities to which these services are provided.

9. Risks to coastal ecosystems, including the intertidal zone, estuaries, dunes, coastal lakes and wetlands, due to ongoing sea-level rise and extreme weather events.
 - a. Potential for significant impacts
 - b. Potential for minor to moderate impacts
 - c. Unlikely to impact my organisation or the services it delivers
 - d. Unsure

10. Please provide further details on why you selected the option you did.

Regulatory and Service Delivery

Our experience with Cyclones Fehi and Gita in 2018 was that there was a significant impact on coastal ecology, coastal properties and coastal infrastructure. It is likely that further storms of this type will be experienced.

We are aware of the need to provide for ecosystem retreat in coastal areas, and are starting to plan for this in ecosystem restoration projects. For example, Council purchased a block of farmland near the mouth of the Waimea River (which feeds into the Waimea Inlet) and is [working to restore this area](#) by recreating a range of saltwater habitats grading into freshwater habitats further inland. The idea is that the intertidal habitats can then respond to rising sea-levels by moving inland over time.

Where Council manages coastal reserves, our current policy is to follow the guidance provided by the NZ Coastal Policy Statement. For example, where coastal erosion impacted one of the roads that ran parallel to the coastline in the recreation reserve area at Moturoa/Rabbit Island, we removed the road and do not plan to re-instate it – we are focusing on coastal dune restoration at this site instead. Also, when one of our coastal camping areas was badly damaged in during Cyclones Fehi and Gita, we upgraded the playground and water and sewerage infrastructure to cope with increased risk of inundation from the sea. In March 2024 the Council deliberated on submissions received on a draft 'Coastal Erosion Protection Structures on Council Reserve Land Policy', to deal with landowner requests for such structures. We anticipate that the Council will adopt a final version of this policy within the next few months.

11. Risks to indigenous ecosystems and species from the enhanced spread, survival and establishment of invasive species due to climate change.
 - a. Potential for significant impacts
 - b. Potential for minor to moderate impacts
 - c. Unlikely to impact my organisation or the services it delivers
 - d. Unsure

12. Please provide further details on why you selected the option you did.

Regulatory and Service Delivery

Council is aware of this risk and the potential for significant impacts. Some examples include:

- Myrtle rust has established in the top of the South and there is little that can be done to manage it on a landscape scale. How this will impact on the species diversity of indigenous ecosystems is unclear, however we are aware that in other parts of the world (Australia, Raoul Island) there has been a significant impact. There are many other strains of Myrtle rust which are more damaging and have not yet arrived in NZ and many other invasive species and pathogens which could potentially establish in this area.
- Red eared slider turtles. Females require 22–33°C for 55–80 days to hatch into live young. Only male turtles are produced below 28°C. Warmer summers will increase the potential for both males and females to be produced. The red-eared slider is included in the [list of the world's 100 most invasive species](#).
- Anecdotally, our biosecurity team has observed (over the past four years) pest plants, such as variegated thistle, germinating and producing mature plants in the middle of winter - something which we have never observed before.
- Increased temperatures will provide more opportunities for fall army worms to establish, as some of their life stages do not happen if temperatures fall below 7–10°C.
- Guava moth, a serious pest affecting feijoas in Northland and Auckland, is another potential contender for establishment in the top of the South Island, due to temperature increases.
- Severe weather events spread pests through flooding and soil movement (both caused by the flood itself and emergency works). Pests like Asiatic knotweed are being spread down the Motueka River catchment; this is going to increase as more frequent, larger flood events occur. In the August 2022 floods, the emergency works around Rocks Road in Nelson ended up spreading boneseed and white edge nightshade into Tasman District. After Cyclone Gabriele, Chilean needle grass spread out of the Esk Valley in Hawke's Bay (on the positive side, the Esk Valley rabbit population was wiped out).

Many pest species will benefit from climate change. On the upside, some of our introduced biocontrol agents may well do better in a warmer environment. For example, the three species of tropical Tradescantia beetles we have introduced will possibly do better, as long as they are not then predated by another organism that has also benefitted from climate change.

13. Risks to social cohesion and community wellbeing from displacement of individuals, families and communities due to climate change impacts.

