

# **SOUTH WAIRARAPA DISTRICT COUNCIL**

**20 FEBRUARY 2019**

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## **AGENDA ITEM C15**

### **COASTAL ADAPTATION**

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#### **Purpose of Report**

To report on a Proposal for a Wellington Region approach to community – led Coastal Adaptation Work Programme

#### **Recommendations**

Officers recommend that the Council:

1. *Receive the Coastal Adaptation report*
2. *Recommends that Council agree with the proposal for the Sub-Committee of the Wellington Region Climate Change Working Group to establish a specific plan for a regional approach for a community-led coastal adaptation programme for the Wellington Region.*

## **1. Executive Summary**

The purpose of the report is to present the proposal that Council approves, a proposal to establish a regional approach across the Wellington Region for a Community-Led Coastal Adaptation programme in relation to climate change and coastal erosion and coastal inundation.

The programme of work will be overseen by a sub-committee of the Wellington Regional Climate Change Working Group.

## **2. Background**

In late 2017 the Wellington Region Climate Change Working Group (WRCCWG) was established to enable a regional response to climate change issues, including the implications outlined in the NIWA report published in 2017.

The group comprises iwi and elected representatives from all councils (including the regional council) in the region.

The Working Group aim is to address mitigation (reducing GHG emissions) and adaptation (adapting to impacts such as sea level rise) relating to climate change and the Regional Natural Hazards Management Strategy, including its guidelines for action in key areas such as coastal hazard management.

Key principles of the group include:

Empowering:

- Providing a platform for councils to share knowledge and build capacity.
- Enabling initiation of joint projects or initiatives that require involvement of more than one council.

Collaborating:

- Coordinating initiatives that are effective at the regional level e.g. research on climate change impacts, ensuring consistent and coherent messaging for climate change awareness-raising activities and advocacy to central government.

Action:

- Providing recommendation for implementation that meets councils' needs e.g. identifying a regional pathway for reducing GHG emissions.

Providing leadership:

- E.g. on regional challenges and opportunities for climate change mitigation and natural hazards management.

### **3. Community – Led Coastal Adaptation**

At its meeting in March 2018, the Wellington Region Climate Change Working Group had a presentation from Tania Kerr the Deputy Mayor Hastings District Council and Simon Bendall from Mitchell Daysh (resource management consultancy) on the 'Clifton to Tangoio Coastal Hazards Strategy 2120', a community-led coastal adaptation programme.

Following the presentation the Wellington Region Climate Change Working Group asked the Natural Hazards Management Steering Group to report back to Group on whether or not there would be merit in picking up the methodology used in the 'Clifton to Tangoio Coastal Hazard Strategy 2120' and applying it to the Greater Wellington Region.

At the meeting on 5 June 2018 the Natural Hazards Management Steering Group presented back to the Climate Change Working Group outlining support for a similar programme and a possible outline of an approach for the Wellington Region.

Following the presentation, the Climate Change Working Group unanimously agreed the following:

*The Wellington Region Climate Change Working Group*

- ✓ **Agree in principle** to the community-led coastal adaptation work programme for 2018-19 dated 29 May 2018 by Mitchell-Daysh.
- ✓ **Recommend** to the member councils and the Mayoral Forum that they agree in principle to the work programme for 2018-19 dated 29 May 2018 by Mitchell-Daysh.
- ✓ **Prepare** a specific plan for a community led coastal adaptation planning process for the region with governance, resourcing, timeline, regional buy-in and recommended priority areas to be submitted for agreement by councils and the Mayoral Forum prior to commencement of the programme.
- ✓ **Agree** to engage central government, through the Ministry for the Environment in this programme.
- ✓ **Agree** to form a sub-group to develop detail of the proposed plan (in point 3.) for submission to the WRCCWG and then to the constituent councils for agreement. Membership of this group will include: Cr Roger Blakeley (Chair), Cr Lisa Bridson, Deputy Mayor Janet Holborow/Mayor Gurunathan, Cr David Lee, Mahina-a-Rangi Baker, Cr Chris Petersen and Cr Ana Coffey.

## **4. Considerations**

### **4.1 Policy considerations**

One of the key principles of the Climate Change Working Group is to provide leadership on regional challenges and opportunities for climate change mitigation and natural hazards management. This approach is consistent with that set out in the LGNZ Local Government Leaders Climate Change Declaration 2017.

Developing a regional methodology for a community-led coastal adaption programme for the Wellington region is in line with this principle.

It is also in line with the Ministry for the Environment Coastal Hazards and Climate Change Guidance for Local Government.

This work was also presented to the Mayoral Forum on 24th August. The Forum agreed that this work should be progressed.

It is important for the Climate Change Working Group to have the full support of the member Councils to enable a specific plan to be developed.

### **4.2 Legal considerations**

While the Working Group is non-statutory, the scope and principles of the Climate Change Working Group ensure that its purpose is to support the functions of both GWRC and the territorial authorities of the region in relation to developing a programme for the region.

Decision-making on planning and policy response will remain with the local authorities.

### **4.3 Financial considerations**

- 1 Funding from individual Councils and the GWRC will be required as work progresses across the region. It is anticipated that the project will be developed as each individual Council has available funding, and it is acknowledged that this may take some time.

2 GWRC have advised that cost estimates for individual Councils will be progressed based on a vulnerability risk assessment – i.e. costs for higher risk areas will be estimated first. For MDC it is likely that an estimate will be available in approximately twelve months. This will include costs for:

- Progressing a consultation programme with the community and
- Engaging the relevant consultants that will be needed to assist our community and Masterton District Council through this work.

