

Mayor and Councillors
COUNCIL

27 JUNE 2019

Meeting Status: **Public**

Purpose of Report: For Decision

COMMUNITY-LED COASTAL ADAPTATION

PURPOSE OF REPORT

- 1 The purpose of this report is to:
 - a. Update Council on a Mitchell Daysh report entitled *Preparing Coastal Communities for Climate Change: Assessing coastal vulnerability to climate change, sea level rise and natural hazards* (2019), which was commissioned on behalf of the Coastal Adaptation Sub-group of the Wellington Regional Climate Change Working Group;
 - b. Update Council on the current status of the Wellington regional approach to community-led coastal adaptation;
 - c. Update Council on discussions that have occurred with the North Ōtaki Beach Residents Group (NOBRG) and Coastal Ratepayers United (CRU) in accordance with the mediated agreements; and
 - d. Seek agreement in principle for the possible establishment of a Joint Committee on Community-led Coastal Adaptation in the Wellington Region.

DELEGATION

- 2 In accordance with the Governance Structure and Delegations for the 2016-2019 Triennium, Council has authority to consider this matter.

BACKGROUND

- 3 On 6 September 2018, the Strategy & Policy Committee agreed in principle to the proposal that the Coastal Adaptation Sub-group¹ of the Wellington Region Climate Change Working Group (WRCCWG) would oversee the development of a Wellington regional approach to community-led coastal adaptation (refer SP-18-543).

Regional prioritisation exercise

- 4 Local authorities across the region are at different stages of their coastal adaptation work programmes, and the Sub-group agreed that a high-level coastal vulnerability assessment – as recommended by the Ministry for the Environment and recognised in a recent OECD report² – was an appropriate first

¹ Membership of this group includes: Cr Roger Blakeley (Chair, GWRC), Cr Lisa Bridson (HCC), Deputy Mayor Janet Holborow/Mayor Gurunathan (KCDC), Cr David Lee (WCC), Mahina-a-Rangi Baker (Te Āti Awa), Cr Chris Petersen (MDC) and Cr Ana Coffey (PCC).

² Ministry for the Environment (April 2017) *Coastal Hazards and Climate Change: Guidance for Local Government*; OECD (2019) *Responding to Rising Seas: OECD Country Approaches to Tackling Coastal Risks*, pp137-154.

step in order to prioritise where to focus efforts across the region. Mitchell Daysh was contracted to carry out the assessment, with the assistance of Dr Iain Dawe from Greater Wellington Regional Council (GWRC).

- 5 This assessment has been completed and is due to be released after it has been approved by the Wellington Mayoral Forum.
- 6 The assessment identifies the broad coastal areas in the Wellington region that are most vulnerable to climate change effects. It does not assess individual properties, nor does it show predicted sea level rise.
- 7 For the assessment, the coastal areas of the region were divided into 34 units (excluding Wellington city) to enable relative comparisons across 24 criteria. This information was used to generate a series of heat maps, which show more or less vulnerability, taking account of sea level rise and coastal erosion, and other factors including the socio-economic status of communities, infrastructure, insurability, impact on sites of cultural significance to iwi/Māori, and biodiversity.
- 8 The areas found to be most vulnerable are those areas where there is a high level of infrastructure, development, and/or population at risk to the effects of climate change.
- 9 GWRC has also translated sea level rise (SLR) information for the Wellington region into a GIS mapping tool to make the information more accessible to the public and, as stated by GWRC, to help support communities in the Wellington region prepare for climate change. This new tool is already available on the GWRC website, and has been promoted on the GWRC Facebook page and directly to interest groups in the region. GWRC will further promote the tool in conjunction with the release of the assessment.