- a. Potential for significant impacts
- b. Potential for minor to moderate impacts
- c. Unlikely to impact my organisation or the services it delivers
- d. Unsure

14. Please provide further details on why you selected the option you did.

Regulatory and Service delivery

Community feedback: In 2019, as part of our Coastal Management Project – Responding to Climate Change, we sought feedback from the community on what is valued (e.g. objects, areas or experiences) that may be affected by sea level rise and coastal hazards (e.g. effects of climate change). Health and wellbeing issues were commented on by participants who identified that the effects of climate change will cause stress and anxiety and a loss of sense of security. Others commented on social impacts, for example future generations not being able to enjoy the area and changes to communities as we know them today. [The community feedback report can be accessed on our website.](#)

While Council is yet to fully understand the impact of climate change on Tasman District, including implications for displacement of individuals, neighbourhoods or communities as a result of sea level rise or natural hazard events (e.g. wild fire), it is likely that there are potential for significant effects to some particular communities. Our sea level rise mapping, combined with other natural hazards information, identifies a number of coastal communities will be affected – in particular Motueka, where Council provides a number of services. A reduction in levels of service for existing assets, combined with the need for potential future managed retreat options, are likely to cause significant risks to social cohesion and community wellbeing for these communities. Additionally, short term issues will arise as hazard events unfold. For example, during the Pigeon Valley fire in 2019, a number of residents in the town of Wakefield and surrounding areas had to be temporarily evacuated. The coastal risk assessment, completed in December 2020, quantifies the number of homes and people that may be affected by up to 2m sea level rise.

15. Risks of exacerbating existing inequities and creating new and additional inequities due to differential distribution of climate change impacts.
 - a. Potential for significant impacts
 - b. Potential for minor to moderate impacts
 - c. Unlikely to impact my organisation or the services it delivers
 - d. Unsure
16. Please provide further details on why you selected the option you did.

Regulatory and Service delivery

Council is aware that the risk exists and has implemented a process to ensure that every decision report that Council considers has included an assessment of climate change considerations, however we have not yet developed tools to measure this. We can provide the report writing guidance to staff upon request.

17. Risks to governments from economic costs associated with lost productivity, disaster relief expenditure and unfunded contingent liabilities due to extreme events and ongoing, gradual changes.
 - a. Potential for significant impacts
 - b. Potential for minor to moderate impacts
 - c. Unlikely to impact my organisation or the services it delivers
 - d. Unsure
18. Please provide further details on why you selected the option you did.

Service delivery

Recent climate-related emergency events (Cyclones Fehi and Gita in 2018, the Pigeon Valley wildfire in 2019, and severe rainfall event in August 2022) have significantly impacted on the Council's ability to carry out programmed work, as many staff were diverted to the emergency response – i.e. away from business as usual. The resulting lost productivity meant delays in providing projects and services. In responding to these events, we also spent all the funding we'd set aside in our Emergency Reserves Funds for the period 2018-2028, leaving no funding available for any future events.

19. Risks to the financial system from instability due to extreme weather events and ongoing, gradual changes.

- a. Potential for significant impacts
- b. Potential for minor to moderate impacts
- c. Unlikely to impact my organisation or the services it delivers (MM)
- d. Unsure

20. Please provide further details on why you selected the option you did.

Service delivery

We are not planning to collect revenue (via rates) ahead of an emergency event taking place to create reserves to use in response and recovery. We expect a level of Government support will be available to help in recovery from a substantial emergency event based on past funding arrangements (e.g. Christchurch earthquake, Nelson Tasman August 2022 rainfall event, Auckland Anniversary event/Cyclone Gabrielle 2023), recognizing that this could change in the future. In addition, we anticipate re-prioritising our planned work and using the borrowing capacity we have above the debt cap* to fund response and recovery. In the years following an emergency event, it may be necessary to increase rates (and other forms of revenue) to service the loans used.

* The dynamic debt cap is proposed to be set at 150% of the Council's revenue. A cap that varies proportionally to our revenue has been selected because as our revenue increases, our capacity to service loans improves.