The costed project would be considered and confirmed by Council through either the next LTP or as annual plans are approved.

#### **4.4 Tāngata whenua considerations**

The Climate Change Working Group includes iwi representation as partners. The proposed sub-committee also includes iwi representation.

Contact Officer: Paul Crimp, Chief Executive Officer

# **Appendix 1 – Extracts from Local Government Act 2002, & Local Electoral Act 2001**

## Extracts from relevant legislation

### Local Government Act 2002, Schedule 7

#### 4 Member's right to resign

- (1) A member of a local authority may resign office by notice in writing addressed and delivered to the chief executive of the local authority.
- (2) The notice takes effect on the day on which it is delivered to the chief executive of the local authority.

#### 5 Extraordinary vacancies

- (1) The office of a member of a local authority becomes vacant, and the vacancy that is created is an extraordinary vacancy, if the member—
  - (a) dies; or
  - (b) becomes subject to a property order made under section 31 of the Protection of Personal and Property Rights Act 1988; or
  - (c) is disqualified from, or is ousted from, office; or
  - (d) is absent without leave of the local authority from 4 consecutive meetings (other than extraordinary meetings)] of the local authority; or
  - (e) resigns under clause 4.
- (2) Sections 117 to 120 of the Local Electoral Act 2001 apply to extraordinary vacancies. [...]

#### 29 Proceedings not invalidated by vacancies, irregularities, etc

An act or proceeding of a local authority or committee, or of a person acting as a member of a local authority or committee, is not invalidated by—

- (a) a vacancy in the membership of the local authority or committee at the time of that act or proceeding; or
- (b) the subsequent discovery—
  - (i) of some defect in the election or appointment of the person acting as a member of the local authority or committee; or
  - (ii) that that person was or is incapable of being a member.

### Local Electoral Act 2001

#### 58 Candidacy for both regional council and constituent authority prohibited

- (1) In this section,—

**constituent authority**, in relation to any region, means—

  - (a) a territorial authority having jurisdiction over a constituent district; or
  - (aa) a local board for a local board area that is wholly or partly within the region; or
  - (b) a community board for a community that is wholly or partly within the region

**member**, in relation to a constituent authority, includes a mayor.

- (2) No person may, at the same time, be both a candidate for election to a regional council for a region and a candidate for election to a constituent authority of that region.
- (3) No member of a constituent authority of a region may be a candidate for election to the regional council for the region.
- (4) No member of a regional council for a region may be a candidate for election to a constituent authority of that region.
- (5) Subsections (3) and (4) do not apply if a general election of members of the regional council of a region is to be held concurrently with a general election of members of a constituent authority of that region.

**117 Extraordinary vacancy in local authority or [local board or] community board**

- (1) If a vacancy occurs in the office of a member of a local authority or in the office of an elected member of a local board or community board more than 12 months before the next triennial general election, the vacancy must be filled by an election under this Act.
- (2) If a vacancy occurs in the office of a member of a local authority or in the office of an elected member of a local board or community board 12 months or less than 12 months before the next triennial general election, the [chief executive] of the local authority concerned must notify the local authority or local board or community board of the vacancy immediately.
- (3) On receiving notice under subsection (2), the local authority or local board or] community board must, at its next meeting (other than an extraordinary meeting)] or, if that is not practicable, at its next subsequent [meeting (other than an extraordinary meeting)], determine by resolution—
  - (a) that the vacancy will be filled by the appointment by the local authority or local board or community board of a person named in the resolution who is qualified to be elected as a member; or
  - (b) that the vacancy is not to be filled.
- (4) If for any reason the person specified in the resolution is unavailable, or otherwise unable to be notified of the appointment, a further vacancy occurs in that office.
- (5) Despite subsection (3), if the vacancy is for the office of Mayor, the vacancy must not be left unfilled but must be filled by appointment of 1 of the other members of the local authority as Mayor.
- (6) If any member is appointed or elected to fill a vacancy in the office of Mayor,—
  - (a) the person is to be treated as having vacated the office of a member; and
  - (b) the vacancy in the office of a member is an extraordinary vacancy and this section and sections 118 to 120 apply.

[...]

#### **118 Notice of intention to fill vacancy by appointment**

- (1) If, under section 117(3)(a) or section 117A, a local authority or local board or community board resolves that a vacancy will be filled by the appointment of a person by the local authority or [local board or] community board, it must immediately, unless the vacancy is for the office of Mayor, give public notice of—
  - (a) the resolution; and
  - (b) the process or criteria by which the person named in the resolution was selected for appointment.
- (2) The local authority or [local board or] community board must, at a meeting held not later than the expiry of the prescribed period, by resolution confirm the appointment described in the resolution under subsection (1); and the person appointed is for all purposes to be treated as having been elected to fill the vacancy on the date on which that resolution is made.
- (3) For the purposes of subsection (2), the **expiry of the prescribed period** is 30 days after the date of notification of the resolution under subsection (1).
- (4) If for any reason the person specified in the resolution is unavailable or otherwise unable to be confirmed in the appointment, a further vacancy occurs in that office.

#### **119 Notice of intention to leave vacancy unfilled**

If, under section 117(3)(b), a local authority or [local board or] community board resolves not to fill a vacancy, it must immediately give public notice of its decision.