Preliminary proposal for a regional approach

- 10 The findings of the regional prioritisation exercise suggest that Hutt City Council and Kapiti Coast District Council have the most vulnerable areas in the region (outside of Porirua and Wellington City, who have already committed to undertaking different approaches). The Sub-group was in agreement that these two councils, in collaboration with GWRC, should develop a more specific plan for a community-led approach to be carried out concurrently in these two districts.
- 11 Due to their involvement in the development of the Hawke's Bay *Clifton to Tangoio Coastal Hazard Management Strategy 2120* and the more recent Makara process, GWRC engaged Mitchell Daysh to develop an initial proposed project plan.
- 12 Mitchell Daysh proposed a plan in which Hutt City Council and the Kapiti Coast District Council would adopt the community assessment panel (CAP) approach that would undertake a programme of meetings, culminating in a series of recommendations from the community in 2021 for coastal adaptation pathways. The proposal was that these recommendations would be reported back to the Sub-group, and then on to each council for final decision making. The proposal from Mitchell Daysh also included indicative project structure and support for the CAPs and indicative costs.

ISSUES AND OPTIONS

- 13 Council officers from Kapiti Coast District Council, Hutt City Council, and GWRC reviewed the information provided by Mitchell Daysh and considered how the proposed regional approach could work in practice. In addition, council officers initiated discussions with staff at Hawke's Bay Regional Council, Hastings District Council, and Wellington City Council to better understand the 'community-led panel' approach, and to draw from their experiences to consider what changes might be appropriate to make so the process is fit-for-purpose for our local community.
- 14 After careful consideration, the approach that was originally proposed by Mitchell Daysh is being modified to better fit the Wellington regional context, with a specific focus on:
 - a. Co-design of the process;
 - b. Establishing realistic timeframes;
 - c. Ensuring adequate budgets; and
 - d. Establishing an appropriate governance framework.

Timeframes

- 15 While Mitchell Daysh originally proposed a 1¾-year project, the current proposal supported by staff suggests an initial 2-year programme of work, followed by an adoption and implementation phase. Overall, the proposed project would entail three phases:
 - a. Phase 1 - initial community engagement and process design
 - b. Phase 2 – Community assessment panel meetings
 - c. Phase 3 – Recommendations and implementation/follow-up.
- 16 Phase 1 would be a period of extensive community engagement leading to the establishment of a regional governance framework and the CAP(s). During this phase, GWRC would work alongside Kapiti Coast District Council and Hutt City Council while they develop and implement engagement plans for discussions with their respective communities on their local processes.
- 17 For the Kapiti Coast District Council, the aims of Phase 1 would be to:
 - a. Engage with the community to build wider awareness of the issues, increase understanding of coastal adaptation pathways, and share information on how to get involved;
 - b. Ensure that the community has ample opportunity to provide input on issues and process;
 - c. Decide on the approach to CAP(s) in the Kāpiti Coast District (including composition, and whether one CAP is sufficient);
 - d. Continue to work alongside our regional partners; and
 - e. Agree an appropriate regional governance framework.
- 18 Phase 1 is projected to last from July 2019 to June 2020.

- 19 Once the CAP(s) is established, the project moves to Phase 2. This phase of the project is anticipated to involve regular CAP meetings, supported by Council, GWRC, and a range of specialist advisors, to develop long term adaptive management pathways for the Kapiti Coast District.
- 20 It is anticipated that the CAP(s) will meet regularly over 12 months to June 2021. It is also anticipated that during this phase the CAP(s) will report back to, and engage with, the wider community.
- 21 Once the CAP(s) has developed its recommendations, it will report back to the regional governance body and then to each relevant council. Phase 3 commences after this report back.
- 22 Because the recommendations will be developed by the CAP(s), it is only once the CAP has reported back that the key elements of subsequent work streams in Phase 3 will be known, although there will be a steer about possible work streams in the concluding stages of Phase 2 and drawing from the Hawke's Bay and Makara examples. It is expected that Phase 3 will involve incorporating recommendations from the CAP(s) into Council's standard planning processes to invite community feedback, develop more detailed implementation plans, and consider funding.