21. Risk to potable water supplies (availability and quality) due to changes in rainfall, temperature, drought, extreme weather events and ongoing sea-level rise.

- a. Potential for significant impacts
- b. Potential for minor to moderate impacts
- c. Unlikely to impact my organisation or the services it delivers
- d. Unsure

22. Please provide further details on why you selected the option you did.

Service delivery

It is not certain or clear how climate change may impact our water supplies. Impacts of climate change could change the nature of droughts potentially drying up the sources, especially if vegetation changes occur within the catchment. Droughts can lead to long periods of water restrictions, which lead to a

decrease in the volume of water sold by councils, which subsequently leads to less income for councils during the drought.

At most risk is our surface water take supplies or our groundwater takes nearer to the coast. We also have schemes which rely on a surface water taken from streams with notable low flows during summer and droughts. Motueka is the largest town in New Zealand with private bore water supplies, with individual households drawing water from the semi-unconfined aquifer, which will be vulnerable to saltwater intrusion with rising sea levels.

Council has planned in its [Infrastructure Strategy](#) to build bores further inland to avoid having to rely on coastal bores.

We are currently experiencing another drought. Many locations in Tasman District have received less than half of their average rainfall since the start of 2024. The long-awaited [Waimea Dam](#) has been constructed and started discharging water this summer, providing sustained flow to the Waimea River and reducing the need for significant water restrictions across the Waimea Plains and surrounding communities. However, many of our other rural water supplies still need to be restricted due to the ongoing dry spell.

23. Risks to buildings due to extreme weather events, drought, increased fire weather and ongoing sea-level rise.
- a. Potential for significant impacts
 - b. Potential for minor to moderate impacts
 - c. Unlikely to impact my organisation or the services it delivers
 - d. Unsure

24. Please provide further details on why you selected the option you did.

Regulatory

In 2020, Council staff prepared a coastal risk assessment to quantify the exposure of assets, property and facilities (elements at risk) that may be vulnerable to the 1% AEP coastal storm tide and up to 2m sea level rise, [and is available on our website](#). Using the LINZ building GIS dataset, in 2020 approximately 5,500 buildings (excluding buildings <60m²) were vulnerable to a coastal storm tide and up to 2m sea level rise (15% of the district's total buildings <60m²). At that time, approximately 3,300 buildings were vulnerable and located in the Motueka and Riwaka area of the district. Buildings include homes, tourist accommodation, business premises and community facilities.

Risks to buildings from other natural hazard events and the effects of climate change have largely not been quantified. However, the development of the Nelson Tasman Resilience Explorer and supporting risk assessment will help to improve Council's knowledge once this work is completed.

Service delivery

Council's stormwater team consider the impacts of flooding on building floor levels. Staff have collected floor level survey information for buildings in areas of concern (Motueka, Richmond) so that staff can compare model predictions against those areas. Where these surveys have been completed staff can provide the numbers of buildings impacted in 10% or 1% AEP flooding scenarios.

Council considers climate change impacts when building new community infrastructure. For example, it was identified that to enable a climate-resilient new swimming pool for Motueka, Council owned land was not suitable. The Council deliberately moved away from areas in eastern Motueka that have been identified as being exposed to greater risk with sea level rise and purchased land in late 2023 on the western side of the town instead.

25. Risk of maladaptation across all domains due to practices, processes and tools that do not account for uncertainty and change over long timeframes.

- a. Potential for significant impacts
- b. Potential for minor to moderate impacts
- c. Unlikely to impact my organisation or the services it delivers
- d. **Unsure**

26. Please provide further details on why you selected the option you did.

All planning undertaken by Council relies to some degree on assumptions made about likely climate change scenarios (e.g. 1.66m SLR + vertical land movement for year 2130, as per 2024 MfE guidance). However, there is much uncertainty regarding how climate change will play out in reality and Council's ability to revise its planning in response to new sets of assumptions is limited. We revise our LTP assumptions every three years, but it is possibly that climate change scenarios may play out differently even in that short time period.

27. Risk that climate change impacts across all domains will be exacerbated because current institutional arrangements are not fit for adaptation. Institutional arrangements include legislative and decision-making frameworks, coordination within and across levels of government, and funding mechanisms.

- a. **Potential for significant impacts**
- b. Potential for minor to moderate impacts
- c. Unlikely to impact my organisation or the services it delivers
- d. Unsure

28. Please provide further details on why you selected the option you did.

Regulatory

As a unitary authority, Tasman is well integrated in terms of sharing natural hazards and climate change information (where available) to inform Council's functions and decision-making processes.

The ability to update resource management plans to take into consideration new information relating to natural hazards and climate change is a slow process. Consequently, there is a risk that decisions can be made in relation to specific land use resource consent applications that do not reflect new information, where the current plan rules are either silent or not fit for purpose (e.g. for sites that are historically zoned residential and there is a presumption for development).

In relation to sea level rise, 'managed retreat' is currently not a feasible option because of fundamental issues such as who pays/landowner compensation. This is a national issue which cannot be addressed at a local level between local government and their communities. While section 20A of the Resource Management Act enables regional rules to be used to extinguish existing use rights, this has not been

tested in any meaningful way (for example, with the Matata case landowners have been offered compensation in conjunction with a plan change which implements RMA 1991 s20A).

29. What are the most immediate / urgent climate change risks to be managed from your organisations perspective?

Regulatory and Service delivery

Responding to extreme weather and natural hazard events that have been exacerbated by climate change (e.g. drought, wild fire, inundation, and erosion). Sea level rise, storms and floods are the most significant risk. Arguably there is more time to respond to sea level rise, however some coastal properties are already actively threatened (e.g. at Pakawau). Funding of emergency responses to these events is a growing risk.

The Tasman District has also suffered extensive damage from storm events, flooding and wildfire in the last ten years, including 2013 (rain events), 2018 (Cyclones Fehi and Gita), 2019 (wildfire), 2022 (rain event). The impacts have been on residential properties, businesses and farming communities.

30. Please list any other risks identified in the National Climate Change Risk Assessment that are significant for your organisation.

Regulatory and Service delivery

We agree that the 10 most significant climate change risks to New Zealand also apply to Tasman District, however the rating priorities may differ slightly.

Strategy, Governance and Metrics

These questions are designed to gather information about internal governance and decision-making processes.

31. Does your organisation have a plan or strategy to improve its resilience and/or the resilience of the community it serves to climate change impacts?
 - a. Yes, specifically for resilience to climate change impacts
 - b. Yes, but it is not focused exclusively on climate change (e.g. risk and resilience strategy)
 - c. A plan is in development
 - d. No
 - e. Unsure

32. Please provide more information and/or a link to the plan, and comment on its effectiveness.

Service Delivery

Council in partnership with Nelson City Council, Nelson Tasman Civil Defence Emergency Management Group and other utility providers, prepared the [Nelson Tasman Lifelines Report](#). This report summarises the lifeline infrastructure within Nelson and Tasman – these are the transport, energy, communications and ‘3 waters’ (water supply, stormwater, wastewater) services sectors that are fundamental to our communities and economy. Within the report there was a number of actions identified to improve Council-owned infrastructure resilience.

Council has a risk, resilience and recovery planning work programme in place which will focus on the identification, planning and management of its critical infrastructure assets and lifelines. This will ensure that Council, working in partnership with the community, can make robust decisions regarding the management of infrastructure assets over the longer term, taking into account the effects of climate change. This report provides an initial overview of Council’s infrastructure assets which are vulnerable to coastal storm inundation and sea level rise. More in-depth risk assessment work on the Council’s infrastructure assets will be completed in the future to contribute to Council’s infrastructure risk and resilience work programme. The first phase of this work was to conduct the [10 Essentials](#) review as a form of gap analysis and to identify priority areas.

Measures to improve resilience may also be non-regulatory and non-service delivery like encouraging water use efficiency, storage options and conservation.