Budgets

- 23 The initial proposal from Mitchell Daysh assumed that each council would cover 1/3 of the total costs, but this does not appear to be feasible for each council for Phase 1 during the 2019/2020 financial year.
- 24 Phase 1 will be undertaken within our existing budgets, as is also the case for Hutt City Council.
- 25 In Council's submission to GWRC's Annual Plan 2019/20, Council requested GWRC allocate \$360,000 towards the community-led coastal adaptation project for the 2018/90 financial year, in addition to the resources that have already been allocated for in-kind support (e.g. technical expertise, policy, and communications). If this funding is not provided by GWRC, Phase 1 will need to be scaled down to fit within existing budgets.
- 26 The proposal from Mitchell Daysh also suggested that a series of assessments (i.e. cultural values assessment, social assessment, and additional coastal technical advice) would be completed prior to the commencement of any CAP(s). Kapiti Coast District Council, Hutt City Council, and GWRC have subsequently determined that these assessments can be deferred until Phase 2.

Regional governance

- 27 Throughout the work of the Sub-group there has been a strong theme of taking a regional approach. The primary advantages of the regional approach are that:
 - a. Outcomes are more likely to be aligned across the Wellington region, which will enable greater consistency where appropriate while also providing flexibility for local variation; and
 - b. The project is likely to be more cost-effective, particularly because costs and learnings will be shared across the multiple councils.

- 28 The Sub-group, however, does not currently have any statutory powers, nor does it have the same requirements for transparency as a council committee regarding, for example, reports or meeting minutes.
- 29 To address this, Mitchell Daysh has recommended the establishment of a Joint Committee of the Sub-group. This governance approach was recommended as it is consistent with the governance arrangements for Hawke's Bay, and would:
- a. Provide formality and transparency with recorded agendas and minutes;
 - b. Provide a formal structure consisting of the relevant partner councils and iwi, and be required to report back to the wider WRCCWG and partner councils; and
 - c. Provide better opportunity for shared services, learnings and experience between partner councils and iwi.
- 30 Under a Joint Committee, final decision making would still sit with each individual council, but the meeting agendas and minutes would be more transparent to the public, and the Joint Committee would provide a more formalised way of having iwi involved at the governance level regarding this important work.
- 31 There are administrative costs associated with the establishment and maintenance of a Joint Committee. GWRC has offered to provide administration support for the Joint Committee. It is not anticipated that a Joint Committee would be required during the initial stages of Phase 1.
- 32 Councils may be asked to consider the establishment of a Joint Committee later in the 2019/20 financial year. Due to the benefits of the Joint Committee, Council staff support the establishment of the Joint Committee at an appropriate time.

Mediated agreements

- 33 In response to the PDP notification in 2012, several declarations were sought from the Environment Court. The declaration proceedings by the North Ōtaki Beach Residents Group (NOBRG) was eventually withdrawn with a settlement agreement in place; but two further declarations by Coastal Ratepayers United (CRU) proceeded to the Environment Court and the High Court. Subsequent to this, an agreement was reached in December 2018 through the process of resolving appeals to the PDP.
- 34 In accordance with the mediated agreements with CRU and NOBRG:
- a. *KCDC will engage with and involve the community, including [CRU and NOBRG], early in the process of addressing coastal hazards, including:*
 - i. *Considering how to respond to central and regional government legislative and policy initiatives in relation to coastal hazard management;*
 - ii. *Considering the nature and extent of the coastal hazard science that may be required;*
 - iii. *Identifying the coastal hazards problem definition; and*
 - iv. *Commencing the policy development process, including the alternative responses to the identified coastal hazards problem(s).*

- b. *KCDC will keep CRU and NOBRG reasonably updated on developments affecting coastal hazards it is aware of, including its work engaging with Wellington Regional Council and central government.*
 - c. *KCDC will consult with the community in relation to the proposed management responses to the coastal hazards problem(s) identified as part of the schedule 1 RMA process and in accordance with the principles of consultation set out in section 82 of the LGA 2002.*
- 35 To ensure that Council is honouring these mediated agreements with CRU and NOBRG, Council officers have met with both organisations to discuss the development of the Wellington regional approach to community-led coastal adaptation. Council officers will continue to engage with these groups to keep them up to date.