Regulatory

Between 2019 and 2022, the Council worked on the [Coastal Management Project – Responding to Climate Change](#) which was focusing on the development of a long term adaptive strategy to respond to the effects of coastal hazards and sea level rise. This work was following best practice as set out in MfE’s 2017 Coastal Hazards and Climate Change Guidance (now 2024 Guidance). Mapping of sea level rise and coastal hazards including community engagement was completed in 2019, a coastal risk assessment was completed in 2020, and high-level options for coastal management was socialized with the community in 2021. Council staff are now recommending that this work is expanded from coastal hazards/SLR and instead is an ‘all-hazards’ adaptation approach – funding is being sought through the 2024 Long Term Plan budget for community adaptation planning. This work would leverage of the coastal hazards/SLR

work completed to date, along side updates to other natural hazards information also completed in recent years.

An issue facing all councils in New Zealand is the cost of defending policies and rules relating to climate change through challenges in the Environment Court. Although our Council uses MfE guidance in the preparation of its policies and rules, it doesn't reduce the likelihood of us being challenged in the Environment Court. The costs to councils, and therefore their communities, fighting legal challenges, are high. These costs could be reduced by central government regulating requirements for inclusion in District Plans through an national policy statement or national environmental standards. Council staff welcome development of the NPS Natural Hazards Decision-making to provide national direction.

33. What are the barriers to developing a plan?

A general barrier to undertaking this work is staff resourcing. While this work is embedded in Council processes and 'business as usual' it requires staff time in addition to other Council work which may take more immediate priority, as well as a need to have staff with suitable skill sets.

While internationally climate change science is agreed and understood, there remains a level of skepticism within the community and criticism of Council staff undertaking work in this space. Alternatively, there are some in the community who feel that Council are not doing enough in relation to climate change mitigation and adaptation. Providing education to elected members and the community regarding climate change and its effects is a key part of developing any climate change response.

As noted above, central government regulation in this space could also assist.

34. Does your organisation have any indicators, or measures to help it monitor and manage its risks from climate change impacts? For example, from increased flooding, sea-level rise, more heat waves, more intense storms, more droughts and wildfires. Note: this question includes risks affecting the communities to which these services are provided.

- a. Yes
- b. **These are in development**
- c. No
- d. Unsure

35. Please list the indicators or measures.

Service delivery

Our LTP 2024-2034 includes levels of service (LoS) and performance measures/targets relating to flooding, however other climate change impacts are not specifically included as measures yet.

LoS for stormwater flooding: We have measures in place to respond to and reduce flood damage from stormwater to property and risk to the community.

Performance measures: (a) The number of flooding events that occur in the District and (b) For each flooding event, the number of habitable floors affected. Target: <1 habitable floor flooded per event (expressed per 1,000 properties connected to Council's stormwater system).

Performance measure: The median response time to attend a flooding event, measured from the time that Council receives notification to the time that service personnel reach the site. Target: <2 hours.

Performance measure: The number of complaints received by Council about the performance of its stormwater system, expressed per 1,000 properties connected to the stormwater system. Target: <20.

LoS: Our stormwater activities are managed at a level which satisfies the community. Performance measure: Percentage of customers satisfied with the stormwater service, as measured through the annual resident's survey. Target: 80%.

LoS for flood protection: Our structures are managed to reduce the impact of flooding now and in the future.

Performance measure: The major flood protection and control works are maintained and renewed to the standards described below. No failure of flood protection in the existing stopbank system maintained by Council when river flows remain below the specified design levels:

- Riuwaka River = approximately 145 m³/s @ Hickmotts flow gauge, which corresponds approximately to a 20% AEP* to 10% AEP event in 2020 for the area downstream of the SH60 bridge. This is considered a LOW level of protection.
- Lower Motueka River = 1,854 m³/s @ Woodstock flow gauge, which corresponds approximately to a 2% AEP event in 2020. This is considered a MODERATE level of protection.
- Waimea River = 1,346 m³/s @ Irvine Bridge flow gauge, which corresponds approximately to a 2% AEP event in 2020. This is considered a MODERATE level of protection.

*AEP = Annual Exceedance Probability, the probability that a flow event of a certain size will occur in any given year. The lower the percentage, the larger the flow event, and the less frequently it is expected to occur.

Target: 100%

(Mandatory measure one).

36. Are risks to your organisations ability to carry out functions and deliver services from the impacts of climate change reported to your organisations governance board?