CONSIDERATIONS

Policy considerations

- 36 There are no policy considerations at this time.

Legal considerations

- 37 Advice from Legal Counsel has been sought in relation to several aspects of this work.
- 38 Legal Counsel has noted the following:
- a. The completed prioritisation exercise that was carried out by Mitchell Daysh on behalf of the Sub-group does not provide any information on individual properties so there is not a requirement to include this information on LIMs at this point; and
 - b. In order to honour the mediated agreements, meetings have been held with CRU and NOBRG to keep them informed about the progress of the community-led coastal adaptation programme.
- 39 As it is important to ensure that the Wellington local authorities are consistent in their approach regarding any information that will be generated out of this exercise, particularly in relation to LIMs, Legal Counsel is currently in discussion, and will continue to be in discussion throughout this exercise, with the other council legal teams.

Financial considerations

- 40 Council has sufficient budget to carry out Phase 1.
- 41 The total cost for Phase 2 will be dependent on the decisions made by Hutt City Council and GWRC. It is likely that additional funding will need to be sought through the 2020/21 Annual Plan to continue this work.

Tāngata whenua considerations

- 42 The WRCCWG and the Sub-group both include iwi representatives appointed by Ara Tahi, which is the leadership forum of GWRC and its six mana whenua partners.

- 43 Te Whakaminenga o Kāpiti were briefed on the Wellington regional approach to community-led coastal adaptation at a meeting on 2 October 2018.
- 44 Te Whakaminenga o Kāpiti will be briefed again on 25 June 2019.

Strategic considerations

- 45 The Wellington regional approach to community-led coastal adaptation contributes towards a number of Council outcomes, such as:
- a. An effective response to climate change in the Kāpiti Coast District;
 - b. A community better supported to lead initiatives in response to agreed community priorities;
 - c. Improved biodiversity and environment through sustainable practices; and
 - d. Infrastructure investment that supports resilience and agreed growth projections.

SIGNIFICANCE AND ENGAGEMENT

Significance and engagement policy

- 46 The matters referenced in this report have a high degree of importance and significance to iwi, affected or interested parties, and the community.
- 47 While the broader issues of climate change, coastal hazards and a community-led coastal adaptation programme are of significant interest and concern to our community, the decision about this regional approach does not trigger the Significance and Engagement Policy.

CONSULTATION ALREADY UNDERTAKEN

Engagement planning

- 48 Council staff are continuing to work towards the development of a specific communications and engagement plan for Phase 1 of this project. Once the Council agrees to this approach, further work will progress to ensure that this plan provides an appropriate communication and engagement framework.

Publicity

- 49 Council's communications and engagement team is working closely with GWRC and Hutt City Council to ensure alignment across core communication channels and key messages to keep the community informed of this work as it progresses.

RECOMMENDATIONS

50 It is recommended that Council:

- a. Note the Mitchell Daysh report entitled *Preparing Coastal Communities for Climate Change: Assessing coastal vulnerability to climate change, sea level rise and natural hazards* (2019), which was commissioned on behalf of the Coastal Adaptation Sub-group of the Wellington Regional Climate Change Working Group;
- b. Note the current status of the Wellington regional approach to community-led coastal adaptation;
- c. Note that discussions have occurred with the North Ōtaki Beach Residents Group (NOBRG) and Coastal Ratepayers United (CRU) in accordance with the mediated agreements; and
- d. Agree in principle for the possible establishment of a Joint Committee on Community-led Coastal Adaptation in the Wellington Region.

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