- a. Yes, more often than annually
- b. Yes, annually
- c. Yes, less often than annually
- d. Not at all
- e. Unsure

37. Any comments?

The following risk is included in the Council's Strategic Risk Register, which is reported on a quarterly basis to the Audit and Risk Committee:

"Risk title: Climate change and natural hazards

Risk description: Inadequate consideration of climate change and natural hazards

Causes or sources of risk: Lack of data and strategy

Consequences of risk: Loss of life and property, Legal challenge, Existing legislation creates poor framework, Relationship breakdown with community, Treaty issues.

Actions required and treatment plans: Implementation of Tasman Climate Response Strategy and Action Plan, completion of Nelson-Tasman Regional Climate Change Risk Assessment project; maintain and update Nelson-Tasman Resilience Explorer, Review of Hazard Data, Review of District Plan, Understanding and keeping up with legislative change, Right district plan / planning framework, Ensure right communication and consultation.”

38. In the box below, please briefly describe the role that management plays within your organisation in responding to risks from climate change.

Management (Executive Leadership Team) has oversight of the responses to climate change and prioritises activities and resources to support those responses.

39. Does your organisation require the impacts of climate change, and adaptation options to address these impacts, to be assessed and considered in decision-making? For example, will climate change be considered before making a decision to invest in a physical asset. Note: this does not refer to requirements for mitigation/carbon emissions reduction.

- a. Yes
- b. For some projects
- c. Not yet, but this is in development
- d. No
- e. Unsure

40. If applicable, please provide details about the requirements and their effectiveness.

A process was implemented four years ago with requires every decision report that Council considers to include an assessment of climate change considerations. Report authors are tasked with providing the following information:

- The <proposal/matter requiring a decision> in this report was considered by staff in accordance with the process set out in the Council’s ‘Climate Change Consideration Guide 2024’. *Explain how the proposal will impact greenhouse gas (GHG) emissions. State whether GHG emissions will reduce/increase/stay the same and describe the likely impact on Council’s and/or Tasman District’s carbon footprint. If emissions are likely to increase, also describe steps that could be taken to avoid or reduce the impact of any increase in GHG emissions.*
- *Explain whether the proposal will be impacted by a changing climate and, if so, how these impacts will be addressed. List steps that could be taken to build/increase resilience.*
- *Briefly explain how this proposal aligns with, or detracts from, the Council’s and Government’s plans, policies and legal obligations relating to climate change (e.g. Tasman Climate Response Strategy and Action Plan, Emissions Reduction Plan, National Adaptation Plan etc).*

A reporting guide has been developed for staff, to assist authors to complete the climate change impact assessment section of their report. This reporting guide is not publicly available, but we are happy to send you a copy upon request.

In terms of effectiveness, staff feel that this new reporting requirement has only a minor influence on decision-making. Most of the written assessments are very brief and do not appear to incorporate all the relevant considerations included within the guidance document.

Support and Resources

41. Which actions or resources would help your organisation to better prepare for the impacts of climate change? Tick as many as apply:
- More information about how climate change is projected to impact a region or a district
 - Guidance on how to assess and consider the impacts of climate change on your organisation
 - Tools to help quantify impacts from climate change on your organisation
 - Methodology for assessing and quantifying climate change risks
 - Legislative requirements to consider/plan for the effects of climate change
 - Legislative requirements to publicly report on your organisations climate risks and adaptation plans
 - Opportunities to engage and learn from others
 - Training to develop skills/capabilities
 - Improved and centralised data repository e.g. flooding
 - Good practice guides, bench-marking and assessment tools
 - Funding to implement a strategy and deliver on-the-ground adaptation actions

All of the above.

42. Any other actions or resources?

More support and guidelines in relation to coastal erosion issues and how we should be responding (legal, liability, regulatory, service delivery).

Addressing climate change impacts requires coordinated efforts at both local and national levels. While local government plays a crucial role, national leadership is essential to support local decisions effectively. The priority policy needs of councils are for legal, technical, financial, and governance frameworks to deliver adaptation measures efficiently across their broad range of responsibilities. Clear responsibilities, consistent evaluation frameworks, and data-driven decision-making are vital.

Examples of where councils across NZ could benefit from support and resourcing from central government include:

- Frameworks for assessing both physical and social vulnerabilities to prioritise adaptation actions and ensure equity.
- Empowering communities to build resilience, particularly during extreme events.
- Provision of a series of unified and cost-efficient suite of methods and tools to evaluate impacts of, vulnerability and adaptation to, climate change. Some tools in vulnerability and assessment offer specific information tailored to certain aspects, like M-CACES for estimating adaptation costs and CCAV for understanding climate variability impacts. There are broader approaches, such as DAM for dimension of adaptation modelling, uncertainty, and risk analysis, forecasting by analogy, and expert judgment, which can be applied across multiple stages of assessment.
- Provision of toolboxes from NIWA and other agencies that provide precise climate change projections for regions and sectors like agriculture, horticulture, tourism, or infrastructure.

- Provision of standardised tools for understanding and responding to climate-related risks, such as the [resilience explorer tool](#) under development by Urban Intelligence, across all councils and co-funding of their ongoing maintenance costs to keep these updated and relevant over time.
- Methodologies for helping Councils understand the potential impacts and risks of our activities, and foster coherent approaches for effective adaptation planning, while translating and communicating climate and hazard data to facilitate informed decision-making processes, enhancing resilience strategies. Tools to help quantify impacts from climate change in the organization and the wider community.
- Central government/NEMA should roll out the D4H platform to all Emergency Operation Centers across NZ, to enable CDEM-trained staff across the country to assist in any future emergency response. Many South Island councils already use this platform, including Nelson and Tasman. Having one consistent platform would enable better collaboration and improve capacity, as it would enable staff to log in and assist remotely from anywhere in the country.

Council strongly advocates that central government allocates resources in its upcoming budget towards the creation of standardised, open-source or low-cost climate change tools, that will ensure continuity and consistency in estimating, modelling and communication across local and central government.

43. As the adaptation landscape evolves, there is an opportunity for improvement through policy integration and convergence, especially by integrating climate adaptation into the strategies of councils and council-controlled organizations. What are the barriers to an effective adaptation response that are faced by your organisation? Tick as many as apply:
- a. Lack of awareness/education regarding the impacts of climate change by decision makers/the wider community
 - b. Lack of political will or desire from the community for change
 - c. Lack of tools/methods by which to engage decision-makers/the community
 - d. Inflexibility of current legislation

All of the above.

44. Any other barriers?

Funding adaptation actions is a significant barrier (e.g. who pays/gets compensation for adaptation responses). There is not enough resourcing (staff and budget) to do what needs to be done.

Other barriers to effective adaptation action include a lack of action and personal responsibility amongst the wider community regarding the risks of climate change, as well as a lack in tools and methods to engage decision makers and the community.

45. Is there any further information you would like to provide about your organisations response to the risks and impacts of climate change? Please let us know in the box below.

In September 2019, Council adopted the first Tasman Climate Action Plan. The original Action Plan was internally-focused, living document, used to guide actions on four focus areas: mitigation, adaptation, leadership and information provision. Each goal had targets and short, medium and long-term actions. Since its adoption, staff have provided brief quarterly updates and detailed annual reports on progress to Council's Strategy and Policy Committee. These reports and the 2019 plan are available online at: <https://www.tasman.govt.nz/my-region/climate-change/tasman-climate-action-plan/>

Over the past year we have reviewed the plan and added a strategic section. The draft document has been renamed ‘Tasman Climate Response Strategy and Action Plan’. As part of the LTP 2024-2034 development, a 10-year draft budget has been allocated alongside relevant actions. We are publicly consulting on this document as part of our LTP consultation (see <https://shape.tasman.govt.nz/tasman-climate-response-strategy-and-action-plan>) and expect Council to adopt the finalised Strategy and Action Plan by 30 June 2024.

Sensitive Information

Is there any further information you would like to provide about your organisations response to the risks and impacts of climate change? Please let us know in the box below.

Where our service delivery is provided by a joint council controlled organisation, our response has been submitted by the other Council.